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**INQUIRY INTO OCCUPATION AND ADMINISTRATION  
OF HAITI AND SANTO DOMINGO,**

---

**HEARINGS**

**BEFORE A**

**SELECT COMMITTEE ON  
HAITI AND SANTO DOMINGO  
UNITED STATES SENATE**

**SIXTY-SEVENTH CONGRESS**

**FIRST AND SECOND SESSIONS**

**PURSUANT TO**

**S. RES. 112 . . . .**

**AUTHORIZING A SPECIAL COMMITTEE TO INQUIRE  
INTO THE OCCUPATION AND ADMINISTRATION OF  
THE TERRITORIES OF THE REPUBLIC OF HAITI  
AND THE DOMINICAN REPUBLIC**

---

**Volume 1**

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**Printed for the use of the Select Committee  
on Haiti and Santo Domingo**

SELECT COMMITTEE ON HAITI AND SANTO DOMINGO.

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# INQUIRY INTO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

FRIDAY, AUGUST 5, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
Washington, D. C.

The committee met at 10.30 o'clock a. m., in the committee room, Capitol, Senator Medill McCormick presiding.

Present: Senators McCormick (chairman), Oddie, and King.

Also present: Mr. Ernest Angell, representing the Haiti-Santo Domingo Independence Society, the National Association for the Advancement of Colored People, and the Union Patriotique d'Haiti; Mr. Stenio Vincent, representing Union Patriotique d'Haiti; Mr. O. G. Villard, representing Haiti-Santo Domingo Independence Society; Mr. Horace G. Knowles, representing the Patriotic League of the Dominican Republic, and the deposed Dominican Government; Maj. Edwin N. McClellan, United States Marine Corps, as custodian of certain reports and correspondence taken from Navy and Marine Corps files, bearing on Republic of Haiti; Capt. C. S. Freeman, United States Navy, as custodian of certain correspondence and documents bearing on the situation in the Dominican Republic.

The CHAIRMAN. The committee will come to order. If it meets the judgment of the members of the committee, we might begin by receiving the memorial which was brought to our notice at the last meeting, and any other matter which Capt. Angell has to present.

**STATEMENT OF MR. ERNEST ANGELL, 50 PINE STREET, NEW YORK, N. Y., REPRESENTING THE HAITI-SANTO DOMINGO INDEPENDENCE SOCIETY, THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, AND THE UNION PATRIOTIQUE D'HAITI.**

The CHAIRMAN. Capt. Angell, will you tell the committee what memorials and other matter you have to submit?

Mr. ANGELL. We have here copies of the so-called Haitian Memoir, and I am going to ask the indulgence of the committee to permit Mr. Vincent to present that memorial, since he was instrumental in its preparation and holds a high position in the unofficial representation of his country. Mr. Stenio Vincent is the former minister of justice and interior, and minister to The Hague. He was president of the Haitian Senate at the time of its dissolution by the United States armed forces.

The CHAIRMAN. You may proceed, Mr. Vincent.

**STATEMENT OF MR. STENIO VINCENT, NEW YORK, N. Y., REPRESENTING THE UNION PATRIOTIQUE D'HAITI, FORMERLY MINISTER OF JUSTICE AND INTERIOR, MINISTER TO THE HAGUE, AND PRESIDENT OF THE SENATE, REPUBLIC OF HAITI.**

Mr. VINCENT. Mr. Chairman and Senators, in the name of the Union Patriotique d'Haiti, which, with its branches in all the cities and villages of Haiti, has at least 20,000 members, I have the honor of presenting to the Senate commission of inquiry into the occupation and administration of Haiti and Santo Domingo by American forces a copy of the memoir which has already been presented to the Senate Committee on Foreign Affairs.

This memoir relates the conditions and circumstances in which the treaty of September 16, 1915, was imposed upon the Haitian people, the violent means used to achieve this result, and the consequent position of the Haitian Government, which has, in fact, lost the characteristics of a real Government.

Despite the violence with which it was imposed, this treaty has not been carried out. As regards the relations of the Haitian Government to the treaty officials, there is nothing to be added to the forceful declarations made by President Dartiguenave, which have already been made public and when the memoir reproduces.

From the point of view of international law it is plain that the Wilson Government had no right to order an invasion of Haitian territory and to take possession of that small and friendly country. President Wilson himself, at almost the same time, proclaimed that "all the Governments of the Americas are, as far as we are concerned, upon a footing of perfect equality and unquestioned independence," and that "no nation should seek to extend its policy over any other nation or people, but that every people should be left free to determine its own policy, its own way of development, unhindered, unthreatened, unafraid, the little along with the great and powerful."

The only avowed pretext for intervention I find in the Annual Report of the Secretary of the Navy for 1920. The Secretary wrote as follows:

"The crisis in Haitian affairs demanded immediate and energetic action on the part of the Navy to protect American and foreign lives and property and to restore order throughout that distressed country."

But the fact is that while tragic events occurred in Port-au-Prince on July 27, 1915, resulting in the overthrow and death of President Vilbrun Guillaume Sam, throughout this affair the life of not a single American citizen or foreigner was taken or jeopardized. No property was destroyed. And although there was for the moment no Government, there was no burning or killing or robbing. Quiet was promptly restored and a committee of public safety assumed responsibility for order until a new Government should be elected. It must be borne in mind that there is not a single instance of an American or, indeed, of any foreigner having been killed or molested in Haiti prior to the American occupation.

The truth is that the Wilson administration took advantage of the political adventures of a weak and defenseless nation and forced upon it an intervention which, through the agency of the American minister in Haiti in December, 1914, of the Fort Smith mission in March, 1915, and of the Paul Fuller, Jr., mission in May, 1915, had been long in preparation.

It is sometimes alleged—most curious of all—that the Haitian people invited the United States to straighten out its affairs. The facts are these: Toward the end of 1914 the new Haitian Government was notified that the American Government was disposed to recognize the newly elected Haitian President, M. Davilmar Theodore, as soon as a Haitian commission should sign at Washington a "satisfactory protocol" on the model of the American-Dominican convention of 1907. On December 15, 1914, the Haitian Government, through its secretary of foreign affairs, replied:

"The Government of the Republic of Haiti would consider itself lacking in its duty to the United States and to itself if it allowed the least doubt to exist of its irrevocable intention not to accept any control of the administration of Haitian affairs by a foreign power.

The Haitian people never asked American intervention. The conditions of the American occupation, as described in the Haitian memoir, have not been such as to cause the Haitian people to change their minds. They ask, as that memoir states:

First. Immediate abolition of martial law and of the courts-martial.

Second. Immediate reorganization of the Haitian police and military forces and withdrawal within a short period of the United States military occupation.

Third. Abrogation of the convention of 1915.

Fourth. Convocation within a short period of a constituent assembly, with all the guarantees of electoral liberty.

In concluding this statement I beg leave to draw the most earnest attention of the committee to the existence of martial law in Haiti, a fact which, unless measures are taken to obviate the consequences, may seriously obstruct the investigation. The entire Haitian people rejoiced to hear of the formation of this committee; it firmly believes that the task of justice and of truth is at last to be accomplished. But if it is to participate freely, it is important that very guaranty be given Haitian citizens. I hope that this committee will

arrange with the Government to do away with the serious inconvenience which would result were martial law to continue during the period of an inquiry into the abuses committed under the shelter of that law.

Senator KING. Mr. Chairman, I presume that at a later date these gentlemen, as well as others who may submit documents, will be available for cross-examination, if the committee desires?

The CHAIRMAN. I understand, Capt. Angell, that it is your purpose to-day to file such memorials as you have prepared, and after the committee has had an opportunity to examine them to be prepared to submit to us a list of witnesses whom you would like to have called?

Mr. ANGELL. That is our intention, Senator.

We have here copies of the so-called Haitian memoir to which Mr. Vincent has referred in his statement. We intend to file with the committee now several copies, which will be at the disposition of the committee.

(The memoir referred to is here printed in full, as follows:)

[The Nation, New York, Wednesday, May 25, 1921.]

MEMOIR ON THE POLITICAL, ECONOMIC, AND FINANCIAL CONDITIONS EXISTING IN THE REPUBLIC OF HAITI UNDER THE AMERICAN OCCUPATION BY THE DELEGATES TO THE UNITED STATES OF THE UNION PATRIOTIQUE D'HAÏTI.<sup>1</sup>

I.

BEFORE MILITARY INTERVENTION.

The fact that Mr. Wilson's Government, in its military intervention in Haiti, acted under the influence of certain big financial interests will be shown in the following account:

The National Bank of Haiti, founded in 1881 with French capital and intrusted from the start with the administration of the Haitian treasury, disappeared in 1910 and was replaced by a financial institution known as the National Bank of the Republic of Haiti.

Like the old one the new bank was intrusted, under certain conditions and for the duration of its contract, with the administration of the treasury of the Haitian Government. But a part of the capital stock had been subscribed by the National City Bank of New York, which became for the first time interested in the financial affairs of Haiti.

It was from this time on that financial control of Haiti began to be talked of, and the National Bank of the Republic of Haiti immediately adopted a new attitude with regard to the Haitian Government, never ceasing to create difficulties for it.

On June 21, 1914, President Oreste Zamor left Port au Prince to check a revolutionary movement which had broken out in the North Province. During his absence the National Bank of the Republic of Haiti, giving as a pretext the moratorium decreed in France, the diminution of receipt as a result of the European war, and the insurrection in the North, stopped the execution of a budget convention between it and the Haitian Government, which was drawn up with the object of assuring, until September 30, 1914, the monthly and regular payment of public expenses. In order to live up to its obligations, the Government had to submit to the demands of the National Bank of the Republic of Haiti. It authorized the latter to dispose of an amount of \$200,000 drawn from the funds applied to the redemption of paper money, and under this condition the bank resumed the regular administration.

Because of increasing difficulties with the bank, and lack of effective means for checking the revolutionary movement, President Oreste Zamor had to abandon the struggle. He refused the offer that was made to him of help from the United States to keep himself in power, not wishing to compromise the independence of the country, and resigned on October 29, 1914.

Meanwhile an active propaganda was being carried on, spreading the rumor that the President had agreed to sign a treaty with the United States. This rumor persisting, on October 26 Senator Lhérisson demanded an explanation on this subject from the state secretary of foreign affairs, at the senate tribune. The latter denied the existence of any negotiations with the United States, and the senate unanimously passed the following resolution, which fully expressed the sentiment of the country:

<sup>1</sup> This memoir was presented to the Department of State and to the Senate Foreign Relations Committee on May 9.

"The senate, after hearing the denial of the state secretary of foreign affairs of the existence of negotiations between the national administration and the Government of the United States, declares its satisfaction with his explanations, condemns any kind of a treaty, and passes the order of the day."

On November 7, 1914, Senator Davilmar Theodore was elected President of the Republic in place of Oreste Zamor. From the very start he was confronted by the same difficulties with the bank. Moreover, the United States Government made as a condition for the recognition of the new administration of Haiti the sending of a commission to Washington for the purpose of signing "satisfactory protocols" relating to various questions, notably a convention for the control of the Haitian customhouses with the United States, modeled after the Dominican-American convention.

On November 27 Senator Lhérisson asked to interpellate the state secretary of foreign affairs with regard to negotiations said to have been agreed upon between the Governments of Haiti and the United States. On December 3, through explanations presented to the senate tribune by Monsieur J. Justin, state secretary of foreign affairs, it was learned that Mr. Bailly-Blanchard, envoy extraordinary and minister plenipotentiary of the United States at Port au Prince, had made proposals to the Haitian Government relative to a convention for the control of the Haitian customhouses. M. Justin was hooted by the audience, and even threatened, so strong was the national sentiment against anything which might interfere with the independence and sovereignty of the country.

On December 10, 1914, Hon. A. Bailly-Blanchard, American minister, had presented to the Haitian Government a project for a convention in 10 articles. (See Appendix No. 1.) The United States asked in this project for the control of the administration of the Haitian customhouses, and asked the Haitian Government to agree not to modify the custom duties in such a way as to reduce the revenues, etc., without the consent of the President of the United States.

The Haitian Government, considering that the signature of such a convention would have the effect of placing the country under a protectorate, and dreading the discontent of a people particularly jealous of its independence, notified Mr. Bailly-Blanchard on December 15 of its regret that it could not accept the agreement, in spite of its friendly sentiments for the United States. On the 19th the American minister replied that his Government would not insist upon the question of the treaty.

Two days previous to this communication from Mr. Bailly-Blanchard, in order to force the Haitian Government to accept the control of the customhouses by systematically depriving it of financial resources, American marines carried off the strong boxes of the National Bank of the Republic of Haiti in broad daylight and took on board the gunboat *Machias* a sum of \$500,000 belonging to the Republic of Haiti and destined to be used for the redemption of paper money. In his notes of December 19 and 26, the state secretary of foreign affairs asked him in vain for explanations from the United States Legation regarding this military kidnapping of the funds of the Haitian treasury. This amount is still in the United States, where it was transported and deposited in a New York bank.

In March, 1915, similar measures for procuring control of the Haitian customs began again. This time an American commission landed at Port au Prince, composed of Messrs. Ford and Smith. Mr. Vilbrun Guillaume Sam had just been elected President of the Republic by the National Assembly. On March 15 the commission got in touch with M. Duviolier, state secretary of foreign affairs. After the usual compliments, Mr. Ford, president of the commission, began to communicate to M. Duviolier the object of his mission. It soon appeared to the Haitian minister that the commission had no full powers to negotiate. Mr. Ford readily admitted this; he declared, however, that he was the personal friend of President Wilson and seemed to indicate that he was authorized to speak in the name of the President of the United States. M. Duviolier having shown him the objection to receiving communications from agents without due authorization the negotiations were broken off and the commission returned to the United States.

Scarcely two months later, during the first two weeks of May, 1915, Mr. Paul Fuller, Jr., arrived at Port au Prince with the official title of special agent of the United States and envoy extraordinary and minister plenipotentiary to the Government of Haiti. He was received on the 21st by the President of the Republic, to whom he explained the object of his mission. Mr. Fuller was heard with all the attention to which his official standing and the Government that he represented entitled him. He was asked to submit his

proposals to the Haitian Government in writing. On the following day, the 22d, he addressed to the state secretary of foreign affairs a project of a treaty in four articles. (See Appendix No. 2.) The preamble of the project contained the following statements:

"Whereas it is the mutual desire of the high contracting parties that there shall exist between an American minister plenipotentiary—hereafter to be appointed—and the President of Haiti such an intimate and confidential relationship as will enable the American minister plenipotentiary to advise as to such matters as affect the honest and efficient administration of the Government, the President of Haiti agreeing that he will follow the advice so given to the extent of requiring honesty and efficiency in officials and of removing those found to be dishonest and inefficient; the President of the United States and the President of the Republic of Haiti have resolved to enter into a convention for that purpose."

By the terms of the project presented by Mr. Paul Fuller, jr., the United States agrees to protect the Republic of Haiti against any attack by any foreign power, using for this purpose its military and naval forces. The United States also agrees to aid the Haitian Government to put down any internal troubles, and to give it effective support by the use of American military and naval forces within the necessary limits. Moreover, the President of Haiti must agree not to grant any rights, privileges, or facilities of any kind with regard to St. Nicholas Mole—not to concede, sell, rent, or otherwise give up, directly or indirectly through the Government of Haiti, the occupation or use of St. Nicholas Mole to any foreign Government or to any national or nationals of a foreign Government.

This project was examined in the most friendly way, and on June 2 the state secretary of foreign affairs, M. Duviols, presented a counterproject to the American envoy as a basis of negotiations. Regarding the question of St. Nicholas Mole the Haitian Government accepted unreservedly the draft proposed by Mr. Paul Fuller. On the other hand, he asked that the first article of the project should read as follows:

"The Government of the United States agrees to lend its aid to the Republic of Haiti for the conservation of its independence. With this object it promises to intervene in order to prevent any intrusion by any foreign power in the affairs of Haiti and to repulse any act of aggression against the country. It will use for this purpose such forces of its Army and of its Navy as are necessary."

The Haitian counterproject also admitted the principle of a cooperation of American forces to check internal troubles, but stipulated that these forces, after cooperating with the Haitian troops in the reestablishment of order, should be promptly withdrawn from the territory of the Republic on demand of the constitutional authorities.

The Haitian Government asked, moreover, that the United States Government should promise to favor the entrance of American capital into the country and to aid in the improvement of Haitian finances in such a way as to bring about the unification of the public debt and an effective monetary reform. (See Appendix No. 3.)

On June 3, in acknowledging the receipt of the counterproject of the 2d to the state secretary of foreign affairs, Mr. Paul Fuller proposed, in turn, certain modifications of the Haitian text. In a note dated the 4th the state secretary of foreign affairs notified the American envoy of the acceptance of some of the modifications proposed and the rejection of others. On the 5th Mr. Paul Fuller acknowledged the receipt of this note without expressing any opinion on its contents.

The discussion had reached this point when it was learned that the American envoy had suddenly left for the United States. The negotiations were not resumed.

## II.

### LANDING OF AMERICAN TROOPS IN HAITI.

*Treaty of September 16, 1915.*—On July 27, 1915, an attack was directed during the night against the President's palace by a revolutionary group—a group which militantly represented amid other antagonisms the overwhelming sentiment against any policies which tended or seemed to tend to the compromising of Haitian independence. On the next day President Vilbrun Guil-

laume Sam, wounded in the struggle, abandoned the palace and took refuge in the legation of the French Republic.

On the morning of the same day the rumor spread through the town that some political prisoners had been summarily executed in the prisons of Port au Prince during the attack on the national palace. This terrible and deplorable news was only too true. A great cry of grief arose from all classes of the people and soon changed into indignation and anger. Agitation was increasing. On July 28 the relatives of the victims, mostly young people, carried away by grief, invaded the French Legation, seized the ex-President, who was thrown into the street and killed. At the time when these confused scenes occurred there was for the moment no government nor any kind of an organization capable of preventing them. Yet there was no burning or robbing, and no one except the ex-President and the ex-governor of Port au Prince, who were held responsible for the execution of the political prisoners, met death through this tragic incident.

After this act of reprisal, quiet was promptly restored, and a committee of public safety assumed responsibility for order.

Meanwhile, on July 28, the American cruiser *George Washington*, bearing the flag of Rear Admiral W. B. Caperton, anchored in the harbor of Port au Prince. No notice was taken of it, because it was generally believed that the presence of this vessel had no other object than that of protecting foreign interests if necessary, since Europe was at that time plunged in war.

On July 29, the population awoke to learn that the territory of Haiti was invaded by American forces that had landed at the extreme south of the city the night before. Hundreds and soon thousands of American marines occupied the town and disarmed the surprised Haitians, who were completely bowled over by the terrible events of the last two days—and so the American forces did not meet with any resistance from the population. Two weeks passed, during which the landed forces succeeded in getting control of Port au Prince and its immediate vicinity. Meanwhile other American troops had occupied the city of Cape Haitien, in the northern part of the country. On August 12, 1915, after numerous conferences between leading members of the Haitian Chamber and Senate with the American naval authorities, at the United States Legation and elsewhere, a presidential election was held by permission of the occupation, and M. Dartiguenave, president of the senate, was elected, the majority of the members of the two houses agreeing to support him. It was made clear that the choice of M. Dartiguenave was essentially agreeable to the American occupation. He was therefore elected for a term of seven years in accordance with the Haitian constitution then in force.

Two days after the establishment of the new government, Mr. Robert Beale Davis, jr., American chargé d'affaires, in the name of his Government, presented to President Dartiguenave a project for a treaty. (See Appendix No. 4.) This project was accompanied by a memorandum, in which the President was informed "that the State Department at Washington expected that the Haitian National Assembly, warranting the sincerity and the interest of the Haitians, would immediately pass a resolution authorizing the President of Haiti to accept the proposed treaty without modification." Since this request indicated a certain ignorance of Haitian constitutional practice, as regards the negotiation of treaties, the Government hastened to call Mr. Davis's attention to the article of the constitution relating to this subject and showed him that the President of Haiti did not need special authority of the chambers to negotiate and sign treaties with a foreign power.

The American chargé d'affaires, after examining the constitutional text, readily acknowledged it and withdrew. Imagine the surprise of the Government on receiving the next day a threatening note signed by the chargé d'affaires, insisting that the resolution indicated in the memorandum should be passed by the Haitian Chambers, and setting in the form of an ultimatum a time limit within which that resolution must be passed.

To this demand the Haitian Government replied, through the state secretary of foreign affairs, M. Pauléus Sannon, that it was guided by the most friendly disposition and was ready to negotiate a treaty with the United States, but that rather than accept without modification the project presented it would prefer to resign as a body.

By the occupation of its territory the Government, which had been deprived of even its police power and which had none of the essential attributes of authority, was in reality without independence, without liberty of action. Its

existence and its working depended upon the invading American forces, equipped with all modern armaments and now occupying the country.

While the negotiations were being continued laboriously as a result of the determination of the American representative not to accept any modifications in the project of the treaty, Rear Admiral W. B. Caperton, commander in chief of the expeditionary force of the United States, seized the customhouses of Port de Paix, Cap, and St. Marc on August 24, driving out the Haitian officials. And in spite of the repeated official protestations of the Government to the American legation all the customhouses of the Republic were successively occupied and thus came under the control of the officers of the United States Navy. On September 1, 1915, President Dartiguenave solemnly protested in a proclamation against this long series of violations of law, which had just resulted in the occupation of the customhouse of Port au Prince. On the 3d Rear Admiral W. B. Caperton issued a proclamation in which he declared that he had assumed control of the Government and that the town of Port au Prince (the seat of the Government) and its vicinity were under martial law. (See Appendix No. 5.)

In face of the impossibility of getting certain modifications of the project accepted two members of President Dartiguenave's cabinet, the state secretary of foreign affairs, and the state secretary of public works handed in their resignations on September 8, 1915.

The treaty was signed on the 16th of the same month by M. Louis Borno, the new state secretary of foreign affairs, and Mr. Robert Beale Davis, jr., American chargé d'affaires at Port au Prince.

In reality the Government had been from the beginning to end oppressed by a series of violent acts. Apart from the occupation of its territory, the customhouses, which were the chief object of the treaty, had been seized manu militari, and the funds belonging to the Haitian treasury and deposited in the National Bank of the Haitian Republic had been transferred to the account of Rear Admiral W. B. Caperton by his orders.

The convention, after being ratified by the President of the Republic, was sanctioned by the Chamber of Deputies on October 6, 1915, and by the Senate on November 11, 1915.

#### EXECUTION OF THE TREATY.

1. *Modus vivendi of November 29, 1915.*—The convention of September 16, 1915, having been negotiated and ratified by the Haitian Government and sanctioned by the Haitian Chambers under the conditions and circumstances set forth above, there was some hope that its execution would soon bring about the return to a situation which would naturally be cleared up by the rules of cooperation and collaboration established between the two Governments by this diplomatic instrument and by the fulfillment of the obligations entered into by the American Government toward the Haitian people.

The Haitian Government, after the landing of the American troops, was actually nothing more than a purely nominal government. It had neither the power to enforce its authority nor finances. The American military authorities had taken possession of the customhouses, had invaded the territory of the nation, and, by the establishment of martial courts, had practically suppressed the Haitian administration of justice. The protests of the Government against these acts of interference in internal politics had remained a dead letter. And it was precisely "to put an end to these difficulties and to obtain the liberation of the territory that was formally promised" that it had to "yield."<sup>1</sup> Consequently pending the sanction of the treaty by the American Senate and the exchange of ratifications the Haitian Government had to accept the arrangement proposed by the American Government itself for the provisional execution of the convention of September 16, 1915.<sup>2</sup> A *modus vivendi* was signed at Port au Prince on November 29, 1915. It stipulated that "the convention signed on September 16, 1915, between the Haitian Republic and the United States and ratified by the Chamber of Deputies of Haiti on October 6, 1915, and by the Senate of Haiti November 11, 1915, would provisionally go into full effect and would remain in force until the vote of the American Senate was taken regarding the convention, leaving the methods of application of the treaty to be decided at Washington between the Department of State and the Haitian commission named for the purpose." (See Appendix No. 6.)

<sup>1</sup> See *Exposé Général de la Situation de la République d'Haïti*, année 1917, pp. 5-6.

<sup>2</sup> *Ibid.*

At the same time that this *modus vivendi* was signed it was understood between the two high contracting parties that—

1. The municipal administrations actually in the hands of the American occupation should be returned to the Haitian Government after a special agreement for each case.

2. The customs administration should be settled by an understanding between the state secretary of finance and the receiver general relative to the elements of control of customs operations to be furnished to the Haitian Government and its participation in the appointment of employees according to the terms of the convention.<sup>1</sup>

1-A. *Municipal administrations.*—The *modus vivendi* dealing with this subject was not carried out in any particular. The municipal administrations were not restored to the Haitian authority, in spite of the formal promise which had been made to this effect. As it had been understood that a special agreement would be made for each case, the Haitian Government, in a memorandum dated December 20, 1915, asked the legation of the United States to begin as soon as possible the restoration of those of Port au Prince. (See Appendix No. 7.) This memorandum, in indicating the procedure which it would be convenient to adopt under the circumstances, added:

"This restoration necessarily involves expenses, and the means of meeting them are a necessary part of this restoration. But as these expenses have actually been paid to the American occupation by Admiral Caperton out of the funds of the Public Treasury their future payment to the Haitian authority would not be a new expense.

"Consequently the Haitian Government considers that in cases where the details of the agreement will bring expense to the Haitian administration the means for meeting them will be furnished from the funds of the Public Treasury."<sup>2</sup>

On January 3, 1916, Mr. A. Bailly-Blanchard, the American minister, in referring to his note of November 29, 1915, and to the Haitian memorandum of December 20, 1915, relative to the restoration of the municipal administrations to the Haitian Government, informed M. Louis Borno, state secretary of foreign affairs, that Rear Admiral Caperton, United States Navy, commanding the forces of the United States in Haiti and in Haitian waters, had received instructions to suspend action in the affair for the time being until the employees provided for in the treaty and the *modus vivendi* should be named and ready to take office.<sup>3</sup>

Thus, in spite of the *modus vivendi* of November 29, 1915, proposed by the Government of the United States (which provided for the complete execution of the convention of September 16, 1915, pending the vote of the American Senate), the Haitian Government was always confronted by the state of affairs previous to the convention. And the Haitian Government, through the state secretary of foreign affairs, stated to the American minister at Port au Prince that "such a situation could not last any longer without creating between the two Governments a very serious equivocation which would not be pleasant for either party."<sup>4</sup>

2-A. *Customs officials and employees.*—Since the constitution of the Haitian Republic states clearly that the President of Haiti alone appoints and recalls public officials, article 2 of the treaty of 1915 could only mean a modification of that constitution when it states that the agents of control designated by it, namely, the receiver general, the financial adviser, and the assistants and employees of their offices—offices of collection and offices of payment—may be Americans and subject to nomination by the President of the United States. It was clear, therefore, that the other officials and employees of the public administration of Haiti, and particularly of the customs administration, must be Haitians and appointed exclusively by the President of Haiti. This interpretation was self-evident. In addition to the correspondence exchanged at the time of the signing of the *modus vivendi* of November 29, 1915—correspondence in which the American Legation determined the following point:

<sup>1</sup> Correspondence between M. Bailly-Blanchard, American minister to Port au Prince, and M. Louis Borno, state secretary of foreign affairs. See *Exposé Général de la Situation de la République d'Haiti, année 1917*, p. 14.

<sup>2</sup> *Ibid.*

<sup>3</sup> See communication of the American Legation, Report of M. Louis Borno, state secretary of foreign affairs, to the President of Haiti, vol. 1, pp. 219, 220, 221.

<sup>4</sup> See Report of M. Louis Borno, state secretary of foreign affairs, to the President of Haiti, vol. 1, p. 221.

"(2) The customs administration will be settled by an understanding between the state secretary of finance and the receiver general relative to the elements of control of customs operations to be furnished to the Haitian Government, and its participation in the appointment of employees according to the terms of the treaty"—the interpretations referred to in the law of sanction for the said treaty, dated November 11, 1915, which had been officially transmitted to the Government at Washington before the sanction of this same treaty by the American Senate and the exchange of ratifications, contain the following explanation with regard to article 2:

"B. The customs personnel is Haitian, appointed exclusively and directly by the President of Haiti. The 'assistants and employees' designated in article 2 are assistants of the receiver; they do not make up the customs personnel. They are assigned to the customs by the receiver's office and control the customs operations."

Moreover, in a communication of September 16, 1915, addressed to Mr. R. B. Davis, chargé d'affaires ad interim of the United States of America at Port au Prince, the state secretary of foreign affairs, M. Louis Borno, recalled in the following terms the specifications relating to this subject, which he had fixed at a conference held the day before at the department of foreign affairs:

"With the sincere desire of avoiding from now on any misunderstanding upon certain important points, I have drawn your attention to the following:

"• • • (3) By the words 'collect,' 'receive,' and 'apply,' in article 2, first paragraph, etc., the Government understands that what has been fixed by those words is a service of collectorship (collect, receive) and of payment (apply).' (See art. 5.) The receiver general and the assistants and employees to be appointed by the President of Haiti upon the nomination of the President of the United States form a service of collection of all customs duties, a separate department from the customs administration as such, which latter consists in the storing, verification, and taxation of merchandise according to the tariff. Consequently, the Haitian employees of this customs service will depend upon the exclusive appointment of the President of Haiti."

Nevertheless, on this point also the *modus vivendi* remained a dead letter.

#### AFTER THE EXCHANGE OF RATIFICATIONS.

The formality of the exchange of ratifications of the treaty of September 16, 1915, was carried out at Washington, D. C., on May 3, 1916. The régime of military administration established by the American occupation nearly a year before had now become definitely incompatible with the terms of the convention which established the rights and duties of the high contracting parties. The question was, then, to keep the two Governments henceforth within the limits of the rules contained in the convention. In the departments of public administration which were not touched upon by the convention of 1915 it goes without saying that exclusively American action could not rightly be imposed upon the Haitian Government, however disposed it might be to accept a certain cooperation. But the legitimate and judicial claims of the Haitian Government met with no success. When the treaty became a fact, it had no more effect in relieving the situation than the *modus vivendi*. The municipal administrations still remained in the hands of the American military authorities.

In reference to the public works which the occupation had taken over in the month of June, 1916, without any agreement with the Haitian Government, or even the slightest warning to the minister concerned, the Haitian Government protested to the American legation and declared that it declined all responsibility for any expenses against the Haitian State which might be incurred by the occupation, whether for the public works or for any other cause not justified by the convention; whereupon a letter on this subject from Col. Littleton W. T. Waller, addressed to the American minister, was sent to the Haitian Government, from which we quote the following paragraph:

"3. If, as stated by the minister of foreign affairs, the treaty has been in operation since May 3, 1916, I know nothing of it; I must receive my information through proper military channels before I can relax the established rules under which we have been operating."

<sup>1</sup> See letter of June 28, 1916, Louis Borno, Report to the President of Haiti, etc., vol. 1, p. 227.

<sup>2</sup> Letter of June 30, 1916, from the commander of the expeditionary force. See Borno, Report to the President of Haiti, etc., vol. 1, p. 231.

Thus it is clear that the occupation, up to the end of 1917, carried on all public works, without any control by the Haitian Government over the nature of the works, the manner of carrying them out, their expediency, or even the amount spent on these works.\* Twice, meanwhile, on January 3, 1916, and July 14, 1916, Mr. Bailly-Blanchard, the American minister, officially declared that the occupation would continue to operate the public works only until the officials designated in the treaty should be appointed and ready to exercise their duties. Now, since in the month of September, 1916, Mr. E. G. Oberlin, United States Navy, had been named engineer for the department of public works, he had immediately informed the said department that he was ready to enter completely into the execution of his duties as specified in article 13 of the treaty of September 16, 1915, and into the regulations of the bureau of engineering.

Mr. Oberlin, after passing several months at the department of public works without being able to accomplish anything, was recalled early in 1917 and replaced immediately by Mr. E. R. Gayler, United States Navy. Nothing had changed, that is to say, the agents of the occupation had continued to operate the public works without any participation by the department of public works."

And the Haitian Government was justified in drawing the following conclusions in said *Exposé Général de la Situation*, etc., 1917, in the chapter on foreign relations, and in the section dealing with the difficulties just described:

"It can be said, then, that the treaty of September 16 has not been carried out, and that this violation of the engagements entered into is due to the agents of the American Government." "

When the first officials of the treaty arrived at Port au Prince in July, 1916, and entered upon their duties, the question of appointments to the customs of the Republic which had come up at the signing of the *modus vivendi* and which had not yet been solved promptly arose again.

Mr. Addison T. Ruan, financial adviser, and Mr. Maumus, receiver general, claimed that these appointments were subject to the nomination of the President of the United States. The Haitian Government maintained that they depended upon the exclusive designation of the President of the Republic of Haiti. In spite of everything, the opinion of Mr. Ruan and Mr. Maumus was indorsed by the Department of State; whence it would have resulted, by adhering to the text which was the object of the controversy, that the most insignificant employee in any customhouse in Haiti whatsoever must be nominated by the President of the United States and appointed by the President of Haiti. "In fact," said the state secretary of foreign affairs of Haiti in a communication of March 26, 1916, to Mr. Bailly-Blanchard, American minister at Port au Prince, "neither has the President of the United States ever presented such proposals, nor has the President of Haiti until now been responsible for the appointment of any of the Haitians actually employed in the customs administration or in the office of the receiver general. These citizens have been appointed in these two administrations by the military occupation, without any participation by the President of Haiti." And on this occasion the state secretary of foreign affairs of Haiti drew the attention of the United States legation to a most serious and unjust act, namely, the introduction into Haitian public administrations by the American occupation of various persons of foreign nationality other than American, much to the prejudice of our compatriots.

The point of view of the State Department on this question of appointment of Haitian officials in the customhouses of the Republic was accepted only under the express reserve of recourse to arbitration by virtue of the arbitration treaty between Haiti and the United States of January 7, 1909."

Far from stopping at these encroachments, which already constituted so many violations of the treaty, far from consenting to the restoration of the municipal administrations just mentioned, the constant and willful tendency of the American military authorities in Haiti has been, on the contrary, to extend more and more the powers, either of the gendarmerie or the occupation itself, which was by the terms of the treaty purely temporary and provisional, adding to them by assigning still other public functions. The serious difficulties created at Port au Prince with regard to the postal and telegraph administrations show clearly the nature of the procedure adopted to set the treaty aside and to absorb in the most unjustifiable manner what was left of the national administration.

\* See *Exposé Général de la Situation de la République d'Haiti*, année 1917, p. 90.

<sup>10</sup> *Ibid.*, pp. 90, 91, and 92.

<sup>11</sup> *Ibid.*, p. 16.

<sup>12</sup> See communication of Mar. 26, 1917. Borno, Report to the President of Haiti, etc., pp. 216, 217.

On February 8, 1916, the State Department and the Haitian commission sent to Washington in December, 1915, at the proposal of the United States Government, had settled the terms of an agreement relative to the gendarmerie of Haiti. The signing of this agreement had been postponed at the request of the American State Department until the sanction of the treaty by the American Senate and the congressional vote of a special act to permit United States officers to serve in the Haitian administration. When this sanction had been given and the special act had been voted, the State Department, instead of signing the agreement that had been drawn up and decided upon, proposed a new one to the Haitian Legation at Washington, which had just been invested with the full powers of the Haitian commission recalled toward the beginning of June, 1916. The new project, transmitted to the Haitian Government by M. Solon Ménos, Haitian minister at Washington, contained an article 2, drawn up as follows:

"\* \* \* The medical officers necessary for the sanitary measures provided in article 13 of the treaty, the operation, management, and maintenance of the telegraphs, telephones, the lighthouse service, and the postal service shall be directed and controlled by the commandant of the gendarmerie."

This meant the turning over of the whole civil administration on to an organization whose exclusively military and policing character had been determined in the treaty of September 16, 1915. The Haitian Government decided not to accept this article. In the course of a conference held on August 3, 1916, at the United States legation between Mr. G. Scholle, American chargé d'affaires, Col. Waller, commandant of the expeditionary corps, and Maj. Smedley D. Butler, commandant of the gendarmerie of Haiti, on one hand, and M. Edmond Hénaux, secretary of state for finance, and M. Louis Borno, secretary of state for foreign affairs, on the other, the American chargé d'affaires produced a text which he declared was that of the State Department and which differed considerably from the official text transmitted to the Haitian Government by M. Solon Ménos, Haitian minister at Washington. This new text read as follows:

"Article 2. The department of public health and public works, as prescribed by article 13 of the treaty, the operation, the management, and maintenance of telegraphs, telephone, the light house service, and the postal service shall be directed and controlled by the commandant of the gendarmerie."

Mr. Gustave Scholle declared that if within 24 hours the Haitian Government did not take official steps for placing under the control of the Haitian gendarmerie the services indicated by this article 2, the United States legation would telegraph to the State Department not to sign the agreement on hand. And Col. Waller added that if in 24 hours this step was not taken, he would telegraph to Washington that the Haitian Government was insincere and unstable. M. Louis Borno asked Mr. Scholle to communicate to him in writing the statement which he had just made. Mr. Scholle would not consent.

The situation was not improved and the pressure became more and more violent. In informing the Haitian minister at Washington of the verbal ultimatum which the Haitian Government had received, M. Louis Borno, secretary of state for foreign affairs, said, in a cablegram of August 5, 1916:

"\* \* \* Inform immediately the Secretary of State of this state of coercion. Say that the Haitian Government has decided to refuse all military demands contrary to the convention. Do not fail to make clear and defend our government's position. Meanwhile we are replying to the legation that since negotiations are being carried on at Washington, you are deciding the question with the State Department. Keep me constantly informed of your activities and of results. Situation serious, demands speed and energy. Our government stands firm and does not intend to yield to the new demands of the occupation, which are supported by the American legation."

Finally an agreement was reached, signed August 24, 1916, at Washington, by the terms of which "the operation, management, and maintenance of the telegraphs and telephones in the Republic of Haiti shall be under the control and direction of the engineer or engineers to be nominated by the President of the United States and authorized for that purpose by the Government of Haiti in accordance with article 13 of the treaty of September 16, 1915."

This agreement added to the convention by increasing the powers and authority of the engineer or engineers designated by article 13.

Instead of simply keeping to the régime fixed by the treaty, the Haitian Government was constantly obliged by the American officials to take unjustified initiatives. It was forced to accept the placing of American superintendents in

charge of the postal service and of the ministry of public education, with salaries equal to and in some cases even higher than those of the state secretaries.

At the municipal councils it was obliged to appoint so-called council officers who had, actually, the exclusive administration of the communes and absolute control of municipal affairs, including revenues and expenses. This state of affairs, not provided for in the treaty, gave rise to regrettable conflicts. When a council officer (American) was confronted by an administrator of finances and provisional prefect (Haitian official) wishing to investigate the accounts of the commune, as the law obliges him to do, it always ended either with the forced silence of the Haitian official or with all kinds of difficulties which he had to face simply because he was trying to do his duty. In this connection we particularly desire to call attention to the case of M. Auguste Magloire, administrator of finances and provisional prefect of the district of Port au Prince, and therefore appointed by law to verify the accounts of the communes in his section. This high official, with no reason that could ever be found, was one day brutally arrested and imprisoned by the American military occupation. After 21 days of detention he was released without ever having undergone any examination. He was again arrested, shortly after, and made to understand that his difficulties would be over as soon as he should resign as administrator of finances and provisional prefect of the district of Port au Prince. In fact, he sent in his resignation to the President of Haiti and immediately was released. Since then he has not been disturbed. It seems to have been too attentive an examination of the accounts of the council officers for certain communes of the district of Port au Prince that caused all his troubles. We think that it would be interesting, in an investigation, to determine this point and others with similar implications.

The treaty of September, 1915, in addition to the military officials of the gendarmerie, provides for (1) a financial adviser; (2) a receiver general of customs, his assistants and employees; (3) one or more engineers of public works; (4) one or more engineers for public hygiene.

The rights and duties of these officials are clearly determined by the treaty or by special agreements or regulations which determine the departments of public administration in which they must cooperate with the Haitian Government. Consequently, all other departments of the public administration should have remained under the exclusive control of the Haitian Government. But actually there is not a branch of public service in Haiti which has not had to submit, at one time or another, to illegal interference, often brutal, either by the gendarmerie laying down the law to the Government or by the military occupation, the absolute master of the situation.

Even the Haitian department of justice has not escaped serious traces of their domination. In fact, in the "Exposé Général de la Situation de la République d'Haiti, 1917," p. 15, a chapter is found which presents the case as follows:

"The encroachments of American agents have been felt also in the department of justice. In spite of all the protests of the department of foreign affairs to the American Legation, these encroachments have not ceased. Great harm has been caused both to the persons under jurisdiction and to the dignity of the magistracy itself, whose decisions usually encounter obstacles on the part of the agents from Washington. It is most necessary that such a state of things cease at once."

By the terms of article 10 of the treaty of September 16, 1915, the gendarmerie was created for the sake of preserving internal peace, security of individual rights, and complete observance of the said treaty.

The maintenance of peace, which had been disturbed too often in recent times, was one of the essential objects of American intervention, and it was to obtain this that provision was made for an effective rural and urban gendarmerie composed of Haitians, but organized and directed by American officers. How has the Haitian gendarmerie, commanded by American officers, who themselves never acted except under orders of the American occupation, how has this public force understood and carried out the object of article 10 of the treaty? The answer to this is the whole history of American intervention in Haiti.

Internal peace could not be preserved because the permanent and brutal violation of individual rights of Haitian citizens was a perpetual provocation to revolt, because the terrible military despotism which has ruled in Haiti for the last six years has not created and could not create for the Haitian people that security which it was hoped the application of the treaty would bring

about. Among other things, it is sufficient to call attention here to the system of *corvée*, that is to say, forced unpaid labor on public roads, imposed for military purposes upon the Haitian peasant. This will give some idea of why the gendarmerie, aided and encouraged by the American occupation, instead of assuring respect for individual rights, caused the revolt known as the revolt of the Cacos, for the repression of which so many useless atrocities were committed by the marines in our unhappy country. This gendarmerie, in spite of the aid of the marines of the occupation and the use of the most modern armament (machine guns, military planes, armored cars, etc.), was never able, by purely military methods, to contend with these undisciplined and unarmed bands known as Cacos. Therefore it is ineffective. And if it is ineffective it is because, in spite of the repeated warnings of the Government, the personnel which composes it was not chosen as it should have been. In fact, it contains men "wanted" by the Haitian courts for criminal acts (robberies, murders, etc.). Examination of the archives of the ministries of the interior and of justice of Haiti will throw light on this subject.

The same article 10 of the treaty of September 18, 1915, provides that "the American officers of the gendarmerie will be replaced by Haitians when the latter, after an examination by a committee chosen by the superior officer in charge of the Haitian gendarmerie, are judged capable of carrying out their duties effectively." This provision naturally implied the establishment of an officers' training school. But this officers' training school has never been established. It could not be, for two reasons:

1. As a general rule, the American officers of the gendarmerie are privates (in the American Marine Corps) who have been made officers in Haiti, and who have had nothing but a most elementary education, which naturally renders them incapable of any military training.

2. For this officers' school a special recruitment would have to be made, since the rank and file of the gendarmerie, as it is, is composed chiefly of illiterates. After the voting of the treaty, a certain number of young Haitians, expecting the early establishment of an officers' training school, enrolled themselves as students. But the American military authorities, knowing well that the former American privates who had become officers in Haiti could not be converted into military instructors, put off, under one pretext or another, the cooperation that was offered them.

And this provision of the treaty, too, remained a dead letter. If the urban gendarmerie is ineffective, the rural gendarmerie does not exist at all, despite article 10 of the treaty. After the arrival of the American occupation an old constabulary which had been serviceable and could easily have been improved and adapted to new conditions was abolished. It was not replaced by any kind of an organization, and so far the rural gendarmerie has not been established. The insecurity in the country is such as to discourage the peasants, causing them to leave the country where they were born and spent their entire lives and to emigrate in large numbers to Cuba.

Here is the way with the customary reserve characteristic of official documents and their euphemisms dictated by policy, in which the Haitian department of the interior expresses its judgment of the gendarmerie:

"It renders to the country, if not all the services that might be expected of it, at least those which its organization, still incomplete, permits it. \* \* \*<sup>15</sup> One of the greatest concerns of the department is to assure complete and absolute security in the country. It is working there tenaciously, and hopes shortly, with the active aid of the gendarmerie, to be rewarded for its efforts and to accomplish its aim."<sup>16</sup>

The President of the Republic of Haiti, in an interview with correspondents of American newspapers (New York Tribune, Chicago Tribune, etc.) at Port-au-Prince in November, 1920, expressed a more precise and more categorical criticism than that of the department of the interior: "The rural police," he said, "which was abolished after the occupation, has not been reorganized as provided by article 10 of the convention and article 118 of the constitution. The robberies and insecurity in the country discourage the peasants in their work; they emigrate in crowds to Cuba."<sup>17</sup>

Official documents of Haiti clearly confirm that the treaty of September 18, 1915, has never been carried out by the American Government.

<sup>15</sup> Exposé Général de la Situation de la République d'Haiti, année, 1917, p. 76.

<sup>16</sup> Exposé Général de la Situation de la République d'Haiti, 1917, p. 62.

<sup>17</sup> See L'Essor, Port au Prince, Nov. 24, 1920.

On January 13, 1916, more than a month after the *modus vivendi* of November 29, 1915, signed between the two Governments for the provisional execution of the treaty, M. Louis Borno, state secretary for foreign affairs, wrote to Mr. Bailly-Blanchard, American minister at Port-au-Prince:

"We are continually confronted with proceedings antedating the convention. \* \* \* The rule which the two high parties sanctioned by their signatures is the only one which ought to be applied. The Haitian Government must, then, require the fullest application actually possible."<sup>17</sup>

By the exchange of ratifications which took place at Washington on May 3, 1916, the treaty had gone fully into force. On June 5, 1916, the State secretary for foreign affairs, in a communication to M. Solon Ménos, Haitian minister at Washington, protested against the continuation of conditions which the treaty should have ended. Asking that a copy of his communication be submitted to Mr. Lansing, the Haitian secretary of foreign affairs stated, among other things:

"Is it possible to permit the administration of the Haitian customs and of the Haitian national treasury to be carried on any longer without any control by the Haitian Government? What is the amount of the customs revenues? Just what are all the expenses that are being incurred? What are the funds at the disposal of the treasury? The Government, in spite of its repeated demands, is unable to say. Up to the present the occupation has not, for nearly a year, supplied any report or any accounts. The Government has not the slightest doubt regarding the absolute honesty of the American officers; this honesty is above all question. What it wants to have established is the abnormal and disagreeable position of a Government which is refused information concerning its own affairs, and even refused any knowledge of circumstances or control of the situation. \* \* \*"

On June 29, 1916, in another communication to M. Solon Ménos, minister to Washington, the state secretary for foreign affairs expressed himself as follows:

"\* \* \* You can not do too much to keep the State Department on guard against the usurping tendencies of the occupation. Do not spare any effort to make the American Government understand that the Dartiguenave Government, which signed the convention, must necessarily be firmly bound to the success of its work; that it is, therefore, strictly interested in supplying the greatest and frankest cooperation to the intervention, but within the limits of the convention as faithfully interpreted. If it acted otherwise, if, now that this convention has been proclaimed by President Wilson and is in full force, the Haitian Government permitted its clauses not to be observed in the spirit which dictated them; that is to say, a spirit respectful of our rights as a free State, if the military occupation can be permitted to invade all Haitian public services, public works, and others—in violation of the clauses of the convention which provide for the appointment of special agents, engineers, and others—what would happen? The Haitian people, humiliated by this contempt for solemn promises, would have nothing but hatred and repulsion for American intervention. The Haitian Government which would accept such a situation would find itself generally discredited, to say nothing of the fact that it would assume terrible responsibilities in the eyes of its country.

"Keep in mind these ideas, Mr. Minister. They suffice for you to know what solutions the Government will accept in the negotiations which are confided to you.

"Most especially I draw your attention to the necessity for putting an end to martial law. As long as there were any threats of revolutionary trouble, unimportant as they might be, the Government said nothing about its existence. But it is undeniably certain that nothing really serious and of a general character could be attempted now against the public peace. Therefore this martial law which weighs upon the country has become utterly useless. Demand its abolition with insistence. \* \* \*"

In a communication of June 28, 1916, the Haitian secretary of state for foreign affairs, stated to Mr. Bailly-Blanchard, American minister, at Port au Prince:

"\* \* \* However strong may be our desire always to maintain perfect harmony with the American authorities, a natural duty, higher than anything

<sup>17</sup> Communication of Jan. 13, 1916, Report to the President of Haiti, by Louis Borno, secretary for foreign affairs, vol. 1, p. 222.

<sup>18</sup> Communication of June 5, 1916. *Ibid.*, vol. 1, p. 225.

<sup>19</sup> Communication of June 24, 1916, Louis Borno, Report to the President of Haiti, vol. 1, pp. 200-201.

else, binds up—the duty of scrupulously watching out for the observance of the clauses of the solemn convention which binds our two countries and which has been in effect since the 3d of last March.

"The Haitian Government would betray its duty if, by its silence, it sanctioned the formal violations of this convention which have just been described, etc."\*

As for the civil administrations which, against the will of the Haitian Government and contrary to the *modus vivendi* of November 29, 1915, still remained in the hands of the occupation, the state secretary of foreign affairs, in a communication of July 17, 1916, made the following remark to Mr. Gustave Scholle, chargé d'affaires ad interim of the United States of America:

"\* \* \* Such an abnormal situation can not be indefinitely permitted. Since the exchange of ratifications definitely did put the treaty into force, the Haitian Government, as well as the Government of the United States, was bound to adjust everything as soon as possible to the rules of the new régime, solemnly sanctioned and proclaimed by the public authorities of the two countries. The occupation should have from that time on restrained its activities and confined itself within the limitations of its military functions. \* \* \*

But contrary to that, etc."\*  
According to the Haitian constitution (art. 80) the executive power must submit annually to the two legislative chambers within a week of the opening of the regular session a sort of general report covering everything of a political or administrative nature that has been done during the past year. This official document is known as "*Exposé Général de la Situation de la République d'Haïti*." Following are the comments found therein with regard to the non-execution of the convention of September 16, 1915:

"\* \* \* It can be said that the convention of September 16, 1915, has not been carried out to date, and that this breach of promises is due to the agents of the American Government. \* \* \*

"I deeply regret to state that the various matters which formed the subject of the last exposé regarding the convention of 1915 are still unchanged. The same differences still exist, and I should only repeat myself by relating them to your excellency.

"I confine myself to giving you assurance that the department will continue its activities, convinced of our right and confident of the triumph of all that is just and fair."

"\* \* \* My department is obliged to repeat what the Exposés of 1917 and 1918 stated with regard to the application of the convention of 1915. Not only has it been impossible to solve the matters brought up after the ratification of the convention, but, moreover, the vote of the budget of 1918-19 gave rise to such difficulties between the Government and the financial adviser, who was supported by the chief of the military occupation at this time, Col. J. H. Russell, that the department of foreign affairs was obliged to address a note to the State Department at Washington" to protest against the procedure which certain American officials considered themselves entitled to adopt toward us.

"To this note the Secretary of State at Washington, Mr. Robert Lansing, replied a few days later, saying to the Haitian Government that, 'in view of the very serious implication of the general accusation against American officials in Haiti contained in the above-mentioned note, the Government of the United States desires the Government of Haiti to make a more precise and more detailed declaration regarding the questions raised in the note of November 20, 1918.'"

"To satisfy this entirely just demand of the Secretary of State the department of foreign affairs collected in a memorandum all the facts pertaining to the matters of which the Haitian Government had complained in its note of November 20 and sent it to our legation at Washington, with instruction for its submission to the Department of State. It was submitted on February 14 last by our chargé d'affaires ad interim in Washington."\*

\* Communication of June 28, 1916. *Ibid.*, pp. 227-228.

\* Communication of July 17, 1916. Louis Borno, Report to the President of Haiti, vol. 1, pp. 233-234.

\* *Ibid.*, p. 15.

\* *Ibid.*, p. 7.

\* See Appendix No. 8.

\* See Appendix No. 9.

\* See *Exposé Général de la Situation de la République d'Haïti*, 1919, pp. 14, 15.

In November, 1920, it was the President of the Haitian Republic himself who, in a striking declaration made to the correspondents of American newspapers who had followed in Haiti the naval court of inquiry presided over by Admiral Mayo, formulated the grievances of the Haitian Government with regard to the nonexecution of the convention of September 16, 1915.

After recalling the aims of American intervention in Haiti, such as they were indicated in the preamble of the treaty of September 16, 1915; that is to say, (a) maintenance of public peace, and (b) establishment of the finances on a sound basis and the economic development of Haiti, M. Dartiguenave made points indicated subsequently. (1) As to the matter of general peace, he had hoped that the commission of inquiry presided over by Admiral Mayo would try to find out how the Americans charged with maintaining this peace understood and accomplished their mission. M. Dartiguenave had granted his interview to the American journalist while the naval court of inquiry was being held at Port au Prince, and he had doubtless been unwilling, in communicating his opinions as chief of the Haitian Government, to appear to exercise any influence on the work of this court. He received no report either from the gendarmerie, of which he was legally commander in chief, or from the occupation. This is what he said on this subject:

" \* \* \* Article 103 of the Constitution, in the third paragraph, provides that a law shall establish in the communes and provinces [Haitian] civil officials who are to represent directly the executive power. It is impossible for the Haitian Government to have these civil officials, because the American minister and the financial adviser have refused the appropriations, however small, for salaries for these positions, in consequence of which the executive power has no special agent to report to him—the gendarmerie making no reports on general conditions in the country, except to the chief of the occupation.

"If a paid official reports to the executive power, his salary is cut off if indeed he is not arrested and tried by court-martial, whether he be judge, a Government commissioner, or a mayor [magistrat communal], and this happens in contravention of the law and articles 101 and 102 of the constitution."

Regarding the aid which the Government of the United States had solemnly promised to the Haitian people for the improvement of their finances, their economic development, and the prosperity of the Republic, the declarations of the President of Haiti are as follows:

" \* \* \* No effective aid has been brought to Haiti for the development of its agricultural and industrial resources, and no constructive measure has been proposed, for the purpose of placing its finances on a really solid basis.

"By the terms of article 2, paragraph 2, of the convention, the President of Haiti appoints, upon the nomination of the President of the United States, a financial adviser who will be an official attached to the ministry of finances. The adviser is, then, a Haitian official paid \$10,000 (American gold) annually by the Haitian public treasury. But in reality the financial adviser is not responsible to the Haitian Government. On the contrary his actions indicate his purpose to subject it to his will.

"Numerous facts show the omnipotence which the financial adviser arrogates to himself. Nothing more strikingly illustrates this than the confiscation by the financial adviser, with the support of the American minister, of the salaries of the President of the Republic, the State secretaries, and the members of the legislative council, because the Government had refused to insert in the contract of the National Bank of Haiti (which is controlled by the National City Bank of New York), a clause prohibiting the importation into Haiti of foreign gold coins, which the financial adviser wanted to force upon them. He also prevented the voting of the budget, contrary to the provision of the Haitian constitution.

"Article 2 of the convention says: 'The financial adviser shall draw up an adequate system of public accounting.' We are still waiting for this new system which was to simplify the accounts of the State. Instead of introducing such a system, the financial adviser demanded the abolition of an old Haitian institution, the audit office (chambre des comptes). In spite of all the efforts of the Government to reestablish this indispensable organization, the financial adviser persistently refused to have it done. Consequently there is no way for the Haitian people to control its finances, which are entirely in the hands of the American officials of the treaty.

"Article 2 of the convention says also: 'The financial adviser shall help to increase the revenues.' The financial adviser has so far proposed nothing to

the Government to bring this about. The only attempt he has made in this direction was the project for the creation of internal taxes, which he presented in 1918 and which he wanted the Government to pass within 24 hours. The project was so crude and so badly drawn up that the Government had to refuse this demand and prepare a counterproject better adapted to the customs and financial resources of the Hawaiian nation.

"It is about 20 months since this counterproject was returned to the financial adviser for further consideration; we have heard nothing more of it.

"Article 2 of the convention says further: 'The financial adviser shall inquire into the validity of the debts of the Republic, shall keep the two Governments informed regarding all future debts, shall recommend improved methods of collecting and applying the revenues, and shall make such recommendations to the state secretary for finances as are judged necessary for the well-being and prosperity of the Republic. \* \* \*'

"No inquiry into the validity of our debts has been made.

"No improved method of collecting the revenues has been recommended.

"No recommendation for the well-being and prosperity of the Republic has yet been made to the Haitian Government.

"The duties of the financial adviser, as defined in article 2 of the convention, doubtless require a man of great financial experience. This essential consideration does not seem to have had any weight in the choice of the financial adviser. This is proved by the unfortunate transaction which he put through for the Republic last year, in the face of directly contrary instructions of the Haitian Government. Three million American dollars were to be converted into francs for Haiti's best interests." He converted them in October, 1919, at a time when the value of the franc was lowering rapidly, the exchange being 9 and a fraction francs for a dollar. Shortly afterwards the dollar was worth 17 francs. This transaction involved the Haitian people in a loss of several millions of francs.

"Faced with this inertia on the part of the financial adviser, the Haitian Government is augmenting its efforts. It is studying various measures and preparing projects which it considers more likely to meet the numerous needs of progress of the Haitian people. All its measures, all its projects encounter the opposition either of the financial adviser or of the American minister, who very often rejects them without examination and without condescending to say why.

"Now we come to the strangest phase of the situation from the point of view of the Haitian Government. Not only have American officials done nothing that could have been done for the intellectual development and economic prosperity of the country, but they oppose the Government's work in this direction. Numerous projects for laws dealing with the finances, agriculture, public education, administrative and rural organization meet with either the direct opposition of the American officials or lie unanswered in the archives of the American Legation.

"Particular resistance is made to projects dealing with the education of the people, such as for the preparation of teachers for primary education, industrial and agricultural schools, secondary or higher education, and for the construction of school buildings.

"The Government does not pretend to believe that the projects which it prepares are perfect, but since they approximate the vital needs of the country the American officials ought to take the trouble to examine them, and if they find that they are imperfect or bad, should propose modifications or substitute other projects which could be discussed with the common desire to arrive at a satisfactory solution. In this way alone can a 'cordial cooperation' be obtained, and only in this way ought it to be understood.

"Is it understood in this way? Never.

"When the financial adviser proposes a measure he understands that this measure is to be adopted without any examination by the Government.

"When the Government does the proposing, the proposal is rejected without examination or modifications are made which it must accept without discussion.

"And it is always in the name of the Government of the United States that the American minister imposes upon the Haitian people the least worthy demands of the American officials, who are paid with Haitian money. And if the Government refuses to yield the worst humiliations are inflicted upon it.

<sup>2</sup> For a payment of interest on the debt of France, then due.

## 20 INQUIRY INTO OCCUPATION OF HAITI AND SANTO DOMINGO.

"The excuse usually made in support of the rejection of Government projects is the following: 'There is no money.'

"Of course there is always enough money for American uses.

"Here are two striking examples:

"Two cases of plague in New Orleans are reported. The financial adviser, who was in Washington at this time, authorizes the appointment of two 'rat catchers'—not for New Orleans, where the plague was discovered but for Port-au-Prince, which was never troubled with this disease. He fixes their monthly salary at \$250 each, quite without any word to the Government, regardless of any law or budget appropriation.

"But at the same time the financial adviser refused appropriations for three associate professors from the University of France, who were offered to the Haitian Government by the French Government for the Lycée of Port-au-Prince.

"Article 7 of the convention is drawn up as follows:

"All amounts collected by and in keeping of the receiver general shall be used (1) for the payment of the salaries and allowances of the receiver general, his assistants, and employees for the expenses of the collector's office, which shall include the salary of the financial adviser, salaries to be determined by a previous agreement; (2) for the interest and amortization of the public debt of Haiti; (3) for the maintenance of the police referred to in article 10, and the balance for the current expenses of the Haitian Government.

"This article establishes the order in which the expenses of the Republic of Haiti should be met by means of the custom duties collected from the custom-houses by the receiver general.

"The expenses of the Government come last of all, and include (1) salaries of public officials other than those indicated in the first part of the article; (2) expenses of the public works and hygiene administrations; (3) expenses for material, office furniture, etc.

"It will be noticed that the expenses that come second are those relating to the Haitian public debt, interest, and amortization. If these disbursements were known, the amount due the Government for its current expenses would also be established, and the Government would be free to dispose of it. But this has never been done, and for the following reason:

"To hold the Government in curb, to be able whenever it resists an unjustified demand to exert a pressure which will oblige it to yield, it must be kept completely dependent upon the financial adviser and the receiver general, so far as finances are concerned.

"If it is a question of a new expense considered necessary by the Government, which the American authorities do not wish to grant, the answer is: 'There is no money—the reserve funds must go toward the payment of the public debt.'

"Very often this same reply is made for regular expenses provided for in the budget.

"In addition to the custom duties, there are other budget resources which the convention has left to the free disposal of the Government for its legal expenses. The financial adviser, supported by the American minister and the military authorities who on this occasion resorted to martial law, demanded that these funds be turned over to him.

"In this way the Government is entirely at the mercy of the caprices and of the arbitrary will of the financial adviser.

"The State Department, absorbed, doubtless, in more important questions of foreign policy or ill informed by its official agents, is deaf to our protests, or simply upholds the position of the American authorities.

"We have been reproached by certain American newspapers on the ground that Haiti did not pay its debts before the occupation. This is entirely false. In spite of all its financial difficulties, Haiti has always lived up to her agreements. The administration of the public debt was not suspended until after the occupation; it was resumed at the beginning of this year, and just at this time the Government is insisting with the greatest energy on the payment of the internal debt.

"Each year the American minister and the financial adviser reject the project of the Haitian Government for the application of the second paragraph of article 116 of the constitution, which reads: 'The examination and liquidation of the accounts of the general administration and of everything accountable to the public treasury shall be carried on according to the method established by law.'

"The examination and liquidation of accounts, according to Haitian law, was carried on by an institution of long standing, called the *Chambre des Comptes*.

"In conformity with article 2 of the convention, the Haitian Government is vainly demanding the adequate system of public accounting that the financial adviser is supposed to draw up in order to replace the audit office.

"All of article 2 of the convention is a dead letter. The financial adviser ignores it. He pays no attention to the urgent and necessary credits of the Haitian Government established by law; he spends at will, regardless of any law, obliging the Government to ratify his acts.

"To sum up, the Haitian Government is under humiliating subjection through lack of cooperation. Its efforts to collaborate in good faith are fruitless—they are scorned and rejected. There does not seem to exist between the two Governments a reciprocal contract that the two parties must respect."

This conclusion of the important declaration of the President of Haiti regarding the total failure of the American Government to execute the convention of September 16, 1915, is the point of view of the entire Haitian people.

#### HAITIAN FINANCES—THE FINANCIAL AID PROMISED BY THE UNITED STATES.

Haiti has always lived up loyally to her financial agreements. One of the reasons given for American intervention is the breaking of these agreements. As those of many other countries, Haitian finances have passed through critical periods, but the leaders of the country have always been able to find the necessary solution to the problems that confronted them.

For a long time Haiti has borne the weight of a heavy debt which has hindered her economic development.

By a royal decree King Charles X of France in return for 150,000,000 francs as indemnity for the losses incurred by the former colonists and payable in five equal installments granted to Haiti on April 17, 1825, an independence which the Haitians had conquered at the price of hard and bloody sacrifices. In the continual expectation of the offensive return of the French and weary of maintaining the country for more than 20 years in a state of war, the Government of President Boyer accepted the arrangement of the King of France which stipulated these painful conditions.

By means of a loan of 24,000,000 francs, issued at Paris at the rate of 80 per cent and bearing 6 per cent interest, to which was added 6,000,000 francs paid in specie by the Haitian treasury, the first installment of the indemnity was paid.

But owing to the energetic protests of the Haitian people and the refusal of the French Government to reduce this heavy indemnity, the Haitian Government suspended the payment of the four other installments of the indemnity with the clear intention, however, of paying the annuities (interest and principal) of the loan. After long and delicate negotiations the Government of Louis Philippe consented on February 12, 1838, to recognize the independence of Haiti by treaty. At the same time a financial convention was signed reducing the balance of the indemnity from 120,000,000 francs to 60,000,000.

The loan of 24,000,000 francs and the indemnity were known as "the double French debt." It was entirely paid off in 1893, after 58 years.

Soon after the first payments of the 30,000,000 francs the Haitian Government found itself handicapped in meeting its most urgent budget expenses. In 1826 it had to resort to paper money. The burdens imposed upon the country were too heavy; this was the beginning of all its troubles. The nation was barely able to recover from the losses incurred by the wars of Santo Domingo,<sup>\*</sup> the war with the English, the struggle of the French against Toussaint-Louverture, and the war of independence, which started in 1802 and ended with the surrender of Rochambeau at Cap Haitien in November, 1803. The plantations had disappeared, the towns and villages had been nearly all destroyed—nearly a hundred thousand Haitians had lost their lives in the pitiless struggle for liberty. Sugar and indigo, the chief exports of the island, had no more markets in France, and there was not enough capital to revive the sugar mills. Courageously the Haitian people undertook and intensified other forms of cultivation, and in this way coffee, cotton, and cocoa became the principal products of the land. In spite of so many misfortunes the country continually made sacrifices to live loyally up to its agreements. Thus next year the balance of the loan of 1875 will be paid off if the expected conditions are fulfilled.

<sup>\*</sup> See L'Essoir, Port au Prince Nov. 24, 1920.

<sup>\*</sup> Former name of Haiti under the French rule.

## 22 INQUIRY INTO OCCUPATION OF HAITI AND SANTO DOMINGO.

This loan, originally of 21,000,000 francs, consisting of bonds of 300 franc denomination bearing interest at 5 per cent was to carry out the agreements with France (French double debt) and to pay certain internal debts.

In 1922 the balance due will be:

	Francs.
Capital-----	2,513,760
Interest-----	179,778
Total-----	2,693,538

In the month of April, 1896, on the account of the Republic of Haiti, a loan was floated at Paris amounting to 50,000,000 francs, nominal value, represented by 100,000 shares of 500 francs, at 6 per cent a year, payable in 37 years. The balance of this loan now outstanding, represented by 59,349 shares, is 29,674,500 francs. Its complete amortization will take place in 1932.

The loan of 1910 was authorized by a law of October 21, 1910. It was to redeem the old internal debt and to provide for the final redemption of the paper money. It was actually issued on February 17, 1911, but it bears the date of the year when the act was voted. Of its face of 65,000,000 francs—130,000 shares of 500 francs—only 47,000,000 francs were turned over to the Government by the banking syndicate and deposited in the National Bank of the Republic of Haiti. This loan bears interest at 5 per cent a year, and is payable in 50 years. The amortization must take place either by means of purchases at the Bourse de Paris while the shares are below par, or by means of draft by lot, at their nominal value, when they have reached par. Interest is payable semiannually by coupons of 12 francs 50, due May 15 and November 15 of each year.

The present status of this loan is as follows:

In circulation, 123,153 shares of 500 francs; that is, 61,576,500 francs.

The status of the triple foreign debt of Haiti was therefore on July 28, 1915,<sup>21</sup> as follows:

*Loan of 1875.*—The coupons due on July 1, 1915, had been paid and the work of amortization had been carried out.

*Loan of 1896.*—The interest on the coupons due June 30, 1915, had been paid. The amortization drafts for December, 1914, had been suspended, because of the world-wide situation created by the European war. It was no more than a delay. The necessary provisions had already been made for amortization.

*Loan of 1910.*—On this loan, the interest had been paid and the amortization carried out on May 15, 1915.

From the time of the landing of American troops on July 28, 1915, the military occupation suspended payment of the foreign debt of the Republic which the Haitian Government had been able to carry on until then to the satisfaction of its creditors. But not even the signing and execution of the treaty of September 16, 1915, was to put an end to this state of affairs, which was so injurious to the credit of the country. This decision was even more incomprehensible when the special funds for the payment of the interest and amortization of this debt had accumulated and were remaining unproductive in the vaults of the National Bank of the Republic of Haiti. It was not until last year (1920) that the interest due was finally paid, upon the repeated demands of the bondholders, almost all foreigners, and upheld by their respective Governments. As for the internal debt, except for a partial payment made in April, 1916, no payment of interest has been made up to now, in spite of the demands of the bondholders. Their voices were not heard for the simple reason that they were nearly all Haitians.

In a report of March 20, 1917, the consul general of the United States at Port au Prince said on this subject: "It is unfortunate for commerce that the internal debt has not been adjusted, nor the interest paid, this default having resulted in reducing sales very materially for 1917. Most of the bonds are held by the people, who have been expecting the interest to be paid as formerly, thereby to meet their living expenses. The failure to do this has embarrassed them financially and will tend to diminish the sale of imported goods."<sup>22</sup>

Thus the principal object of the treaty, which was to place Haitian finances on a solid basis, has not been fulfilled, nor has the financial aid which was

<sup>21</sup> Date of landing of the United States troops on the Haitian soil.

<sup>22</sup> See page 276, Annual Report of the Secretary of the Navy, 1920.

promised the United States been effectively given. In fact, up to the present time, the monetary circulation of Haiti is still paper money, and instead of substituting metal money for it the financial adviser has fixed the Haitian gourde at one-fifth of the American dollar, to the detriment of all those who receive it in payment for their work." A further resulting injustice is involved in the fact that, in conformity with the budget of the Haitian Republic, certain officials are paid in American gold and others are paid in Haitian money, no calculation being made in favor of these latter, in consideration of the depreciation of this money in relation to the American dollar. Naturally, all the officials from the United States are in the first category.

As another proof that no financial aid has been given to Haiti since the signing of the treaty, it is sufficient to bear in mind that since the year 1917, acting upon the suggestions of the financial adviser, the Government has been trying to float a loan of several million dollars in the United States, and that its efforts have been unsuccessful, in spite of the fact that the American Government realizes the urgent necessity of this loan for the improvement of Haitian finances.

In a report of October 14, 1920, addressed to the Secretary of the Navy, Rear Admiral Knapp stated as to this projected loan:

"To place the finances on a firm bases in accordance with modern ideas a loan is necessary \* \* \* and such a loan was the early confident anticipation, not only of the Haitian Government but of the American Government when the treaty was concluded. Constant efforts have since been made to obtain it, and great disappointment is felt that its flotation has so far proved impossible."

The internal debt is at present \$2,278,886.20. Up to January 31, 1921, interest due amounted to \$705,366.25. There is needed for the monthly payment of interest on this debt only \$12,514.93.

*Floating debt.*—There is a floating debt which reaches an approximate figure of \$4,420,920. It should be submitted to careful examination, so that it may be reduced and be restored to its real amount. Those who are interested are waiting in vain for this to be carried out.

#### SUPPRESSION OF THE HAITIAN LEGISLATURE.

Immediately after the ratification by the Haitian chambers of the convention of September 18, 1915, the provisions of which were not consistent with the constitution in force, the question arose in governmental circles of a constitutional revision. Legally this revision could be carried out only by the Chamber of Deputies and the Senate, meeting as the National Assembly. Instead of following this procedure, which was established by the constitution, the Government preferred to resort to a coup d'état.

Under pressure of the American occupation President Dartiguenave, on April 5, 1916, issued an unconstitutional decree dissolving the Senate. The same decree transformed the Chamber of Deputies in a constituent assembly for revising the constitution. Another decree created a Council of State to be appointed by the President of the Republic.

All these measures were illegal and undemocratic. They substituted dictatorship for constitutional government.

On April 7 the deputies and senators protested against them, since the constitution in force did not grant the President of the Republic the right of dissolution. But the legislative building was closed, and gendarmes were placed there to keep out the representatives of the people. The latter turned to the courts, and on April 15 the civil court of Port au Prince issued two judicial decrees authorizing the deputies and senators to open the gates of the legislative building.

The two eminent jurists, MM. Luxembourg Cauvin and Edmond Lespinasse, who had obtained the decrees, went to Col. Littleton W. Waller, commanding the United States expeditionary forces in Haiti, to make sure there would be no obstacle to the execution of the decisions of the Haitian judicial authorities. Without hesitation the colonel replied that such a step would be considered as a provocation to the American occupation. It was the occupation, then, that forbade the entrance of the legal representatives of the Haitian people into their legislative building.

\* The legal value of the Haitian gourde is \$1.

\* See Annual Report of the Secretary of the Navy, 1920, pp. 230-231.

But, still wishing to carry out their constitutional mandate, the deputies and senators assembled in houses rented at their own expense. On April 17 and 18, 1916, they elected their committees, and on the 27th they opened the third session of the twenty-eighth legislature in the regular way. The president of the Senate, M. Paul Laraque, received the following letter from Col. Littleton W. Waller:

HEADQUARTERS UNITED STATES EXPEDITIONARY FORCE,  
Port au Prince, Haiti, April 27, 1916.

MY DEAR MR. LARAQUE: Replying to your verbal request for a meeting to-day, I have the honor to inform you that this can not be granted except under conditions of the proposals of yesterday, accepted in writing, with the clear understanding that the general revision of the constitution is understood and agreed upon between us.

1. The National Assembly constituent has constituent powers only, and upon completion of their labors in revision of the constitution can not resume legislative powers.

2. If the Senate declines to act in conjunction with the deputies, it remains dissolved.

3. The acceptance of this agreement to be given in writing.

Hoping for an amicable settlement of this and other vexed questions.

With expressions of esteem and regard,

Sincerely, yours,

LITTLETON W. WALLER.

Port au Prince, April 27, 1916. Agreed and subscribed to this date. President of the Senate.

Answer:

PORT AU PRINCE, April 28, 1916.

Col. LITTLETON W. WALLER,

*Chief of the United States Expeditionary Forces in Haiti.*

DEAR SIR: In reply to your letter of the 27th instant, containing proposals regarding an amicable arrangement of the present crisis, I have the honor to inform you that these proposals surprised and pained me, and are, I am convinced, only the result of a misunderstanding.

The chambers are, in fact, most desirous of amicably solving the present situation, for which they are not responsible. Although they have the law and all public opinion on their side, their spirit is most conciliatory.

But they could not, under any condition, sanction any unconstitutional measure, or even less, act illegally themselves.

On the other hand, the members of the present cabinet trample upon the most elementary principles of our parliamentary rule, a rule which, while placing the person of the President above all controversy, makes the cabinet responsible to the chambers, and by these acts of aggression give rise to reports which are injurious to the national representative body. Such procedure can not aid in bringing about an amicable solution of the crisis.

The Government of the United States had let it be understood that it would uphold in Haiti the constitutional government of the country and would have its laws observed.

The attempt to abolish the senate is a flagrant violation of the constitution, and constitutes consequently a revolutionary act, just as much as the decree of the revolutionary committee of August, 1915.

It is a question of finding out if the Government and the people of the United States are now upholding this revolutionary act.

Like you, I am always hoping that it will be possible to arrive at a satisfactory solution, since the senate is prepared to accept any proposal compatible with its dignity and with respect for the laws.

Accept, Colonel, expressions of my highest esteem.

PAUL LARAQUE,  
*President of the Senate.*

On May 2, 1916, Rear Admiral Caperton had the following notice published in the columns of the *Matin* and the *Nouvelliste*:

[Decree of Apr. 5.]

"Rear Admiral Caperton stated that after having tried for the last three weeks in the most friendly way, with the aid of certain neutral Haitian patriots, to reach an understanding in the conflict of the Haitian Government.

It is impossible to find a basis of understanding that could be accepted by the two parties to the controversy.

"Consequently, in view of the impossibility of reconciling the Government and the opposition, in spite of the conciliatory offers made by the Government to the opposition, he has advised the officers of the chamber and the senate which had been dissolved by the decree of April 5, 1916, that his full duty of maintaining peace and order in Haiti rendered it necessary for him to uphold the decree of the constituted and recognized Government of Haiti."

The Haitian chambers protested against this intervention. On May 5, the senators were assembling in their provisional quarters when an American officer brutally ordered them to leave the place, threatening violent measures to force them to go. At the suggestion of M. Paul Laraque, president of the senate, they met at his house, where they drew up a formal account of the incident. (See Appendix No. 10.)

On the next day, May 6, the president of the senate and the president of the chamber were summoned by Col. Waller. He told them that if they persisted in assembling they would expose themselves to violent expulsion.

A few days before, on April 20, *Le Constitutionnel*, a paper edited by Deputy Léon Louhis, had been suppressed by Capt. Alexander Williams, provost marshal. The Government, supported by the American occupation, had the last word.

By a decree dated June 23, 1916, President Dartiguenave convoked the Chamber of Deputies as constituent assembly for August 14; but the deputies abstained and refused to accept an unconstitutional mandate.

Discontent was spreading among all classes in the nation, deprived as they were of their legal representatives.

On August 29, Col. Waller published the following declaration:

"Since the mission of occupation in Haiti is essentially a mission of pacification, work, and progress, it is recalled that no political agitation will be tolerated which tends to provoke manifestations against the express declaration of Admiral Caperton regarding the decree of April 5, 1916, and to compromise, contrary to the terms and spirit of the convention, the stability of the Government of President Dartiguenave, which is the free expression of the vote of the National Assembly."

As the authority of the Chamber of Deputies expired on January 10, 1917, there had to be new elections.

On September 22, 1916, the President of the Republic published a decree modifying the electoral law and certain articles of the constitution relative to the legislative power. He reduced the number of deputies to 36 and of senators to 15; he fixed the date of the elections for January 15 and 16, 1917; and this time he accepted the reunion of the two branches of the legislative body in the National Assembly for the revision of the constitution.

The elections took place on January 15, 1917. The new chambers assembled in April. On April 7, M. Louis Borno, secretary of state for foreign affairs, received a communication from Mr. Bailly-Blanchard, American minister. The latter informed him that after a careful examination of the project for the constitution the State Department had several suggestions which it considered obligatory and which could be submitted to the study and examination of M. Dartiguenave's Government before any definite action was taken in this respect by the legislative body. He stated at the same time that the suggestions mentioned would be sent by cable. On April 11, the American minister sent them to the secretary of state for foreign affairs. (See Appendix No. 11.)

On the 24th the secretary of state for the interior, in his turn, sent them to the committee for constitutional reform appointed by the new National Assembly to draw up a project for the constitution. The committee had just started its work and had not made any report. It was justly astonished at such suggestions, and on April 30 the secretary of state for the interior declared that the project for the constitution in question was a work of the council of state.

And the council of state, an unconstitutional body, had no authority to present a project for the constitution.

On June 8 the committee laid before the National Assembly the constitutional project which it had just drawn up and the discussion began. Since the first days of the meeting of the chambers rumors of dissolution had been circulating. No one wanted to believe them, especially since the elections had been supervised and controlled by American officers. Ten days after the elections, on January 25, an American squadron, commanded by Admiral Mayo, anchored

in the Bay of Port au Prince. The next day, January 26, Admiral Mayo, in return for the dinner that was given in his honor, gave a luncheon to M. Sudre Dartiguenave on board the *Pennsylvania*, in the course of which the latter received from Admiral Caperton, commander of the Pacific division, a radio-gram as follows:

"I congratulate you, you and the Republic of Haiti, upon the successful outcome of the recent elections, and wish the country continuous prosperity. With my best personal wishes for you and all my friends."

The same day, during a visit to the President of the Republic, Mr. Franklin D. Roosevelt, who was also on a cruise, made a speech in which he spoke of the interest of the United States for the sovereign people of Haiti.

Thus there was no reason to expect a new attempt against the legislative chambers. The Haitian Parliament wishes, it is true, to give the country a liberal constitution, and not an undemocratic work which would sanction the despotism of the Government and martial law.

Early on June 19 the legislative building was invaded by police under command of American officers. Without showing any agitation the deputies and senators took their seats and resumed the discussion of the project of the constitution. The vote was still being taken when M. André Chevallier, general secretary of the gendarmerie, came to tell the President of the National Assembly, M. Sténio Vincent, that the chief of the gendarmerie demanded to see him. Senator Vincent replied that since he was in session he regretted that he could not leave for the moment. M. Chevallier repeated the communication a second and a third time, and received the same reply. In the meantime, the gendarmerie closed the entrance of the legislative building, preventing both the public and the members of the National Assembly from going out. Seeing the impatience that was shown around him, M. Vincent made inquiries to determine the cause of this strange action. Just then Brig. Gen. Smedley D. Butler burst into the hall, followed by American officers armed with their revolvers, and handed M. Vincent a paper, declaring that it was the decree of the President of Haiti who proclaimed the dissolution of the legislative body. Senator Vincent refused to read it. He returned to his chair, and addressed the National Assembly, declaring that he would not read this act, which was brought, not by a regular agent of the executive power, but by the chief of the gendarmerie entirely outside of his powers. In the face of the resolute attitude of the deputies and senators, who refused to act upon such a document, the gendarmerie decided to open the gates of the legislative building. The same day the editors of all the newspapers were summoned to the gendarmerie where they received a written order to publish nothing whatever concerning the dissolution of the chambers.

The next day, Gen. Butler had the archives of the two chambers searched, and removed the reports on the constitution just voted.

On June 19, 1918, one year after the second dissolution of the Haitian Parliament, President Dartiguenave promulgated another constitution, voted by a so-called plebiscite. Those who presided over this plebiscite were American officers. They employed force and threats to make the citizens vote.

Read this announcement, published by the *Courlier Haïtien* of November 8, 1920:

REPUBLIC OF HAITI,  
*Port de Paix, June 11, 1918.*

In accordance with the decree of his excellency, the President of the Republic, published in the *Monitor* of May 8, last, all the citizens of the commune of Port de Paix are asked to be present to-morrow at the Hotel Communal to vote on the new constitution published in the *Monitor* of the same date.

Any abstention from such a solemn occasion will be considered an unpatriotic act.

Maintenance of order will be assured by the gendarmerie, and the ballots will be distributed by a member of the administration of finances opposite the voting offices.

The polls will be open from 7 o'clock in the morning till 5 o'clock in the evening.

HERMAN H. HANNEKEN,  
*Lt. G. d'Haiti.*

E. LESCOT,  
*Government Commissioner, Northwest District.*

There was only one kind of ballot, bearing the word "Yes." For purposes of deception some ballots were distributed with the word "No," but they went to certain paid confederates, in order to give the impression that the number of

opponents was insignificant. Spies kept watch over the ballot boxes. Certain officials who, being obliged to vote, had turned in a negative vote, were dismissed from office. (See Appendix No. 12.)

The plebiscite is not one of the Haitian constitutional traditions. The constitution of 1889 indicated the procedure to be followed in case of revision of the constitution. But the prescribed procedure was not carried out. What actually happened was that one so-called constitution was substituted for another, and, to give it some appearance of verity, the plebiscite vote was invented.

#### THE NAVAL COURT OF INQUIRY IN HAITI.

When Mr. Daniels, United States Secretary of the Navy, in order to calm the emotion aroused in America by the terrible revelations of the press regarding the acts of the American occupation in Haiti, announced that he had instituted a naval court of inquiry to throw light on this subject, the public might have believed that it was to be genuine, although, according to certain newspapers, it was to be merely a case of "whitewash." In fact, the high officials of the Navy Department who composed this court might well inspire confidence. They were Admiral Henry T. Mayo, Rear Admiral James H. Oliver, Maj. Gen. Wendell C. Neville, of the Marine Corps, and Maj. Jesse F. Dyer, as judge advocate. The Haitians were the first to believe that a work of truth and justice was at last going to be carried out.

This naval court of inquiry arrived at Port au Prince on November 8, 1920.

On the 9th it got in touch with the Haitian Government, and on the same day informed the Haitian public of the names of its members and of the nature of its mission.

"It had come," it said, "to investigate the way in which the forces of the occupation had carried out their duty, in order to furnish the Secretary of the Navy with complete information on this subject." The terms of this declaration seemed to imply a very broad mission, and the Haitians who were prepared to testify before the naval court of inquiry were anxious to know how it was going to proceed. But not a single rule was ever established for the inquiry and no form of procedure was indicated. The court never made known where it would hold its sessions, on what days they would take place, whether they would be public, whether the court itself would call in witnesses, whether the people who were acquainted with the whole thing or who were victims of acts at the hands of the forces of occupation could go and testify freely before the court, or what guaranties of safety it offered to Haitian citizens who wished to prove charges of criminal acts against officers who still had military authority, knowing well the cruelty of martial law in the country for the past five years. (See Appendix No. 13.)

November 11, the second anniversary of the World War armistice, was a holiday, and when no newspapers appeared it was generally thought that an announcement from the court of inquiry would inform the public the next day how it was going to proceed.

On November 12, instead of the expected note, people were astonished to read in a Port au Prince paper, the *Nouvelliste*, of the testimony of President Dartiguenave before the court:

"From a visit by Mr. Wilbur Forrest, correspondent of the New York Tribune [says the *Nouvelliste*], we learn the news that the court of inquiry was to hold its first session on November 11, at 10 o'clock in the morning, at the Dessalines Barracks and that his excellency M. Sudre Dartiguenave was to testify."

No one knew anything about it. Now, it happened, according to the *Nouvelliste*, that after this testimony Maj. Dyer, judge advocate, announced "that there were no other witnesses for the present," and the session was adjourned. Did this mean witnesses summoned by the court, or else persons who had decided on their own initiative to go and testify? No one knew. In any case, how could anyone else have gone to witness on that day when it had not been announced anywhere that the court of inquiry would hold its first meeting at the Dessalines Barracks on November 11 at 10 o'clock in the morning, or that such persons could go to testify? But when the *Nouvelliste* asked the judge advocate for his opinion on this subject Maj. Jesse F. Dyer replied:

"So far I have no precise facts: everyone speaks of rumors, and I am looking for evidence. I am leaving for the northern towns, and hope to find this evidence; and if no one comes with statements here in Port au Prince in all probability the other sessions of the court will not be held here, but at the Cape, where we shall go to hear the witnesses we can find in the interior towns."

So, after hearing but a single witness, Maj. Dyer already had concluded that there were no precise facts and merely rumors, and announced that he was leaving for the north of the island, where he hoped to find evidence.

Nevertheless, as soon as the Haitians learned that the court of inquiry was in session, and where it was being held, from all parts of the country the demand came to be heard.

From the following account of the work (?) of the court it will be seen that all Haitians who had anything to say regarding the numerous cases of murder, brutality, robbery, rape, arson, etc.—that is, Haitians who wished to convince the court of inquiry of “the way in which the forces of the occupation had carried out their duty in Haiti”—were systematically excluded. Many of them have published in the press of Haiti the letters which they sent to the court demanding to be heard.

On November 17 the court heard Col. Hooker, of the Haitian gendarmerie, Mr. Harry Lifchitz, Mr. Daggett, Col. Little, Lieut. Lang, and a Haitian gendarme named Adolphe Burgot.

Col. Hooker spoke chiefly of the attack of Port au Prince by the “Cacos” on January 15, 1920, declaring that all the victims of this unlucky day—that is 66 Haitians—were assassants (?).

Mr. Harry Lifchitz accused Lieut. Haski Koff of having killed a gendarme at Cayes with a revolver, Lieut. Barrett of having killed a Haitian civilian at Aquin, and ended his testimony by exposing the case of a woman who was beaten to death at Saint-Louis-du-Sud.

Col. Little accused a naval pharmacist, Mr. Thompson, of having murdered a judge at Las Cahobas.

The other witnesses testified on the case of Lieut. Lang, accused of having killed three prisoners with his own hand at Hinche, making them go out of the prison one at a time, firing a revolver shot in the back of each one.

On November 18 there was another investigation of Lieut. Lang's case. The court heard Mr. Grant, gendarmes Adolphe Burgot and Meratus. The two latter confirmed the charges brought against Lieut. Lang.

On November 19 gendarmes Carmelus Monfiston, Petit Daubrave, Eugene Jean, and Carius Absolu testified against Lieut. Lang regarding the affair of the murder of the prisoners at Hinche. Gendarme Petit Daubrave accused Lang of having killed, to his knowledge, five prisoners, detailing all the circumstances of these crimes. Mr. Daggett, who was hesitant during the first investigation, reappeared on the scene and stated that Lang had killed some prisoners. Théomène Rouchon, former gendarme at Milot, declared that Lang had killed the prisoner Teka with a machine gun under a mango tree.

On November 20 the court held a short session and heard the testimony of Gendarme Siméon Gabeau regarding the terrible circumstances of the assassination of the notary Jean Garnier, a peaceful citizen of Maissade, by Lieut. Williams.

Lang asked to present a memorandum on his case, which he obtained, and the court went into secret sessions.

On November 22 the court continued Lieut. Lang's case. Then it heard Col. Hooker, of the Haitian gendarmerie, who spoke in favor of Haski Koff, lieutenant at Cayes, and Dr. Louis Gille, who testified in his turn in favor of Barrett, lieutenant at Aquin.

In the sessions of November 29 and 31 the court devoted its time to new testimony regarding the murder of the notary Jean Garnier, of Maissade.

And this was all. This naval court, which had been talked of in the United States, probably at the suggestion of Mr. Daniels, as the greatest naval commission formed since the one charged with inquiring into the conditions of the naval battle of Santiago de Cuba, this naval court of inquiry in reality inquired only into the charges brought against Lieuts. Lang and Williams. Up till the last minute people thought it was going to Cap-Haitien and various other towns in the north of the island to continue the investigation, especially since Maj. Jesse F. Dyer had publicly declared so. Moreover, during the first two weeks of November Admiral Knapp had gone to Cap-Haitien and called the people to the Union Club, asking them to expose their grievances against the occupation without fear of reprisals. At this meeting the principal personages of the town of Cap-Haitien spoke: M. W. Leconte, former state secretary of the interior, spoke of the murderous régime in the prisons. M. Adhémar Auguste, former mayor of the town, pointed out that the horrible system of the *corvée* was the only cause of the uprising of the “Cacos.” M. L. Duvivier told of the slaughter of Haitians in the streets of Cap-Haitien during the night of Christ-

mas, 1919. M. Charles Zamor exposed great wrongs done by certain officers of the gendarmerie, and M. Dacosta, a merchant, denounced the abuses at the Cap-Haitien customhouse. Other people tried to make their complaints heard. But Admiral Knapp announced that he himself had no authority to carry on the investigation; that he had merely come to prepare the way for the court of inquiry; and that all those who had complaints to make would soon have the opportunity of being heard before this court.

Judge Advocate Maj. Jesse F. Dyer and Admiral Knapp had, then, both announced, some days apart, the intention of the court of inquiry to go to Cap-Haitien to continue the investigation. And yet the court did not go. Why? Mr. Daniels and the members of the naval court of inquiry alone can explain this mystery.

Meanwhile, by November 26, the Haitian public found out, in an indirect way, that this investigation, announced with such flourish in the United States, was nothing more than a joke, unworthy of the American administration which had sent it, and unacceptable to the great American people who demanded truth and justice, and who, we are convinced, will want the truth to be known and justice to triumph at any price. In fact, in the course of interviews which took place between the editors of the *Courier Haitien* and the American correspondents at Port au Prince it was alleged by one of them that the powers of the naval court of inquiry were so limited that they did not, in reality, permit it to make any investigation. The Haitian people had no authoritative information on the subject.

Nevertheless, when, on November 30, in the evening, the *Niagara* left the waters of Port au Prince, bearing with it the naval court of inquiry, the news of its departure caused general surprise and profound indignation. To calm the Haitians they were given to understand, by notices adroitly slipped into the newspapers, that the *Niagara* was going to coal at Guantanamo and that from there the naval court of inquiry was going to Cap-Haitien.

On December 2 a group of Port au Prince citizens, feeling that the comedy had gone too far and that it was unworthy to play with a whole people in this way, sent a cablegram to the Secretary of the Navy informing him that the naval court of inquiry had left without having fulfilled its duty, that a number of complainants had not been heard, etc. Mr. Daniels hastened to reply, by the following communication, published in the *Courier Haitien*:

*Citizens of Port au Prince:*<sup>25</sup>

Referring to your communication relative to the naval court, I have directed Vice Admiral Knapp to carry on any investigation considered necessary concerning the United States marines; and all the cases that you may wish to have submitted to him.

SECRETARY OF THE NAVY.

WASHINGTON, December 2, 1920.

Vain hopes! Admiral Knapp did even much less than the naval court of inquiry, in that he did nothing, absolutely nothing at all; he never informed the Haitian people of the new mission which had been confided to him, he never heard a single witness, and he continued to enjoy his winter quarters in peace in the harbor of Port au Prince.

The behavior of the naval court of inquiry in Haiti which we have just set forth was even more surprising because the mandate of this court had been established by Mr. Josephus Daniels, Secretary of the Navy, as follows:

[Precept of the court of inquiry.]

"DEPARTMENT OF THE NAVY,

"Washington, October 16, 1920.

"To: Rear Admiral Henry T. Mayo, United States Navy.

"Subject: Court of inquiry to inquire into the alleged indiscriminate killing of Haitians and unjustifiable acts by members of the United States naval service, including those detailed to duty with the gendarmerie d'Haiti against the persons and property of Haitians since the American occupation, July 28, 1915.

"1. A court of inquiry, consisting of yourself as president, and of Rear Admiral James H. Oliver, United States Navy, and Maj. Gen. W. C. Neville,

<sup>25</sup> Message retranslated from the French.

United States Marine Corps, as additional members, and of Maj. Jesse F. Dyer, United States Marine Corps, as judge advocate, is hereby ordered to convene at the Navy Department, Washington, D. C., Friday, October 22, 1920, or as soon thereafter as practicable, and thereafter at such places as may be deemed necessary to inquire into the question of the conduct of the personnel of the United States Naval Service in Haiti since the marines were landed in that country on July 28, 1915, with the view to determining whether any unjustifiable homicide has been committed by any of such personnel, whether any other unjustifiable acts of oppression or violence have been perpetrated against any of the citizens of Haiti or any unjustifiable damage or destruction of their property has occurred."<sup>36</sup>

According to the mandate of the naval court of inquiry, it was to make a report on its findings and the degree of responsibility attached to each act, and on all persons immediately or indirectly responsible for such unjustifiable acts.

And no report of this court has been published. The "Annual Report of the Secretary of the Navy for 1920" contains all the reports on Haitian affairs except the report of the naval court of inquiry. Would it not be a good idea to publish this report in the interest of truth and justice?

The naval court of inquiry did not reply to the letters, often confirmed by follow-up letters, which were addressed to it by those who wanted to be heard. Certain complainants were obliged to resort to the press to make known the wrongs of which they or their relatives were victims.

The Haitian people feel that if the naval court of inquiry has not fulfilled in Haiti the broad mandate conferred upon it by Mr. Josephus Daniels, it is because it was faced with charges of such a horrible nature that it thought best to pass them over in silence. And this is why the tactics of the Navy Department have been and still are to consider the "incident" as closed. This can not be. The voice of truth and justice can not be stifled. The Haitian people await with confidence an honest, impartial, and thorough investigation.

In Haiti numberless abominable crimes have been committed. To give some idea of their horror we cite only a few cases made public through the press which the naval court did not feel the need to investigate.

1. Hanging of M. Cléron Lacroix, execution of Léon Moricet, Têca, and other persons in October and November, 1918, by Lieut. Lang, acts denounced to the naval court of inquiry by M. Philocles Lacroix in his letter of October 20, 1920.

2. Execution of the Péralte brothers by Lieut. Wallace at Mirebalais in December, 1918. Here are the names of those shot: Philoxène Péralte, Emmanuel Péralte, Péralte, Jr., and Léosthène Péralte.

3. Execution by the marines of Joseph Marseille and his two sons, Michel and Estima Marseille, of Príncipe Mesadieux, Baye section, district of Mirebalais; assassination by the marines of Guerrier Josaphat and one of his children, aged 14, in his own house, acts denounced by M. Louis Charles, sr., December 8, 1920.

4. Arrest by an American officer, and mysterious disappearance of M. Charite Fleuristone, former school inspector at Chappelle, district of St. Marc. He was arrested in the first part of 1919, at the same time as MM. Jean Baptiste and Clément Clerjeune.

5. At Marin, district of Mirebalais, in December, 1919, assassination and mutilation of Joseph Duclerc, a respectable old man of 60, by marines and gendarmes. After the crime they burned his cottage.

6. At the same time and in the same section the same group fired on a school-teacher and wounded her in the mouth. She managed to escape. The marines and gendarmes burned her house as well as everything that went with it. They were accompanied by an American officer, a lieutenant, whose name can be established by an investigation.

7. Near Marin, at Collier, district of Mirebalais, the same band cut the head off a blind man named Néis, 25 years old, and did the same thing to a child who was with him, named Jules Louisville.

8. At Marin, at the same time, another group of gendarmes and marines assaulted Mathieu Cadet, aged 55, in his house, shooting him. Although wounded in the shoulder, he was able to escape his assailants through a concealed door. His house was robbed and burned. The gendarme Joanis took off a mule belonging to Mathieu.

<sup>36</sup> See Annual Report of the Secretary of the Navy, 1920, p. 315.

9. In January, 1919, at Noailles some marines and gendarmes coming from Beaufreps killed Jean Luc, an invalid. Torn from his house, firearms were emptied into his body. His house was robbed and burned.

10. On the same day the same band of marines and gendarmes surprised Esca Estinfi in his house at Caye-Beau with his young sons. They shot all three, father and children. Then they robbed his house and burned it. Esca was a great planter, and had a large quantity of coffee stored, and a good sum of money ready for commercial transactions.

11. On January 25, 1919, at "Savane Longue," near Marin, a group of marines and gendarmes coming from Terre-Rouge, district of Mirebalais, killed Hon. Auré Bayard, who was ill in bed. They pulled him from his bed, and shot him through and through. The house was robbed and burned. Then they forced Mme. Auré Bayard, by striking her with the butt ends of their rifles, to take the things that they had just stolen and carry them along with them. It was not until the next day that the poor woman could render her last services to her husband.

12. On January 30 some marines and gendarmes, led by spies named Néis (des Orangers) and Auré Fleury (du Carrefour grand-mât), killed a pregnant woman in a place called Thomaus. The cottage was robbed.

13. In December, 1919, some marines and gendarmes coming from Saut d'Eau or Mirebalais arrived at the second section of the Crochus, district of Mirebalais, and shot, at Beauvoir, Saint-Félix Goffard, who lived with his two little daughters aged 8 and 12 years. The terrified children managed to escape the shots of the assassins.

14. On the same day, at Beauvoir, the same band robbed the cottage of Tin-homme Saint-Félix, then shot him and burned his corpse.

15. On the same day, at Beauvoir, the same band killed a respectable old man named Saintime Vernet. His cottage was robbed. Then the band burned the little village of Beauvoir.

16. No attention was paid to a denunciation by M. Paul Bayard, sent to the naval court of inquiry in a letter dated November 26, relative to the crimes enumerated below, committed by the Haitian sergeant of the gendarmerie, Maurice Lafontant, by the American captains, O'Neil and Verdier, and by the American lieutenant, Rogers, at Montagne, Goanau and Serin neighborhood, district of Jacmel (a section where there have never been any of the so-called "Cacos"): (1) Thirty-eight houses burned; (2) assassination of Michael Jean François, age 74 years—his house was burned; (3) Paul Bayrd, wounded by two bullets, one in his thigh and the other in his abdomen—his house was burned; (4) assassination of Enéllen Ladouceur; (5) Françoise Gabriel, wounded by one bullet in the thigh.

17. Bodily tortures were inflicted by the American captain of gendarmerie, Fitzgerald Brown, upon M. Polydor St. Pierre, clerk of the St. Marc police court, in the prison of that town. He was arrested on January 3, 1919, on a false charge of theft, and was imprisoned for six months. Brown administered the "water cure" to him and burned his body with a red-hot iron; to say nothing of the beatings and other tortures which he inflicted upon him. St. Pierre vainly begged a hearing from the naval court of inquiry.

18. Executions by night at St. Marc during the first months of 1919 in the localities known as "Grosses Roches" and "Gros-Morne" by Capt. Fitzgerald Brown.

19. Hanging of Fabre Yoyo from a mango tree on March 13, 1919, at Pivert, on property belonging to the Orius Paultre family of St. Marc; execution on this same property this same day of two young boys of 14 and 15 years, Nicolas Yoyo and Sainve Charlot, by Capt. Fitzgerald Brown.

20. Among the crimes perpetrated in the region of Hinche, Maissade, from 1916 to 1919, by Lieuts. Lang and Williams, acts little known, and denounced by M. Méresse Wooley, former mayor of Hinche, on December 10, 1920, in the *Courier Haitien*, are the following: (1) M. Onexil hanged and burned alive in his house at Lauhaudigne; (2) execution of Madame Eucharice Cadichon at Mamon; (3) execution of Madame Romain Brigade at l'Hermitte, near Maissade; (4) execution of Madame Prevot with a baby of a few months at "Savane-à-Lingue" on her own property.

21. Madame Garner, widow of the notary who was killed by Lieut. Williams at Maissade, told Judge Advocate Dyer privately, on November 27, 1920, of the shooting of Madame Lumenesse, mother of eight children, by Lieut. Wil-

liams of the Haitian gendarmerie. Madame Garnier's declaration was published in the *Courier Haitien* of December 18, 1920.

22. Execution of Gen. Saut Peralte, near the Canary, by Gendarme Larmarine Toussaint, assisted by the American Lieut. Vernon, and ordered by the American Capt. Verdier, published in the *Courier Haitien*.

23. Arrest of Cadéus Bellegarde and cruelty inflicted upon him by the American Lieut. Dukela on December 2, 1919, at Saut-d'Eau, district of Mirebalais. According to a complaint made before a Haitian court, on December 8, 1920, and published in the *Courier Haitien* of February 9, 1921, Cadéus Bellegarde accused Lieut. Dukela of having burned 10 of his houses and stolen all of his property, including 12 horses, 3 mules, 70 oxen, etc.

24. In a letter published February 22, 1921, in the *Courier Haitien*, dated at Belladere, January 31, 1921, M. Casimir, jr., gives the following list of Haitians executed at Belladere by certain officers and soldiers of the Marine Corps: Gabriel Morette, Saint-For Jean-Baptiste, Frésirus Dufresin, Elie Ladomate, Bristoul Michel, Achille Vincent, Lorme Lorendou, Petika Casian, Normelus Saint-Charles, Adou Domingue, Arlatus Domingue, Erisma Barau, Ehelusma Barau, Ocean Noisette, Surprilus Vilette, Saint-Pierre Infine, Monexa Chitry, Salomon Suprien, Fleury Pierre, a small daughter of M. Raymond Dominique, Lami Pinal, Lhérisson Pinal, Marcelus Joseph and his son, Georges Ledou, Francisque Contrairie, Princy Lachapelle, Céus Grandin, Jocelin, jr., Saint-Uma Pierre, Elie Morette, Stiven Calixte, Barjon Charles, Dumorne Vincent, jr., Juste Glodin, Donil Cyriaque. M. Casimir, jr., gave also the names of 48 proprietors whose houses and fields had been burned by certain officers and soldiers of the Marine Corps in the commune of Belladere.

25. In a petition addressed on December 16, 1920, to M. Barnave Dartignenave, state secretary of the interior for Haiti, by the members of the League for the Public Good, at Cap-Haitien, whose president is Pastor Auguste Albert of the Baptist Church, which petition was published in the *Courier Haitien* on February 26, 1921, we notice the following facts:

(a) In the prisons of Cap-Haitien, during the years 1918, 1919, and 1920, more than 4,000 prisoners died.

(b) At Chabert, an American camp, 5,475 prisoners died during these three years, the average being five deaths a day.

(c) At Cap-Haitien, in 1918, eight corpses of prisoners a day were thrown into the pits.

(d) The mortality rate is just as high in the prisons of Port-au-Prince and Gonaves.

(e) At Cap-Haitien, out of 500 prisoners, the average mortality is four a day, i. e., 24 per cent per month, or only 1 per cent less a quarter of this whole number.

(f) Before American occupation and the seizure of the prisons by the American officers the number of prisoners in the Cap-Haitien prison did not exceed, on an average, 40 a year.

(g) At this time the mortality rarely reached the number of four prisoners a year.

The ghastly mortality in the prisons together with confirmation by survivors reveals a record of atrocities, of brutality, and cruelty which defies description. It is a record for which it would be difficult to find a parallel.

#### CONCLUSION.

The Haitian Republic was the second nation of the New World—second only to the United States—to conquer its national independence. We have our own history, our own traditions, customs, and national spirit, our own institutions, laws, and social and political organization, our own culture, our own literature (French language), and our own religion. For 111 years the little Haitian nation has managed its own affairs; for 111 years it has made the necessary effort for its material, intellectual, and moral development as well as any other nation—better than any other nation, because it has been from the start absolutely alone in its difficult task, without any aid from the outside bearing with it along the harsh road of civilization the glorious misery of its beginning. And then, one fine day, under the merest pretext, without any possible explanation or justification on the grounds of violation of any American right or interest, American forces landed on our national territory and actually abolished the sovereignty and independence of the Haitian Republic.

We have just given an account of the chief aspects of the American military occupation in our country since July 28, 1915.

It is the most terrible régime of military autocracy which has ever been carried on in the name of the great American democracy.

The Haitian people, during these past five years, has passed through such sacrifices, tortures, destructions, humiliations, and misery as have never before been known in the course of its unhappy history.

The American Government, in spite of the attitude of wisdom, moderation, and even submission which it has always found in dealing with the Haitian Government, has never lived up to any of the agreements which it had solemnly entered into with regard to the Haitian people.

The Haitian people is entitled to reparations for the wrongs and injuries committed against it.

The great American people can only honor themselves and rise in universal esteem by hastening the restoration of justice—of all the justice due a weak and friendly nation which the agents of its Government have systematically abused.

Reparations are due for the human lives that have been taken and for the property that has been destroyed or abstracted. An impartial investigation will provide the necessary statements and supply the basis for the estimates to be determined.

The present political aspirations of the Haitian nation have been formulated by the Union Patriotique, a comprehensive national association which, through its numerous branches throughout the country and in all levels of society, includes virtually all the Haitian people. The undersigned have been sent to the United States by this association to make the will of the country clearly known.

The Haitian people are filled with peaceful sentiments, but there is no doubt that they intend to recover definitely the administration of their own affairs and to resume under their own responsibility the entire life of the country, with full sovereignty and independence. They will never rest until they have obtained them.

The salient aspirations of the Haitian people are summarized as follows:

1. Immediate abolition of martial law and courts-martial.
2. Immediate reorganization of the Haitian police and military forces, and withdrawal within a short period of the United States military occupation.
3. Abrogation of the convention of 1915.
4. Convocation within a short period of a constituent assembly, with all the guaranties of electoral liberty.

But the Haitian people desire too strongly the friendship of the great American people, and are too anxious for their own material, intellectual, and moral development not to wish and bespeak for themselves the impartial and altruistic aid of the United States Government. They have urgent needs, vital to the development of the natural resources of the country and essential to the full expansion of its agricultural, industrial, and commercial activity. The satisfying of these needs is absolutely necessary for the continued progress of the Haitian community.

Nothing would serve better to bring about the speedy reestablishment of normal relations between the two countries than the friendly aid of the United States Government in the economic prosperity and social progress of the Haitian Republic.

H. PAULÉUS SANNON.  
STÉPHÉ VINCENT.  
PERCEVAL THOBY.

[Outline of a draft of a convention between the United States and the Republic of Haiti.]

#### APPENDIX No. 1.

LEGATION OF THE UNITED STATES OF AMERICA,  
*Port au Prince, Haiti, December 10, 1914.*

#### PREAMBLE.

The United States and the Republic of Haiti, desiring to confirm and strengthen the amity existing between them by the most cordial cooperation in measures for their common advantage, and the Republic of Haiti desiring to

remedy the present unsatisfactory condition of its revenues and finances, to check the loss of much of its revenues due in part to internal disturbances, to provide against injudicious increase of its public debt, to inaugurate a comprehensive system of public accounts and audits, to make adequate provision to meet its exterior debts, to maintain the tranquillity of the Republic, to carry out plans for the economic development and prosperity of the Republic and its people, to strengthen its credit, and generally to fix and maintain its finances upon a firm and stable basis, and the United States being in full sympathy with all of these aims and objects and desiring to contribute in all proper ways to their accomplishment:

The United States and the Republic of Haiti, having resolved to conclude a convention with these objects in view, have appointed for that purpose plenipotentiaries, on the part of the United States and on the part of the Republic of Haiti, who having exhibited to each other their respective powers which are seen to be full in good and true form, have agreed as follows:

1. The President of the United States shall appoint a general receiver, who with such assistants and employees as the President of the United States may appoint or authorize, shall collect, receive, and apply all customs duties on imports and exports accruing at the several customhouses and ports of entry of the Republic of Haiti; and if he shall deem it necessary and expedient, or if the Haitian Government shall request, the President of the United States shall designate a financial adviser to the Republic of Haiti, who shall devise an adequate system of public accounting, aid in increasing the revenues and adjusting them to the expenses, inquire into the validity of the debts of the Republic, enlighten both Governments with reference to all eventual debts, recommend improved methods of collecting and applying the revenues, and generally exercise the functions of a comptroller of accounts.

2. The Government of the Republic of Haiti will provide by law or appropriate decrees for the payment of all customs duties to the general receiver, and will extend to the receivership all needful aid and full protection in its execution of the powers conferred and duties imposed herein; and the United States on its part will extend like aid and protection.

3. Upon the appointment of the general receiver, the Government of the Republic of Haiti in cooperation with the general receiver shall collect, classify, arrange, and make full statement of all the debts of the Republic, the amounts, character, maturity, and condition thereof, the interest accruing, and the sinking fund requisite to their final discharge.

4. All sums collected and received by the general receiver shall be applied by him first, to the payment of the salaries and allowances of the general receiver, his assistants and employees, and expenses of the receivership, including the salary and expenses of the financial adviser, if one shall be appointed; second, to the interest and sinking fund of the public debt of the Republic of Haiti; and, third, the remainder to the Haitian Government for purposes of current expenses.

In making these applications the general receiver will proceed to pay salaries and allowances monthly and expenses as they arise, and on the first of each calendar month will set aside in a separate fund the quantum of the collections and receipts of the previous month found to be a fair contribution to the ultimate sum required to meet interest and provide the sinking funds.

5. The expenses of the receivership, including salaries and allowances of the general receiver, his assistants and employees, shall not exceed five per cent of the collections and receipts from custom duties, unless by agreement of the two Governments.

6. The general receiver shall make monthly reports of all collections, receipts, and disbursements to the appropriate officer of the Republic of Haiti and to the Department of State of the United States, which reports shall be open to inspection and verification at all times by the appropriate authorities of each of the said Governments.

7. The Republic of Haiti shall not increase its public debt except by previous agreement with the President of the United States and shall not contract any debt or assume any financial obligation unless the ordinary revenues of the Republic available for that purpose after defraying the expenses of the Government shall be adequate to pay the interest and provide a sinking fund for the final discharge of such debt.

8. The Republic of Haiti will not, without the assent of the President of the United States, modify the customs duties in a manner to reduce the revenues therefrom; and in order that the revenues of the Republic may be adequate to

meet the public debt and the expenses of the Government, to preserve tranquillity, and to promote material prosperity, the Republic of Haiti will cooperate with the financial adviser, if one is appointed, in his recommendations for improvement in the methods of collecting and disbursing the revenues and for new sources of needed income.

9. The United States shall have authority to prevent any and all interferences with the receipt, collection, or free course of the customs, or, with the free exercise of any of the powers conferred or duties imposed herein upon the receivership or with the attainment of any of the objects comprehended in this convention.

10. This agreement shall continue in force for a period of — years from and after its ratification by the contracting parties in accordance with their respective laws.

#### APPENDIX No. 2.

Whereas the President of the United States of America and the President of the Republic of Haiti are animated by the desire to strengthen the bonds of friendship between the two countries; and

Whereas the high contracting parties realize the mutual advantages which would lie in more intimate commercial and financial relations; and

Whereas the President of the Republic of Haiti has expressed his sincere desire and firm intention to guarantee the honest and efficient administration of a government in Haiti according to the constitution and laws of that Republic, government which will give expression to the will of the people of Haiti, protect their rights and interests, and respect international obligations; and

Whereas it is the mutual desire of the high contracting parties that there shall exist between the American minister plenipotentiary—hereafter to be appointed—and the President of Haiti such an intimate and confidential relationship as will enable the American minister plenipotentiary to advise as to such matters as affect the honest and efficient administration of the Government, the President of Haiti agreeing that he will follow the advice so given to the extent of requiring honesty and efficiency in officials and of removing those found to be dishonest and inefficient;

The President of the United States of America and the President of the Republic of Haiti have resolved to enter into a convention for that purpose and have appointed their respective plenipotentiaries, to wit:

The President of the United States of America, the Hon. Paul Fuller, jr., United States commissioner with the rank of envoy extraordinary and minister plenipotentiary;

The President of the Republic of Haiti, the Hon. Ulrich Duvivier, secretary of state for foreign relations;

Who, after exchange of their full powers, found to be in good and due form, have, in consideration of and in compensation for the respective concession and engagements made by each to the other as herein recited, agreed, and do hereby agree, as follows, to wit:

1. The Government of the United States of America will protect the Republic of Haiti from outside attack and from the aggression of any foreign power, and to that end will employ such forces of the Army and Navy of the United States as may be necessary.

2. The Government of the United States of America will aid the Government of Haiti to suppress insurrection from within and will give effective support by the employment of the armed forces of the United States Army and Navy to the extent needed.

3. The President of the Republic of Haiti covenants that no rights, privileges, or facilities of any description whatsoever will be granted, sold, leased, or otherwise accorded directly or indirectly by the Government of Haiti concerning the occupation or use of the Mole Saint-Nicholas to any foreign Government or to a national or the nationals of any other foreign Government.

4. The President of the Republic of Haiti covenants that within six months from the signing of this convention the Government will enter into an arbitration agreement for the settlement of such claims as American citizens or other foreigners may have against the Government of Haiti, such arbitration agreement to provide for the equal treatment of all foreigners to the end that the

people of Haiti may have the benefit of competition between the nationals of all countries.

The present convention shall be ratified by the appropriate authorities of the respective countries, and the ratification shall be exchanged at Port au Prince, Haiti, as soon as may be after the — day of —, 1915.

In witness whereof we, the respective plenipotentiaries, have signed the same in duplicate in English and in French and have affixed our respective seals at Port au Prince, Haiti, this — day of May, in the year 1915.

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[To the convention project presented by Mr. Fuller.]

#### APPENDIX No. 3.

##### COUNTERPROJECT.

The President of the United States of America and the President of the Republic of Haiti desiring to strengthen the bonds of friendship which exist between the two countries;

The high contracting parties being convinced of the advantages they would obtain through closer commercial and financial relations, considering that the introduction of capital into Haiti would be sufficiently profitable, and that it would be assured of all the necessary guaranties, and is recognized as indispensable to the economic development of Haiti;

The President of the Republic of Haiti, constitutionally elected, who has shown by the acts already accomplished by his Government his sincere desire to assure the country through complete and faithful execution of the laws of a wise, regular, and honorable administration, capable of assuring as much protection as possible to legitimate interests, both national and foreign;

The President of the United States of America, with views in harmony with those of the Government of the Haitian Republic, and disposed to lend it all the assistance and aid necessary to the conservation of its independence, and to permit its free development;

The President of the United States of America and the President of the Republic of Haiti have resolved to conclude with these aims a convention, and have named for their respective plenipotentiaries:

The President of the United States of America, the Hon. Paul Fuller, special envoy of the United States, ranking as envoy extraordinary and minister plenipotentiary;

The President of the Republic of Haiti, Hon. Ulrick Duvalier, state secretary of foreign affairs;

Who, after exchange of their full respective powers, found in good and due form, have accepted and hereby accept what follows:

1. The Government of the United States of America agrees to lend its aid to the Republic of Haiti for the conservation of its independence,

With this object it binds itself to intervene to prevent any intrusion of any foreign power in the affairs of Haiti and to repulse any act of aggression attempted against this country.

It shall employ for this purpose such forces of the Army and Navy of the United States as are necessary.

2. The Government of the United States shall facilitate the entrance into Haiti of sufficient capital to assure the full economic development of this country, to improve within a very short period its financial situation, especially to bring about the unification of its debt in such a way as to reduce the customs guaranties which are affected by it at present, and to carry out an effective monetary reform.

In order to grant to capital all desirable guaranties, the Government of Haiti agrees to employ in the customhouses, as well as in collectors' offices and others, only Haitian officials whose morality and capability are well known.

The lenders may be consulted regarding the choice of the higher customs officials.

The Haitian Government shall also assure protection to capital and to all foreign interests in general by the organization of a rural horse guard, instructed according to the most modern methods.

Meanwhile it may, if necessary, resort to the aid of the American Government in order to check disorders and serious troubles which might compromise foreign interests.

The American forces which would, if the case should come up, cooperate with Haitian troops for the reestablishment of order, must be withdrawn from Haitian territory at the first demand of the constitutional authorities.

3. The President of the Republic of Haiti agrees not to grant any rights, privileges, or facilities whatsoever on the St. Nicholas mole, nor to concede, sell, rent, or otherwise permit, directly or indirectly, the occupation or use of the St. Nicholas mole to any Government, to any national or nationals of any Government.

4. The President of the Republic of Haiti agrees, within six months of the ratification of the present convention, to sign a convention of arbitration with the powers concerned for the settlement of pending diplomatic claims, which convention of arbitration shall recognize equal treatment to all claimants; that is to say, that no privilege for the profit of any of them shall be recognized.

The present convention shall be ratified by the competent authorities in the two countries, and the exchange of ratifications shall be made at Port-au-Prince as soon as possible after the ———. Presented on June 2, 1915.

[Texte Proposé par la Légation des Etats-Unis d'Amérique Aout 1915.]

#### APPENDIX No. 4.<sup>2</sup>

##### MEMORANDUM.

En vue de l'attitude amicale montrée par le Gouvernement haïtien, le Chargé d'Affaires par interim des Etats-Unis a reçu instruction de rédiger et de soumettre officiellement au Président de la République d'Haïti, sans délai, le projet de traité ci-joint de l'informer que le Département d'Etat à Washington croit que l'Assemblée Nationale haïtienne, garante de la sincérité et de l'intérêt des haïtiens, voudra voter immédiatement une résolution autorisant le Président d'Haïti à accepter *sans modification*, le traité suivant :

[Projet de Convention entre les Etats-Unis et la République d'Haïti.]

##### PREAMBLE.

Les Etats-Unis et la République d'Haïti, désireux d'affermir et de fortifier l'amitié existant entre eux par une plus cordiale coopération à des mesures pour leur avantage commun, et la République d'Haïti désirant remédier à la situation de ses finances qui n'est pas satisfaisante, empêcher la perte de beaucoup de ses revenus, due en partie aux troubles intérieurs, prendre des dispositions contre l'augmentation peu judicieuse de sa dette publique, inaugurer un système compréhensible pour l'examen et la tenue de la comptabilité publique, faire provision suffisante pour la service de ses dettes extérieures, maintenir la tranquillité de la République, exécuter des projets pour le développement économique et la prospérité de la République et du peuple haïtiens, consolider son crédit et en général asseoir et maintenir ses finances sur une base solide et stable, les Etats-Unis sympathisant entièrement avec toutes ces vues et ces objets, et désireux de contribuer à leur réalisation par tous les moyens convenables :

Les Etats-Unis et la République d'Haïti, ayant résolu de conclure une convention ayant ces objets en vue, ont nommé à cet effet comme Plénipotentiaires, les Etats-Unis, Mr. ———, et Haïti ———, Mr. ———, lesquels s'étant mutuellement communiqué leurs pleins pouvoirs respectifs trouvés en bonne et due forme, ont convenu ce qui suit :

1. Le Président des Etats-Unis nommera un receveur général, qui, avec tels aides et employés que le Président des Etats-Unis pourra nommer ou autoriser, recouvrera, recevra et appliquera tous les droits de douane tant à l'importation qu'à l'exportation provenant des diverses douanes et ports d'entrée de la République d'Haïti. Le Président des Etats-Unis désignera à la République d'Haïti un conseiller financier qui élaborera un système adéquat de comptabilité publique, aidera à l'augmentation des revenus et à leur ajustement aux dépenses, enquêtera sur la validité des dettes de la République, éclairera les deux Gouvernements relativement à toutes dettes éventuelles, recommandera

<sup>2</sup> This is a translation into French, published at Port au Prince of the original English text, which is not now available.

des méthodes perfectionnées d'encaisser et d'appliquer les revenus, et en général exercera les fonctions d'un contrôleur.

2. Le Gouvernement de la République d'Haïti pourvoiera par une loi ou par un décret approprié, à ce que le paiement de tous les droits de douane soit fait au receveur général, et il accordera au bureau de la recette et au conseiller financier toute l'aide et la protection nécessaires à l'exécution des pouvoirs qui lui sont conférés et à l'accomplissement des devoirs qui lui sont imposés par les présents; les Etats-Unis, de leur côté accorderont la même aide et la même protection.

3. A la nomination du conseiller financier, le Gouvernement de la République d'Haïti, avec la coopération du conseiller financier, collationnera, classera, arrangera et fera un relevé complet de toutes les dettes de la République, de leur montant, caractère, échéance et condition, intérêts y afférents, et amortissement nécessaire à leur complet paiement.

4. Toutes les valeurs recouvrées et encaissées par le receveur général seront appliquées: premièrement au paiement des appointements et allocations du receveur général, de ses auxiliaires et employés, et les dépenses du bureau de la recette comprendront les appointements et les dépenses du conseiller financier; deuxièmement, à l'intérêt et à l'amortissement de la dette publique de la République d'Haïti; troisièmement à l'entretien de la police visée à l'article huit et alors le reste, au Gouvernement haïtien pour les dépenses courantes.

En faisant ces applications, le receveur général procédera au paiement des appointements et allocations mensuelles et des dépenses telles qu'elles se présentent, et au premier de chaque mois, il mettra à un compte spécial le montant des recouvrements et recettes du mois précédent.

5. Les dépenses du bureau de la recette, y compris les appointements et allocations du receveur général, de ses auxiliaires et employés, ne devront pas dépasser cinq pour cent des recouvrements et recettes provenant des droits de douane, à moins d'une convention entre les deux Gouvernements.

6. Le receveur général fera un rapport mensuel au fonctionnaire haïtien obligé financièrement à moins que, les dépenses du Gouvernement défrayées, les recettes et les dépenses; ces rapports seront soumis à l'inspection et à la vérification des autorités compétentes de chacun des dits Gouvernements.

La République d'Haïti ne devra pas augmenter sa dette ni assumer aucune obligation financière à moins que, les dépenses du Gouvernement défrayées, les revenus de la République disponibles à cette fin, soient suffisants pour payer les intérêts et pourvoir à un amortissement pour l'extinction complète d'une telle dette.

7. La République d'Haïti, sans l'assentiment du Président des Etats-Unis, ne modifiera pas les droits de douane d'une façon qui en réduise les revenus, et afin que les revenus de la République soient suffisants pour faire face à la dette publique et aux dépenses du Gouvernement, pour préserver la tranquillité et promouvoir la prospérité matérielle, la République d'Haïti coopérera avec le conseiller financier suivant ses recommandations relatives à l'amélioration des méthodes de recouvrer, de dépenser les revenus, et à la création des sources nouvelles de revenus qui feront besoin.

8. Le Gouvernement haïtien, en vue de la préservation de la paix intérieure, de la sécurité des droits individuels et de la complète observance des dispositions de ce traité, s'engage à créer sans délai une police efficace, composée d'haïtiens. Cette police sera organisée par des américains qui en seront les officiers, désignés par le Gouvernement des Etats-Unis et que le Gouvernement haïtien nommera et revêtira de l'autorité voulue et nécessaire, et soutiendra dans l'exercice de leurs fonctions. La police ici prévue aura, sous la direction du Gouvernement haïtien, la surveillance et le contrôle des armes et munitions, des articles militaires et du commerce qui s'en fait dans tout le pays. Les stipulations de cet article sont nécessaires pour prévenir les luttes des factions et les désordres.

9. Le Gouvernement d'Haïti convient de ne céder aucune partie du territoire de la République d'Haïti par vente, bail ou autrement, ni conférer juridiction sur tel territoire à aucune Puissance ou Gouvernement étrangers, excepté aux Etats-Unis, ni signer avec aucune autre puissance, ni autres puissances, aucun traité ni contrat qui diminuera ou tendra à diminuer l'indépendance d'Haïti.

10. Le Gouvernement haïtien convient de signer avec les Etats-Unis un protocole pour le règlement, par arbitrage ou autrement, de toutes les réclamations pécuniaires pendantes entre les corporations, compagnies, citoyens ou sujets étrangers et Haïti.

11. La République d'Haïti désirant activer le développement de ses ressources naturelles, convient d'entreprendre et d'exécuter telles mesures qui, dans

l'opinion du Gouvernement des Etats-Unis, peuvent être nécessaires au point de vue de l'hygiène et de l'avancement de la République d'Haïti, sous la surveillance et la direction d'un ou plusieurs ingénieurs qui seront désignés par le Président des Etats-Unis, nommés et autorisés à cette fin par le Gouvernement d'Haïti.

12. Les Etats-Unis auront autorité pour empêcher toute ingérence dans l'accomplissement d'un point (object) quelconque compris dans cette convention; ils auront aussi bien le droit d'intervenir pour la préservation de l'indépendance haïtienne et pour le maintien d'un Gouvernement capable de protéger la vie, la propriété et la liberté individuelle.

13. Le présent traité sera approuvé et ratifié par les hautes parties contractantes conformément à leurs lois respectives, et la ratification sera échangée dans la ville de Washington aussitôt que possible.

14. Le présent traité restera en force et vigueur pendant une durée de dix années à partir du jour de l'échange des ratifications, et en outre pour une autre période de dix années à la demande d'une des parties.

En foi dequoi les Plénipotentiaires ont signé la présente convention en double et y ont apposé leurs sceaux.

#### APPENDIX No. 5.

##### PROCLAMATION.

*To the people of Port au Prince, Haïti:*

Information having been received from the most reliable sources that the present Government of Haïti is confronted with the conditions which they are unable to control, although loyally attempting to discharge the duties of their respective offices; and these facts having created a condition which requires the adoption of different measures than those heretofore applied; and in order to afford the inhabitants of Port au Prince and other territory hereinafter described, the privileges of the Government, exercising all the functions necessary for the establishment and maintenance of the fundamental rights of man: I hereby, under my authority as commanding officer of the forces of the United States of America in Haïti and Haïtien waters, proclaim that marshal law exists in the city of Port au Prince and the immediate territory now occupied by the forces under my command.

I further proclaim in accordance with the law of nations and the usages, customs, and functions of my own and other Governments, that I am invested with the power and responsibility of government in all its functions and branches throughout the territory above described and the proper administration of such Government my martial law will be provided for in regulations to be issued from time to time, as required, by the commanding officer of the forces of the United States of America in Haïti and Haïtien waters.

The martial law herein proclaimed, and the things in that respect so ordered, will not be deemed or taken to interfere with the proceedings of the constitutional Government and Congress of Haïti, or with the administration of justice in the courts of law existing therein; which do not affect the military operations or the authorities of the Government of the United States of America.

All the municipal and other civil employees are, therefore, requested to continue in their present vocations without change; and the military authorities will not interfere in the functions of the civil administration and the courts, except in so far as relates to persons violating military orders or regulations, or otherwise interfering with the exercise of military authority. All peaceful citizens can confidently pursue their usual occupations, feeling that they will be protected in their personal rights and property, as well as in their proper social relations.

The commanding officer of the United States Expeditionary Force, Col. Littleton W. T. Waller, United States Marine Corps, is empowered to issue the necessary regulations and appoint the necessary officers to make this material law effective.

Done at the city of Port au Prince, Haïti, this 3d day of September, A. D. 1915.

W. B. CAPERTON,  
Rear Admiral, United States Navy,  
Commanding the Forces of the United States of America  
in Haïti and Haïtian Waters.

## 40 INQUIRY INTO OCCUPATION OF HAITI AND SANTO DOMINGO.

### APPENDIX No. 6.

#### MODUS VIVENDI.

Considering that, pending the exchange of ratifications of the treaty of September 16, 1915, it is essential that a provisional arrangement be entered into between the two Governments with a view to guarantee the working of the administrative services, the repression of disorder, and the maintenance of public peace:

The following Modus Vivendi has been agreed upon between the Haitian Government and the Government of the United States of America, represented respectively by Louis Borno, secretary of state for foreign affairs, and Arthur Bailly-Blanchard, envoy extraordinary and minister plenipotentiary.

The treaty signed September 16, 1915, between the Republic of Haiti and the United States and ratified by the Haitian Chamber of Deputies on October 6, 1915, and by the Haitian Senate on November 11, 1915, shall go provisionally into full force and effect from this date and shall be operated thereunder until the Senate of the United States has acted upon the treaty, under reserve of the details of the operation of the treaty to be arranged at Washington between the Department of State and the Haitian commission appointed for that purpose.

Signed and sealed in duplicate, in the English and French languages, at Port au Prince, Haiti, the 29th day of November, 1915, by the aforesaid representatives on behalf of their respective Governments.

LOUIS BORNO.

A. BAILLY-BLANCHARD.

### APPENDIX No. 7.

#### MEMORANDUM.

REPUBLIC OF HAITI,  
STATE SECRETARY OF FOREIGN AFFAIRS,  
*Port au Prince, December 20, 1915.*

The Haitian Government is ready to receive from the Occupation the municipal administrations which it has taken over.

As it was understood that a special agreement would be made for each case the Government asks to resume as soon as possible the administration of the public services of Port au Prince, the water works, and the municipal services. With this object the United States Legation is informed that the water works will be taken by Mr. Thomas Price, engineer, and the municipal administrations by a commission whose members will be named later. The United States Legation will kindly inform the department of foreign affairs of the American officer who will be in charge of returning the administrations to the agents of the Haitian Government, that he is to make out with them all inventories, accounts of works needed, reparations, etc., in short, to carry out the details of the agreement.

When the municipal services of Port au Prince are returned to Haitian control the same procedure shall be applied to the other communes; that is, the department of foreign affairs and the United States Legation, respectively, shall indicate one or more agents to make out the inventories or accounts of works, reparations, etc., to be carried on under Haitian control, and the agreement for each case shall be sent to the legation and to the department of foreign affairs.

As for the funds needed to carry on the administrations, for reparations, works, etc., the Haitian Government expects Admiral Caperton to supply them to the Haitian agents designated for these works.

In fact, the revenues of the Government are collected by the occupation; it has at its disposal only the amounts paid it by Admiral Caperton and which are devoted to the necessities of governmental existence. They are not sufficient to cover, among other things, the expenses of the various waterworks and municipalities, expenses which are now paid directly by the American authorities.

The return of these services was the object of a formal agreement established by the Appendix of the Modus Vivendi. This return necessarily involves expenses, and the means of meeting them are a necessary part of this return. Moreover, these expenses are now paid to the American occupation by Admiral Caperton out of the funds of the public Treasury; in paying them to the Haitian authorities henceforth, it shall not be considered a new expense.

Consequently, the Haitian Government considers that when the details of the agreement charge expenses against the Haitian administration, the means of meeting them shall be furnished to the latter out of the funds of the public treasury.

Immediate action on the part of the American authorities, in accordance with the present memorandum, would be highly appreciated by the Haitian Government.

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APPENDIX No. 8.

HAITIAN LEGATION,  
*Washington, November 15, 1918.*

In the name of the Government, go without delay, personally, and transmit, in writing, the following note to the Secretary of State, personally: "Just at the time when Your Excellency is addressing the Haitian Government as the Government of a free and independent nation, just at the time when, thanks to the power of the United States, the sacred principles of law, justice, and respect for small nations are triumphant in the world, the Haitian nation is prey to the distressing and unjust tyranny of American officials who, contrary to the treaty, are trying to impose upon the Republic of Haiti budget laws and taxes, without examining anything with us, without recognizing the right of the Haitian Government even to rectify evident errors, material and others, made in their projects. The Haitian people are very sincerely determined to bring about, with the aid of the American Government, all the reforms which progress demands, but by means of the very cordial cooperation stipulated in the treaty, of cooperation arising from examinations in common and not at all by means of imperative injunctions, announced without respect for national dignity, and sometimes inspired by sentiments of a personal nature, in which the superior interests of the two countries are not considered. Also, the Haitian Government is convinced that the State Department, which is incompletely informed regarding the actual situation in Haiti, will take careful measures for the legitimate satisfaction of the Haitian nation, which has full confidence in the noble impartiality of the honorable chief of the State Department and the illustrious chief of the Government of the United States."

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APPENDIX No. 9.

Le Secrétaire d'Etat présente ses compliments au Chargé d'Affaires ad interim de la République d'Haiti et a l'honneur d'accuser réception de sa Note datée du 20 Novembre, 1918, par laquelle, selon les instructions expresses de son Gouvernement, le Chargé d'Affaires a fait connaître certaines plaintes contre les actes des fonctionnaires américains, en contravention avec le traité de 1915, entre le Gouvernement des Etats-Unis et le Gouvernement d'Haiti, et dans la quelle le Gouvernement haïtien a exprimé sa conviction que le Département d'Etat jugera à propos de prendre des mesures pour donner satisfaction aux désirs légitimes de la nation haïtienne.

En addition aux accusations générales du Gouvernement haïtien touchant "les vexations et la tyrannie injuste des fonctionnaires américains" en Haiti, le Département d'Etat note que le Gouvernement haïtien est de l'opinion que le Gouvernement des Etats-Unis n'est pas complètement renseigné au sujet de la vraie situation en Haiti. Comme suite à ces affirmations et en vue de la très sérieuse portée de l'accusation générale contre les fonctionnaires américains en Haiti que la note plus haut mentionnée contient, le Gouvernement des Etats-Unis désire que le Gouvernement d'Haiti fasse une déclaration plus précise et plus détaillée en ce qui regarde les questions exposées dans la note du 20 Novembre, 1918.

ROBERT LANSING.

Département d'Etat.  
*Washington, 30 Novembre, 1918.*

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APPENDIX No. 10.

PROTEST.

We, undersigned Senators, assembled in a hall on the corner of People and Dantes Destouches Streets, formerly Pavée Street, temporarily taken over for our legislative work, because of the closing of the National Building for the past month by order of executive power, to prevent us from working there.

After drawing up a report at quarter past 4 to-day, stating the impossibility of working in ordinary session, lacking a majority, we were obliged to retire immediately, upon the injunction of an American officer accompanied by Haitian gendarmes, who informed us of the order to leave the hall.

Before this brutal force and after protesting against this unusual act we decided to go to the house of M. Paul Laraque, president of the senate, at Champ-de-Mars, where we drew up this report, to be of whatever service and value it may.

Signed on this day, May 5, 1916.

Suirad Villard, M. Morpeau, Dr. D. Désir, N. S. Lafontant, O. Brice, Baussan, F. N. Apollon, Dr. I. E. Jeanty, T. Laleau, Ls. Ed. Pouget, Dr. Holland, C. Cabèche, N. Nelson, T. Sainave, C. Latorue, L. C. Lhérisson, P. Laraque.

#### APPENDIX No. 11.<sup>2</sup>

PORT AU PRINCE, 7 Avril, 1917.

SON EXCELLENCE MONSIEUR LOUIS BORNO,

*Ministre des Affaires Etrangères, Port au Prince.*

MONSIEUR LE MINISTRE: En conséquence des instructions du Département d'Etat, j'ai l'honneur d'informer votre Excellence que, après avoir soigneusement examiné le Project de la Nouvelle Constitution haïtienne, le Département d'Etat a plusieurs suggestions qu'il considère obligatoires, et susceptibles d'être mises à l'étude et à l'examen par le Gouvernement de votre Excellence préalable-ment à toute action définitive à cet égard du Corps Législatif.

Le Département avise en outre cette Légation que dans les quelques prochains jours, les suggestions en question seront expédiées par cable.

Veuillez agréer, Monsieur Le Ministre, les assurances de ma haute considération.

A. BAILLY-BLANCHARD,  
*Ministre Américain.*

LÉGATION DES ETATS-UNIS D'AMÉRIQUE,  
*Port au Prince, Haïti, 11 Avril, 1917.*

S. E. MONSIEUR LOUIS BORNO,

*Secrétaire d'Etat des Relations Extérieures.*

MONSIEUR LE MINISTRE: Me référant à ma note du 7 Avril relative à certaines suggestions touchant le projet de la Nouvelle Constitution haïtienne et à mon avis que la Legation serait en possession des suggestions en question dans quelques jours, j'ai l'honneur de dire que mon Gouvernement m'a chargé de porter à l'attention du Gouvernement de Votre Excellence son désir de voir les changements suivants dans le dit projet:

Art. 4. Les étrangers jouiront de toutes les protections accordées aux haïtiens sans exception.

Art. 5. La condition de cinq années de résidence serait écartée. L'intention de faire le commerce et de résider serait ajoutée à la liste des entreprises pour lesquelles la propriété immobilière peut être acquise. L'exception concernant l'intervention diplomatique serait écartée.

Art. 96. Les Secrétaires d'Etat ne recevraient aucun frais de représentation en plus de leurs indemnités.

Art. 97 à 104 inclus: Le Conseil d'Etat n'est pas nécessaire, étant donnée l'existence du Corps Législatif, et les dépenses y afférentes ne sont pas justifiées; à omettre tout ce qui s'y réfère des articles 81, 94 et autres.

Art 121. Des dispositions seraient prévues pour la poursuite des juges en Cassation et des juges d'appel de la même façon que pour celle des Secrétaires d'Etat.

Art. 131. Serait lu: L'examen et la liquidation des comptes de l'Administration générale et de tous autres offices comptables envers le Trésor Public seront déterminés par la loi.

Les articles 132, 133 et 134 seraient écartés.

Art. 140. Les étrangers jouiraient de toute protection accordée aux haïtiens, sans exception, et en outre, il ne serait pas refusé le droit de réclamer des indemnités pour les torts ou pertes éprouvés.

<sup>2</sup> This is a translation into French of the original English text, which is not now available.

Article . . . La substance de l'article 4 de Pappendice à la constitution cubaine ratifiant les actes des États-Unis en Haïti durant l'Occupation militaire. Veuillez agréer, Monsieur le Ministre, les assurances de ma haute considération.

H. BAILLY-BLANCHARD,  
*Minister Américain.*

#### APPENDIX No. 12.

The so-called voting by the people of Haiti on the constitution prepared in advance for them and rammed down their throats by the Wilson administration is ridiculed by Dr. Evans. He thus describes it to Secretary Daniels:

"The prosession of voters (!) resembled funerals in their silence, solemnity, and mournful character as these people passed along like sheep into courts of justice (?) which were turned that day all through the country into Haitian slaughter houses. Each was especially guarded by the gendarmerie. For the sake of giving a little color to the affair and thus perfecting the farce, a native commissaire, or dummy officer, sat in the chair by the side of the white officer.

"When entering the court a small, white paper, stamped with the words 'Police administration' and bearing date June 11, 1918, and also the French word 'Oul' (Yes), was placed in the trembling hand of the native, who then was motioned—no word being spoken or question being asked—to the box in front of the white American officer in supreme charge, with a native dummy assistant at his side. A bundle of pink papers bearing the French word 'non' (no) curiously and significantly remained tied together on the table. Thus terrorized and helpless to resist, these people sorrowfully and slavishly submitted, as most of them were brought in from small villages guarded and closely watched."<sup>39</sup>

#### APPENDIX No. 13.

In a memorandum dated January 25, 1919, addressed by the Haitian secretary of foreign affairs to the State Department at Washington, in reply to Mr. Robert Lansing's note of November 30, 1918, we quote the following passage:

"When the Haitian newspaper *Le Nouvelliste* announced on November 22, 1918, in most cautious terms and in a tentative way, the recall of the financial adviser, even ending its notice with praise for President Wilson, the owner of the paper, M. Chauvet, was arrested by the agents of the occupation, imprisoned, sentenced by court-martial to a fine of \$300, and forced to suspend his paper for three months."

For the enlightenment of all, we reproduce the article from *Le Nouvelliste*:

#### MR. RUAN RECALLED.

"It appears that Mr. A. T. Ruan has been relieved of his duties as financial adviser as a result of difficulties with our Government. The recall of Mr. Ruan affirms the sentiments of right and justice proclaimed by President Wilson and which, as the eminent statesman has often repeated, must be the compass which guides the relations between all nations, great and small."<sup>40</sup>

"This time also the mere announcement of this change, although it is made without comment, is sufficient to indicate the nature of the unjust and distressing tyranny practiced by American officials in Haiti toward the Haitian people."<sup>41</sup>

In a communication dated April 5, 1919, Mr. Charles Moravia, Haitian minister to Washington, recalled this serious incident to the State Department, directing attention to " \* \* \* the excessive severity of these provost courts ordering punishments out of all proportion to the crime committed." As an example he cited the Chauvet case mentioned in the memorandum of the Haitian Government, dated February 25, 1919, and presented to the State Department on February 14 of the same year. And he added, "there are many others."<sup>42</sup>

<sup>39</sup> Pastor Evans of the Protestant Church of St. Mark (Haiti), in the *New York Herald*, Oct. 25, 1920.

<sup>40</sup> Italics ours.

<sup>41</sup> See *Haitian Blue Book*, 1921, p. 48.

<sup>42</sup> *Ibid.*, p. 172.

In reply to the communication of the Haitian minister, Mr. Robert Lansing, Secretary of State, said, in reference to the Chauvet case, in his communication of October 10, 1919:

"You refer to the 'excessive severity' of the gendarmerie or provost courts and cite as an instance thereof the case of Chauvet. In regard to this case, it may be stated that the sentence is considered as in all ways a proper punishment of the offense committed."<sup>43</sup>

#### UNION PATRIOTIQUE D'HAÏTI.

The Union Patriotique d'Haïti is a nonpartisan organization founded at Port au Prince, November 17, 1920, to crystallize the national aspirations of the Haitians for the return of their independence, maintained, until the American invasion, for 111 years. Every one of the 27 districts which constitute the Republic of Haiti is represented, and the Union has virtually the unanimous support of the entire Haitian people.

#### LIST OF MEMBERS OF THE BOARD OF DIRECTORS.

*Chairman.*—M. Georges Sylvain, lawyer, former envoy extraordinary and minister plenipotentiary of Haiti in France and at the Holy See, and officer of the Legion of Honor.

*General Secretary.*—M. Perceval Thoby, former chargé d'affaires of the Haitian Legation at Washington, and former chief of division of the department of foreign affairs, former inspector general of the consular service.

*Treasurer.*—M. Moravia Morpeau, lawyer, manufacturer, and former senator.

*Archivist.*—M. Ch. Rosemond, notary.

*Members of the board.*—MM. H. Baussan, lawyer, planter, former president of the senate; D. Bourand, merchant, former secretary of the interior; F. L. Cauvin, lawyer, former secretary of the interior and of justice; D. Jeannot, lawyer, former secretary of the interior and of justice; Lespinasse, lawyer, former envoy extraordinary and minister plenipotentiary of Haiti in France, former secretary of foreign affairs, of finance, and of justice; L. Liautaud, lawyer; Price Mars, professor, former envoy extraordinary and minister plenipotentiary of Haiti in France; Léon Nau, lawyer, former dean of the civil court of Port-au-Prince; Pauléus Sannon, publicist, former envoy extraordinary and minister plenipotentiary of Haiti to the United States, former secretary of foreign affairs; Ls. Ed. Pouget, manufacturer, former senator, former chargé d'affaires of Haiti at Berlin, decorated with the black eagle; Sténio Vincent, former secretary of the interior and of justice, former president of the senate, former resident minister of Haiti in Holland.

*Advisory Council.*—MM. G. Boco, planter, former secretary of agriculture and public works; Victor Cauvin, lawyer; F. Colcou, physician, president of the medical board; V. Delbeau, teacher, former secretary of the Haitian Legation at Washington; Arthur Holly, physician; ~~Abel N. Léger~~, lawyer, former secretary of the Haitian legation at Paris; Clément Lespinasse, planter and manufacturer; Alexander Lillavois, former head of accounts in the department of finance and publicist; A. Rigul, lawyer, former district governor; P. Salomon, head doctor of the St. François de Sales Hospital, former dean of the Medical School, former secretary of public education; F. Viard, merchant, former secretary of the Haitian legation at London; Constant Vieux, planter, coeditor of the *Courlier Haïtien*, former secretary of the interior; Is. Vieux, lawyer, former government commissioner at the civil court of Port-au-Prince; S. Pradel, lawyer, former secretary of the interior and of justice; H. Dorsainville, lawyer, editor of *L'Essor*; Hyson, physician, managing editor *Le Matin*; F. Diambols, lawyer, editor of *La Renaissance*; Fréd. Duvignaud, lawyer, coeditor of the *Nouvelliste*; Jérémie, planter, former secretary of public education, of justice, and of the interior; J. C. Dorsainvil, physician, chief of division of the department of public education; A. Pierre Paul, merchant, former deputy; Pierr Eugène de Lespinasse, lawyer; Fleury Lavelanet, manufacturer, former communal councillor; Florvil Nau, planter; Jules Canal, manufacturer, former deputy; St. Martin B. Canal, planter, former deputy; R. Brouard, merchant; Evremond Carrié, lawyer; H. Laventure, teacher; Edmond Roumain, pharmacist

<sup>43</sup> See Haitian Blue Book, 1921, p. 175.

and chemist, former senator; Paul Laroque, lawyer, former judge of the court of cassation, former president of the senate; T. Laleau, president of bar of Port-au-Prince, former secretary of justice; H. Brisson, president of the chamber of commerce, former president of the commerce court at Port-au-Prince; V. Gervais, lawyer, former chargé d'affaires of Haiti in Cuba; Florian Alfred, former chief of the communal administration; F. B. César, manufacturer; Vil Lubin, planter; René E. Auguste, planter, former deputy.

Mr. ANGELL. I have here a brief statement in the nature of an outline not of specific charges but an outline of charges which have been made and have been laid, and a suggested scope of the inquiry for the committee, offered with the idea that we will supplement that within a very short time by a list of specific witnesses whom we think it will be absolutely necessary for the committee to call, in order that it may arrive at the facts underlying the occupation.

That is all, gentlemen, that we have.

The CHAIRMAN. The committee had better receive your outline and incorporate it in the record. It will not be necessary for you to read it, I think. It will be available to the members of the committee and the press when filed with the committee.

(The statement referred to is here printed in full as follows:)

On behalf of the Haiti-Santo Domingo Independence Society and the Union Patriotique d'Haiti and the National Association for the Advancement of Colored People:

We respectfully protest to the Senate Committee of Inquiry into Conditions in Haiti and Santo Domingo against the present occupation of the Republics of Haiti and San Domingo by the armed forces of the United States and demand their withdrawal and the restoration of the two Republics to their complete and absolute independence in accordance with their previously existing constitution as soon as effective native civilian governments can be erected.

We make this demand in the name of justice, liberty, and the sacred right, upheld by the outcome of the World War to a separate existence and complete freedom of every small nation and in accordance with our historic American traditions.

We declare that the pulling down by violence of these Republics was without adequate reason, was unwarranted in American or international law, uncalled for by the then existing political conditions, and in direct violation of the fourteenth peace point of the United States as enunciated by President Woodrow Wilson, the guaranteeing "of political independence and territorial integrity to great and small States alike."

We declare that the American occupation of these lands has to date been destructive and without fundamental constructive value; that no foundation has been laid for the permanent rebuilding of these governments; that the physical improvements made, such as the building of roads and the sanitation of cities have been achieved at an indefensible cost—in Haiti at the price of a forced enslavement under the *Corvée*, which the American conscience would never have permitted to exist had it not been veiled by an impenetrable naval censorship.

We declare that American domination of Haiti and Santo Domingo has been accompanied by individual wrongs and military excesses accentuated by the difference in language, race, and traditions, and that it has afforded completest proof of the truth of Alabama Lincoln's immortal saying that "No man is good enough to govern any other man without that other man's consent."

We declare that the constitution and treaty forced upon the Haitian people and the military régime imposed upon the Dominican people without even the sanction of a constitution or treaty are unworthy of the genius and the generosity of the American people and tend to the establishment of perpetual protectorates involving the domination of the development of those republics by an alien government at Washington.

We declare that the efforts of the State Department to compel the Dominicans to sign a treaty ratifying and approving every official act of this Government to be utterly unworthy of any righteously minded country; we affirm the right of these people to complete redress for any injuries committed by the military government.

We declare that the acts of this Government in Haiti and Santo Domingo since July 20, 1915, have injured our relations with the Central American and

and marine officers who have occupied important positions in the administration of the American occupation there. Obviously those gentlemen are not going to come at our mere request. I say, obviously. I take it for granted they would not. They would require at least a suggestion from the committee to appear. Other officers of the Government may turn up; former officers who might have to be requested to appear here in order that we may find out, for example, why the United States went down there and occupied those two countries.

Senator KING. When will you be ready to submit to the chairman a list of the names of the witnesses in the United States whose examination will be necessary to elucidate the facts in the case?

Mr. ANGELL. Certainly within a week, possibly within a very much shorter time, if the committee absolutely needs it.

The CHAIRMAN. I think a week will be time enough.

Senator KING. Well, Mr. Chairman, I, of course, feel like we ought to subpoena any witnesses who refuse to come upon notification, after we shall have been satisfied that their testimony is necessary. I think the captain should submit a list, and then he and his associates tell us the materiality and pertinency of their testimony, and if the committee believes their testimony pertinent, we ought to subpoena them if they refuse to come.

The CHAIRMAN. Is there anything further, Captain?

Mr. ANGELL. I think not, Senator. We hoped the committee would to-day give us some indication of when you propose to begin the actual hearings, both here and in Haiti and Santo Domingo, if the committee proposes to go down there, so that we can, of course, prepare accordingly.

The CHAIRMAN. Until we have examined the memorials and statements filed to-day, I do not believe we could fix the course of the hearings, or, indeed, until the list of names of those whom you intend to have called as witnesses has been filed. These hearings do not follow a set program. We go forward as fast as we can. Unhappily, we have other duties to occupy us.

Mr. ANGELL. Coming back to what we were discussing a moment ago, that is the question of the witnesses, you asked me to submit a list of the witnesses, indicating the probable materiality of their evidence, and, if I understood Senator King correctly, whether or not they would come voluntarily at our request. For example, as one name that occurs to me right away, we shall want to request the presence here of Gen. Barnett for examination. I understand he is on the Pacific coast. If we write to him and say, "Will you come?" obviously he could not leave his assigned duties and would not come on.

The CHAIRMAN. If you have nothing further to offer, Capt. Angell, we will now hear Mr. Knowles.

#### **STATEMENT OF MR. HORACE G. KNOWLES, REPRESENTING THE PATRIOTIC LEAGUE OF THE DOMINICAN REPUBLIC AND THE DEPOSED DOMINICAN GOVERNMENT.**

Mr. KNOWLES. Mr. Chairman and gentlemen: I represent the Patriotic League of the Dominican Republic, and the deposed Dominican Government.

Senator KING. The latter consists of whom?

Mr. KNOWLES. The President and chief remnants or remains of that Government which exists to-day.

Senator KING. You do not represent Haiti?

Mr. KNOWLES. No. Owing to the absence of Dr. Henriquez from the city, who arrived only this morning, an hour or so ago, we have not been able to prepare on the part of the Dominican Republic any form of memorandum or statement. That will be done, however, in the shortest possible time.

I would like to inquire, in order that these two cases may not overlap or may not be treated as exactly similar, because the conditions and the actions of our Government in each of those countries were entirely separate and distinct from what they were in the other, whether, as a matter of procedure and policy, the committee would not prefer to take up the one and go forward with it, and then take up the other.

The CHAIRMAN. Perhaps after you have filed the memorial on behalf of your clients the committee can decide whether to proceed with the investigation into the Haitian occupation first or the Dominican occupation. We have nothing before us at this time. When can we expect a copy of your memorial?

Mr. KNOWLES. When will the committee have another session?

The CHAIRMAN. I was going to ask the consent of the committee that the Chair might receive that memorial and distribute it in advance of the next meeting of the committee.

Senator KING. Surely.

The CHAIRMAN. May we have that some time within the week?

Mr. KNOWLES. Yes, indeed.

The CHAIRMAN. Then I can receive it, and it can be incorporated in this record, with the unanimous consent of the committee, and distributed to the members for their information.

Mr. KNOWLES. I think we can present that to you, Mr. Chairman, either Tuesday or Wednesday, at the latest.

Senator KING. I think it is very wise that we, so far as possible, keep the two cases apart, and yet I can conceive that there may be witnesses who are here from a distance who may be required to testify on both cases. In that event I would, of course, feel that we ought to hear the testimony distinct on one case, on Santo Domingo, and then move over and take their testimony on the Haitian case, so as not to be compelled to overlap.

Mr. KNOWLES. That is practical, Senator.

(Mr. Knowles subsequently submitted to the chairman the following statement on behalf of the Republic of Santo Domingo:)

*To the chairman and members of the Special Committee of the United States Senate to investigate the occupation by and administration of the United States in the Dominican Republic.*

GENTLEMEN: The undersigned, Horace G. Knowles, adviser and assistant of the Dominican National Commission in the United States, respectfully represents to your honorable committee, that since 1844 the Dominican Republic has been a sovereign nation, and its people free and independent, and in no less degree than the United States, Great Britain, France, the Argentine, Chile, or Peru, and it has been so recognized by all the nations of the earth. Since its independence and until the invasion and armed occupation by the United States, which began May 15, 1916, and has continued uninterruptedly since that date, it has been accorded an unconditional place in the family of nations, and with many of them, including the United States, it maintained diplomatic relations of the pleasantest character, and with them it negotiated treaties of friendship and commerce. It is a member of The Hague International Court of Arbitration, and it would have taken an active part in the late World War, alongside the United States, of course, and probably would have joined the League of Nations, had it not been deprived of its sovereignty, liberty, and right of free and independent action.

In 1916 when the Dominican Republic was at peace with the world, while it was a party to two existing treaties with the United States, and in direct violation to one of them, and without the Dominican Republic having violated in any way the other; against the sovereign rights of the Dominican Nation; contrary to the everywhere recognized principles of international law; breaking the pledges contained in the United States' own interpretation of the Monroe doctrine; disregarding both the letter and spirit of a resolution proposed by the United States at the second peace conference of The Hague, and then and there adopted and being in full force since then and until now; contrary to the unquestionable meaning of No. 14 of the famous Wilson's "Fourteen Points"; and in violation of the Constitution of the United States; President Wilson, without the slightest attempt to appeal to or use diplomatic means, ordered a part of the United States Navy to go secretly, and without giving any notice whatever to the Dominican Government, to Santo Domingo and to land there its troops, to seize the Government, and proceed to subjugate the people. Obedient to such instructions, partly in the handwriting of President Wilson, and signed by him, without in any way either consulting or informing Congress, without a declaration of war, an illegal, unprovoked, unjustified, and totally unwarranted act of war was committed against the Dominican Republic and its people, and for more than five years the United States Government has maintained a state of war in that country.

Stealthily American battleships entered the roadstead of Santo Domingo City, and under cover of a score or more of long-range, big-caliber guns the American admiral, with a large force of marines, landed on Dominican territory. That was a paramount act of war. A little later the said admiral presented to the

Dominican President, Francisco Henriquez y Carvajal, who had been duly elected and formally inaugurated, a ready-made treaty, an exact duplicate of the one that had just been, by guns and bayonets, forced upon the helpless Haitian Government and people, and which treaty destroyed completely their sovereignty, took from them their liberty and independence, and put the country under the absolute control of the United States Government. The Dominican President, mindful of the sovereign rights of his nation and of his oath of office, his promise to uphold the constitution and laws of his country and to defend it in every necessary and possible way, informed the admiral of the reasons why he could and would not accept such a treaty. It might be argued that the Dominican Republic would be better off under the control of the United States; and so might Brazil, the Argentine, Chile, and Peru, and even England and France. That was the object and argument, which is the corner stone of imperialism, that the Germans had in mind in 1914. The Dominicans were a sovereign people, no less so than the Brazilians, Argentinians, Chileans, Peruvians, the English, and French, and people of the United States, and they, as would the others under the same circumstances, wanted to remain free and independent, and it was their right to do so. That country was theirs as much as this country is ours, and so long as they respected their treaty obligations and in no way molested foreigners or their interests they had and have the right to do what they please in and with it. That has ever been the American policy, and never was it better expressed than by President Wilson.

President Henriquez refused to accept the demands of the American admiral, whereupon the admiral, acting, of course, under orders from Washington, proceeded to use pressure and force. One of his first acts was to issue a proclamation of occupation, and in which he announced himself as the military governor of the Dominican Republic. The proclamation gave two alleged reasons for the armed intervention and occupation, the first of which was a violation of the treaty of 1907, which allegation was, has been, and is stoutly denied by the Dominicans; and the second was to quell disorders and disturbances in the country. At the time the proclamation was issued and for several months prior thereto there were no disorders and absolute peace reigned throughout the country. Disorders, when occasionally they did occur, were of a purely political character, confined to the natives, and never even in a single instance did they involve foreigners or in any way affect the liberty, property, or person of Americans or other foreigners. Never has an American or other foreigner been attacked or killed or his property injured or imperiled in that country. Never in the history of the country has there been a disturbance comparable to the one that occurred recently at Tulsa, a short time ago at Springfield and Boston, and that occur with increasing frequency in Chicago, New York, and all the larger American cities. In that country lynchings, burnings at the stake, and tar and feathering, now pastimes in some parts of the United States, are unknown and never practiced. Life and property are more secure in any part of that country than they are to-day or to-night in Central Park or on Broadway, New York, and the total lawlessness for a year throughout the Republic is less than that which is recorded in any one of the five largest cities of the United States in 24 hours.

In accordance with the plan of the said proclamation the President and his ministers of state were forced out of office; the Government treasury was seized; the national congress was dismissed; elections were prohibited; thousands of marines were spread over the country and with unlimited authority over the natives; public meetings were not permitted; a censorship of tongue, pen, press, mail, and telegraph of the severest kind was established; a reign of intense terror was inaugurated; destructive bombs were dropped from airplanes upon towns and hamlets; every home was searched for arms, weapons and implements; homes were burned; natives were killed; tortures and cruelties committed; and "Butcher" Weyler's horrible concentration camps were established, and his brutal methods that did so much to bring about our war with Spain were imitated. Repressions and oppressions followed in succession. When protests were made the protestants were fined heavily and also imprisoned, and when resistance or defense attempted bullets and bayonets were used. Criticism of the acts of the military government were not permitted, nor the use of any patriotic expressions allowed, and those who violated the order were severely punished by fines and imprisonment. Hundreds of capable native Government employees were dismissed and their families distressed in order to make jobs for incompetent men sent from the States, and to whom much larger salaries were paid than to the natives, and the Dominicans compelled to pay al

their traveling and incidental expenses. The Dominican people have been "taxed without representation" and the money so raised expended recklessly and without in any way consulting them. Their foreign indebtedness has been greatly increased against their protests and in violation of the treaty of 1907.

For five years this policy of suppression, repression, oppression, and maladministration has continued. In the country protests were neither listened to nor permitted. The practically deposed President came to Washington with his protest and the appeal of the Dominican people. He asked President Wilson and Secretary of State Lansing for the courtesy of an audience, and not even the courtesy of a reply to his formal but polite requests was shown.

That evidence may be produced before your honorable committee to substantiate the foregoing statements the Dominican people charge against the United States Government as follows:

1. That there was no legal ground for the invasion and armed occupation by the United States Government of the Dominican Republic.
2. That such invasion was in direct violation of (1) the Constitution of the United States; (2) existing treaties with the United States; (3) a resolution proposed by the United States and adopted by the third conference of The Hague Tribunal; (4) international law; (5) the object and purpose of the Monroe doctrine as defined by the United States Government; and (6) of the fourteenth of the "fourteen points" of President Wilson.
3. That excesses, abuses, cruelties, and murders were committed by the marines, the people terrorized and their homes burned.
4. That the orders issued and enforced by the military Government were unreasonable, cruel, and totally un-American.
5. That private rights were invaded, and personal and corporate property injured, damaged, or destroyed by the military Government or its agents, and great losses incurred because of them and their orders.
6. That the administration of the military Government has been incompetent, wasteful, and extravagant.

The Dominican people are profoundly impressed and deeply gratified by the action of the United States Senate in coming to their rescue, and that it has ordered a full, fair, and honest investigation of all of the conditions antecedent to the occupation of the Dominican Republic and the acts of administration of that country during the occupation by the United States Government.

With an abiding faith in the American people and in those fundamental principles of personal liberty, "consent of the governed," respect for the rights of foreign nations, large or small, and inherent justice to all, that have made them into such a large and magnificent nation, the Dominicans will appear before your committee with all the proofs and evidence they can produce to enable you to ascertain the truth, the rights and wrongs of the subject matter so solemnly confided to you to investigate and report to the Senate your conscientious findings and recommendations.

HORACE G. KNOWLES.

WASHINGTON, August 12, 1921.

[Memorandum presented to the committee of the Senate of the United States, named to investigate the Military Occupation in Santo Domingo, by Dr. Henriquez y Carvajal, Washington, D. C., Aug. 12, 1921.]

On November 29, 1916, acting under instructions issued by the President of the United States, a captain in the United States Navy proclaimed himself military governor of the Dominican Republic, and declared that country in a state of military occupation by the forces under his command. Shortly afterward, through personal decrees termed "Executive Orders," the aforesaid naval officer ejected from office the duly appointed officials of the Dominican executive, dissolved the national congress, forbade the holding of any elections, and arrogated to himself all the powers which the Dominican constitution invests in the executive, legislative, and judicial branches of the Government. Justification for that astounding action was based on the theory that an existing treaty, the Dominican-American Convention, concluded in 1907, with the object of insuring a regular settlement of the external debt of the Dominican Republic, empowered the Government of the United States to wrest from the Dominican people their sovereignty, and to install an appointee of the American Government over their institutions, with the same power as comes from martial law during a state of war. Acting on this theory, "under the authority of the Government of the United States," according to the proclamation of occupation, the military governor subsequently declared himself, in his own words, "supreme legislator, supreme judge, and supreme executor"; established a

regime of military force and courts-martial; set up a rigid censorship of a public and private opinion; reformed existing civil, criminal, and administrative laws; levied public taxes, and increased the public debt, and generally assumed the position of an irresponsible dictator over the population of a nation friendly to the United States, which had committed no act of aggression against that nation or her citizens, nor had been guilty, or even accused, of any breach of international law, and against which a state of war had not been declared.

The undersigned, duly elected President of the Dominican Republic, has never ceased to protest against the illegal suppression of Dominican independence and against the harsh ordeal of military dictatorship to which his people have been subjected ever since this unwarranted and illegal intervention took place.

Now that there is in the United States a new administration, pledged by the campaign declarations of its Chief Executive to right the wrongs done by the Wilson administration in the Dominican Republic, and it being believed that the policy of the present administration toward the weaker nations of the American Continent will revert to the honorable and traditional standards of justice set by the founders of this great Republic, the Dominican people, through the medium of their rightful President, invite the urgent attention to this international affair, affecting so vitally the happiness and the liberty of the Dominican people and the honor and good name of the American Nation.

The reasons asserted by President Wilson for the intervention and occupation, as set forth in the proclamation of occupation issued by Capt. H. S. Knapp, recite that the Dominican Republic had violated article 3 of the Dominican-American convention by having increased its public debt without the consent of the Government of the United States. The proclamation reads, in part:

"Whereas a treaty was concluded between the United States of America and the Republic of Santo Domingo on February 8, 1907, article 3 of which reads: 'Until the Dominican Republic has paid the whole amount of the bonds of the debt its public debt shall not be increased except by previous agreement between the Dominican Government and the United States. \* \* \*'

"Whereas the Government of Santo Domingo has violated said article 3 on more than one occasion; and

"Whereas the Government of Santo Domingo has from time to time explained such violation by the necessity of incurring expense incident to the repression of revolution; and

"Whereas the United States Government, with great forbearance and with friendly desire to enable Santo Domingo to maintain domestic tranquillity and observe the terms of the aforesaid treaty, has urged upon the Government of Santo Domingo certain necessary measures which that Government has been unwilling or unable to adopt; and

"Whereas in consequence domestic tranquillity has been disturbed and is not now established, nor is the future observance of the treaty by the Government of Santo Domingo assured; and

"Whereas the Government of the United States is determined that the time has come to take measures to insure the observance of the provisions of the aforesaid treaty by the Republic of Santo Domingo and to maintain domestic tranquillity in the said Republic of Santo Domingo necessary thereto:

"Now, therefore, I, H. S. Knapp, captain, United States Navy, commanding the cruiser force of the United States Atlantic Fleet and the armed forces of the United States stationed in various places within the territory of the Dominican Republic, acting under the authority and by the direction of the Government of the United States, declare and announce to all concerned that the Republic of Santo Domingo is hereby placed in a state of military occupation by the forces under my command and is made subject to military government and to the exercise of military law applicable to such occupation."

The "necessary measures" as expressed in the proclamation of occupation which the Government of the United States "had urged upon the Government of Santo Domingo," and which the latter had "been unwilling or unable to adopt," were embodied in a proposed protocol of a treaty similar to the one which the Republic of Haiti had been compelled to accept under threat of military occupation, called for the control of the Dominican treasury and the Dominican Army and police and every instrument of public authority by officials appointed by the President of the United States. Said officials were to be paid by the Dominican Republic, yet held to no responsibility for their acts before the laws or the authorities of the Dominican Republic; and inasmuch as they were not subject either to the laws of the United States, they were to enjoy an unprecedented immunity and exercise an unlimited and irresponsible

power over the Dominican people. It is clear that such appointees would contravene Dominican sovereignty, and the exercise of their dictatorial powers would mean the end of free government in the Dominican Republic and the erection of an irresponsible, dangerous, and despotic dictatorship over the Dominican people.

On December 4, 1916, the Dominican minister in Washington, acting under instructions received from the deposed Dominican Government, filed a protest at the State Department and before the Latin-American legations against the proceedings carried out in Santo Domingo and the resulting attack on Dominican sovereignty. The protest was based on the following general premises, forming the statement of the case from the Dominican standpoint:

1. Far from having violated Article III of the Dominican-American convention, that covenant had been most faithfully observed in all its clauses and purposes by the Dominican Government, and, whereas the service of the 1908 loan was being met even in excess of the minimum sums provided in the treaty, no public debt increasing the liabilities assumed by the United States in connection therewith had been created.

2. The Dominican Government denied that the Government of the United States had any right to intervene in the internal affairs of the Dominican Republic, excepting as provided in the convention to lend their protection, in case of necessity, to the officials in charge of the customs collections, which case had not occurred and was not in any way at issue. Nevertheless, the Dominican Government was willing to offer to the Government of the United States every substantial pledge in connection with their purpose to bring about the establishment of public order in a permanent way, and to provide for an improved national financial system. But, great and sincere as their desire was to satisfy the Government of the United States in this respect, and to insure for the Dominican people the benefits of political and financial reorganization, they could not be brought to accept measures involving a loss of national sovereignty, and the forfeiture of the liberty and the safety of the Dominican people, such as would result if they would agree to the treaty proposed by the American Government.

3. In the face of the accomplished fact of the military occupation and the violent suppression of Dominican sovereignty, the Dominican Republic made a formal protest to the American Government.

It can be said that the kernel of the whole matter is to be found in the refusal of the Dominican Government to accede to and sign a protocol of a protectorate, exactly similar to the one imposed on the Republic of Haiti, which the Government of the United States had been trying to force upon the Dominican Republic since November, 1915, providing for the control of the Dominican army and police by officials appointed by the President of the United States, tantamount to the forfeiture of Dominican independence and the suppression of the government in the Dominican Republic. The Dominican-American convention is a clearly framed covenant, entered into for clearly defined purposes. It is held by the President of the Dominican Republic that no interpretation of its clauses, however strained, could rightfully justify such a demand nor supply a legal basis for intervention and military occupation in any case.

In order to ascertain the scope of the provisions contained in Article III of the Dominican-American convention, it is necessary to recall the circumstances which brought about its creation, and to examine the aims of the parties thereto at the time of its conclusion. They may be summarized as follows:

Prior to the year 1905 the Dominican Republic had incurred in a foreign debt, arising principally out of loans contracted with creditors of different nationalities. Owing to lack of development and ensuing scarcity of revenue, the service of these foreign obligations was frequently interrupted. Attempts at consolidation brought no relief, until, in 1905, enormous arrears in unpaid principal and interest had accumulated.

In 1907 the Dominican Republic, desirous of sparing the United States a possible cause of embarrassment in connection with the maintenance of the Monroe doctrine, and at the same time, to give its foreign creditors full confidence in the solvency of the Dominican Government and its ability to pay the principal and interest of its national indebtedness, entered into a treaty with the United States, after a provisional agreement between the Executives of both nations had been in effect for two years.

The outstanding features of this covenant were:

- (a) The consolidation of the external debt of the Republic;
- (b) The issue of \$20,000,000 bonds of the Dominican Republic, applicable to the cancellation of the public debt;

(c) The guaranty offered by the United States Government covering this bond issue;

(d) The supervision, by the United States Government, of the customs collections of the Dominican Republic, which were liened in the transaction;

(e) The allocation of a certain proportion of the customs receipts, collected by a receiver general, appointed by the President of the United States, for the service of the loan, as provided in the convention;

(f) The delivery by the general receiver to the Dominican Government of any surplus revenues, after the provisions relating to the service of the loan had been complied with, and the receivership expenses had been covered;

(g) The obligation, entered into by the Dominican Republic, not to increase its public debt, except by previous agreement with the Government of the United States, until the bond issue should be totally paid off.

The avowed motives of the military occupation rest on the interpretation of the clauses dealing with the features embodied in paragraphs (g) and (f), reading in their essential parts:

"On the first day of each calendar month the sum of \$100,000 shall be paid by the receiver to the fiscal agent of the loan, and the remaining collection of the preceding month shall be paid over to the Dominican Government, or applied to the sinking fund for the purchase or redemption of bonds, as the Dominican Government may direct." (Art. I.)

"Until the Dominican Republic has paid the whole amount of the bonds of the debt, its public debt shall not be increased except by previous agreement between the Dominican Government and the United States." (Art. III.)

The purposes of the clause contained in Article III, to the effect that the Dominican Republic should not increase its public debt without the consent of the Government of the United States, was as must be clear; first, to prevent any impairment of the security covering the liabilities assumed by the United States through the treaty, the customs collections. Any increase in the public debt of the creditor—the Dominican Republic—might originate claims affecting her principal asset, the customs collections, on which the guarantor—the United States—held a lien; second, to prevent the Dominican Republic, while engaged in the gradual cancellation of the existing foreign indebtedness, to what then appeared to be the limit of her financial ability, from incurring in indiscriminate borrowing, which might result in a potential menace to the Monroe doctrine.

The provisions were being faithfully complied with by the Dominican Republic as follows:

(a) The sums provided in the convention to the ends specified in Article I were being collected without hindrance or opposition by the general receiver and applied by him as directed in the treaty; and cancellation of the loan was proceeding more rapidly than contemplated by the covenant.

The following excerpts from the report of the general receiver for the year 1919 will show how the situation stood in this respect:

*Statement of sinking fund, Dominican Republic, \$20,000,000, customs administration loan as of Dec. 31, 1919.*

#### RECEIPTS.

From general receiver of customs, account calendar year—

1908	\$331,757.5
1909	200,000.0
1910	260,820.1
1911	394,092.5
1912	482,772.5
1913	782,908.5
1914	207,666.5
1915	593,588.5
1916	664,644.5
1917	1,295,042.5
1918	788,608.5
1919	846,961.5
From interest allowed by fiscal agent	165,623.5
From interest received on bonds purchased	1,294,491.5

Total..... 8,309,037.10

## DISBURSEMENTS.

For \$7,784,950 customs administrations bonds purchased, par value-----	\$7, 784, 950. 00
Less discount-----	341, 851. 14
	<hr/>
Cash balance (several items)-----	7, 443, 098. 86
	865, 939. 13
	<hr/>
Total-----	8, 309, 037. 99
Total of assets in sinking fund-----	8, 813, 075. 59

The above figures demonstrate that when intervention took place the Dominican Republic was fulfilling the financial obligations of the convention in excess of the minimum stipulated; and that the sinking fund, with the exception of the year 1914—owing then to commercial paralyzation resulting from the outbreak of the World War—kept steadily increasing.

(b) The Dominican Republic had not contracted any new public debt, increasing the liabilities assumed by the United States through the convention or impairing the security—the customs collections—pledged to the service of the loan.

As provided in Article I of the convention, the general receiver paid over to the Dominican Government the surplus outstanding of every month's collection after all the charges and expenses provided for the service of the loan had been met. There is no provision in the treaty determining the application of these sums, and so far as the Government of the United States is concerned in connection with the duties and liabilities assumed through the treaty, whatever application the Dominican Government saw fit to make of these funds would be legally and practically inconsequential, as long as their application in no way interfered with the duties of the general receiver and the service of the loan, and as long as new obligations, increasing the liabilities assumed by the United States through the Dominican-American convention, were not contracted.

The surplus thus received by the Dominican Government was generally applied to current budget expenses. During different periods in the years 1912-1916 the Dominican Government was forced to suspend payment on the regular national budget in order to provide for the expenses incidental to the existence of political disturbances. These conditions, however, in no way interfered with the service of the loan or the customs collections, which were being collected and applied by the general receiver, as specified in the convention. But salaries and other internal public items thus went partially unpaid, and a floating indebtedness, arising out of these arrears, principally on services rendered by Dominican citizens to the Dominican Government, was formed.

The Government of the United States on several occasions remonstrated with the Dominican Government over the creation of these internal credits, alleging that same were a "public debt" and that the Republic was thereby violating article 3 of the convention.

The Dominican Government held that the internal floating indebtedness was not a "public debt," whether legally or in the sense carried by the aim and words of the convention, and that the spirit and the letter of the treaty in the provision contained in article 3 directed the restriction therein included to apply to a regular public debt, increasing the liabilities assumed by the United States through the treaty or impairing the securities tendered in the same by the Dominican Republic.

It would seem that but little doubt can be entertained regarding the status of the internal floating indebtedness and the inadequacy of its being considered a public debt from a legal point of view. All authors agree that a public debt must bear a distinctive condition, the fact of its having been legally contracted or accepted by the State. A public debt is a contract debt, while the indebtedness incurred by the Dominican Government toward its own citizens was an occasional liability resulting from force majeure, which prevented the executive from making effective all the appropriations provided in the budget.

Regarding the point, still more important, perhaps, and more pertinent to the purpose and object of the convention, as to whether the existence of these internal credits increased in any way the liabilities assumed by the United States through that covenant, it seems absolutely impossible to argue success-

fully any such contention. How could these internal obligations, due in their immense majority to Dominican citizens, constitute a menace to the Monroe doctrine, which the convention was designed to safeguard in its integrity, or impair in any way the guarantee offered by the United States to cover the bond issue? They had not been and could not possibly become a cause for action by a foreign Government. Their creation and existence had not interfered and could not possibly interfere with the proper management and application of the customs collections as provided in the treaty by the receiver general.

The situation on its face does not seem to have justified the allegation made by the United States Government to the effect that the Dominican Republic had violated article 3 of the convention. But even had that claim been established, there is nothing in convention, nothing in international law, and it would seem, from the viewpoint of the Monroe doctrine, nothing in the fundamental policy of the United States to justify the violent action taken by the American Government of invading the Dominican Republic, overthrowing the constitutional Government, and suppressing its sovereignty as a sanction for an alleged violation of a treaty clause and for the refusal of the Dominican Government to subscribe to an unconstitutional protocol surrendering the sovereignty of the nation, the liberty of the people, and the principle of free government into the hands of appointees of the American Government.

How far the recent policy of the United States Government in the Dominican Republic has strayed from the true aims of the convention and from the principles and purposes pleading the American Government to conclude that treaty may be judged on examination of the following excerpt from President Roosevelt's address to the Senate on the subject in 1905, when he submitted the provisional protocol preceding the treaty:

"It can not be too often and too emphatically asserted that the United States has not the slightest desire for territorial aggrandizement at the expense of any of its southern neighbors and will not treat the Monroe doctrine as an excuse for such aggrandizement on its part.

"We do not propose to take any part of Santo Domingo or exercise any other control over the island save what is necessary to its financial rehabilitation in connection with the collection of revenue, part of which will be turned over to the Government to meet the necessary expense of running it, and part of which will be distributed pro rata among the creditors of the Republic upon a basis of absolute equity."

The mechanism provided in the treaty for the regular and unhampered collection of the customs duties by the general receiver and their proper application was designed to work adequately—as it actually and effectually did, under all circumstances. Had the United States Government considered, at the time the treaty was drafted, that military control of the Dominican Republic might become necessary to insure the attainment of the object pursued—the settlement of the foreign debt of the Dominican Republic—they would certainly not have consented to assume the liabilities and responsibilities devolving upon the United States through the covenant without securing by adequate provision the right to that action. As a matter of fact, at the time the convention was being drafted the Government of the United States had the opportunity to satisfy itself that possible revolutionary disturbances would not interfere with the management of customs collections by the general receiver as long as the officials in charge of the collections received due protection in the discharge of their duties, as was provided in the convention. This conviction was the result of experience, for during the initial period of the "modus vivendi" the supervision of customs collections and their application to a provisional fund by American officials was carried out under a state of widespread revolution. It is difficult to conceive that, with such an experience to build upon, the United States Government should have neglected to obtain by provision the necessary liberty of action, had the sound, evident object of the treaty been other than to insure a regular settlement of the Dominican external debt, or had that Government foreseen—as they could not fail to have foreseen if the case could really present itself—that revolutionary disturbances might interfere with the proper observance of the treaty. On the contrary, and as a result of their experience, the treaty was made revolution proof through the placing of the customs collections under the absolute control of the American general receiver, and the granting to that official and to his subordinates of due protection by both Governments.

The consequences of the violent and unwarranted action adopted by the Government of the United States in the Dominican Republic appear now in the form of a dismal legal situation. The constituted authorities of the Republic were deposed, and the military government, whose authority originates in the laws of war, has governed with dictatorial powers a people who were in no sense at war with the United States, and against whom no legal state of war existed. In the exercise of this singular authority the military government has overstepped even the broadest interpretation of the powers vested in such a government by the laws of war, inasmuch as it has assumed to act for the Dominican Republic in the performance of actions which only the people of that Republic, in the exercise of their sovereignty, and through their legal representatives, have the capacity to perform. Among the actions thus performed it is only necessary to cite the appointment of certain diplomatic envoys and the contraction of public debts. Outside of this special phase, and always assuming to act in the name of the Dominican Republic, the military government has promulgated and enforced taxation and legislation without the slightest representation of the people, without their consent, and in many instances indirect opposition to their expressed wishes.

The substance of the whole situation is that of an illegal government, arising out of an illegal intervention—as the present President of the United States characterized the Dominican occupation—suppressing the lawful Government of the Dominican Republic, and has been promulgating constitutional legislation, in the name of the Dominican Republic, for a period of nearly five years. That such proceedings should have been carried out under the authority of the people of the United States, the pioneers and champions of free government and liberty in the continent and throughout the world, adds only to the amazement of the case.

The illegal status of the military administration in the Dominican Republic is so evident as to necessitate no elaborate discussion. The late administration a few months before its end was made aware of it, and undertook to get out of the trouble it had placed itself in.

The plan prescribed by the last administration on 23d of December, 1920, for the prompt withdrawal of the American forces, which had occupied the territory of the Dominican Republic, was repudiated by the majority of the Dominican people in view of the conditions which were to be carried out before the retirement of the American forces and the restoration of the Dominican Government, and this notwithstanding the positive declaration that the time had arrived when the American Government should divest itself of the responsibilities assumed in the Republic. That plan was followed by another announced by the present administration and published by Rear Admiral Robison in Santo Domingo on the 14th day of June last. This new plan indicates a period of eight months for the definite withdrawal of the American forces and the restoration of a national Dominican Government; it constitutes the military governor the provisional Dominican executive, giving him the authority to promulgate an electoral law, to convene the people to the elections, to name diplomats who will receive his instructions, to join with the American Government in a treaty of evacuation, according to which the Dominican Republic will obligate itself (a) to ratify the acts of the military government; (b) to agree to a loan of \$2,500,000 to be applied by the military government to complete certain public improvements; (c) to agree to a further guaranty to protect the payment of the public debt in case the customs revenues are not sufficient; and (d) to intrust the command and organization of the public Dominican forces to American officials, who would form a military mission, would receive compensation from the Dominican Government, be under the authority of the Dominican President, but would be named by the President of the United States.

This last plan has aroused a unanimous and formidable protest among the Dominican people, who absolutely repudiate it, for they understand such plan is in conflict with the inherent rights of their sovereignty and independence.

Without touching on any legal premises, I must distinctly point out that the demand to have the Dominican people consent to a control and command of its armed forces by American officers would in fact create a fundamental obstacle to the success of those aims of friendly assistance which, it is assumed, the Government of the United States has toward the people of the Dominican Republic.

This is not a proposition whose acceptance might depend on a more or less accurate comprehension on the part of the Dominican people of the friendly

purposes by which it is inspired. There underlies a question most vital to the Dominican people, who long ago formed their opinions and intentions in regard to this matter that so much concerns their national life, present and future. It need only be recalled that it was precisely because of this that in 1916 they chose to incur—temporarily they were told it would be—the painful trial of military occupation and military Government rather than submit to the demand first made by the American Government upon the Dominican Government and people.

This same proposition, for the control of the armed forces of the Dominican Republic by American officers, "appointed by the President of the Dominican Republic," but "on designation or recommendation of the President of the United States," is textually the basis of the treaty proposed by President Wilson's administration to the Dominican Government in a note sent through the United States Legation in Santo Domingo on November 19, 1915, and later sought by that same administration to be forced by military occupation upon the Dominican Government; and it was this very intervention that the present Chief Executive of the United States charged as "illegal," when outlining before the American electorate his contemplated governmental policies.

The proposition was rejected by President Jimenez's administration in 1915. It was again rejected by my own administration in 1916, in the face of the most ruthless financial and military coercion, said rejection being the cause of proclamation of military government in the Dominican Republic. The people at that time manifested in an unmistakable manner that they preferred to suffer the consequences of that or any other act of force of the Government of the United States rather than voluntarily divest themselves of their sovereignty, surrendering by a treaty forced upon them the control and command of their armed forces to foreign officers. This predicament of the Dominican people in this respect has not undergone the slightest change or alteration throughout the five years of military occupation, and is the same to-day. If there is any change, it is that the harshness, incompetency, and costliness of the American military government have only strengthened their determination and confirmed them in their apprehension of the ills that would surely result from such an arrangement as Washington proposed and tried to force upon us.

The refusal of the Dominican Government, the President, his ministers of state, and the national congress to accept the proposition was inspired by unchallengeable motives of fidelity to the sacred trust committed to them and a firm desire to uphold and protect the constitution of their country. Had either the Jimenez administration in 1915, or my own in 1916, yielded to the demand of the Government of the United States, their officials would have been protected and kept in power by the Government of the United States through the contemplated arrangement, but they would have become justly and properly objects of execration by the Dominican people.

The motives, therefore, standing behind this steadfast and honest conduct on the part of the officials of two different and distinct Dominican administrations, and which were so loyally approved by the people even in the face of untold hardships and suffering caused by the military occupation of their territory, should, it seems to me, command serious consideration from all men inspired by the love of justice and patriotism. The opposition of the Dominican people to the Government or rule the United States sought and endeavored to impose upon them, was based upon two grounds: First, on an inherent love of liberty and independence such as inspired your forefathers to rebel against the British; and second, a well-grounded fear of countless irremediable ills they would be compelled to suffer as a consequence of the irresponsible power which such an arrangement would place in the hands of foreign officers destined to rule over them.

Such an apprehension, events have shown, was fully justified. The officers called to exercise these extraordinary powers would be really placed above every law and every effective control, other than the distant, indirect, and totally inadequate control which might be exercised over them by the Government of the United States. Possessing themselves or controlling every material agency of authority, they could easily force the legal agencies to conform entirely to their will, however arbitrary. The government of the Republic would soon become a sad tool of their caprice; the national institutions would function under their dictation, and the people would have no legal or material recourse open against this condition of vassalage, while their Government would either remain impotent to protect them against any excesses of such foreign officers, or, if perchance it would fall into weak or unworthy hands, it might accept any

kind of tyranny in order to perpetuate themselves in power descending even to abuse of the laws and a prostitution of the public suffrage.

It is a universally admitted social axiom that no irresponsible agency of government can remain in existence without degenerating by natural gravitation into effective tyranny. The proposition in question would simply resolve itself in fact, if not in statute, in the perpetuation of an irresponsible military régime in Santo Domingo. Should any doubt as to the propriety of the foregoing assertion arise, such doubt might be dispelled by an impartial ponderation of the excesses committed by the subaltern military authorities of occupation in Santo Domingo, committed while these subaltern officers were responsible for their conduct, not before a native government, helpless to repress them, but before their own senior officers, who were honestly bent on having the laws and all personal and property rights respected. These excesses have been witnessed and commented upon by impartial Americans, and recognized by the authorities of the occupation in a general order of Rear Admiral H. S. Knapp, and in an official statement published by order of Admiral Snowden on January 9, 1920, in which it was specifically stated that "some subaltern military authorities had exceeded themselves to cruelty in their measures of repression." Such excesses are fatally inherent to a military régime and to the exercise of military supremacy in public administration. I hope I will not incur an indiscretion by recalling in this connection the condition of the Southern States of the Union when, at the termination of the Civil War, they were subjected to military governments; and these were administered, it is admitted, by general officers of national birth and unimpeachable character. No possible excellence of personal conditions can compensate or offset the blemishes and wrongs of a régime of force. A régime of absolute control of the armed forces of the Dominican Republic by American officers, whatever its external characteristics, will inevitably degenerate into a régime of force.

I can not bring myself to believe that the Dominican people merit in any way such harsh and severe treatment, whatever be the friendly motives inspiring such a policy on the part of the United States Government. Such a policy, furthermore, could not claim any other basis than the right of conquest, which the repeated pronouncements of the United States Government and its international policy, recently expressed by President Harding and Secretary Hughes, seem to conflict in every way. The fears expressed in regard to the future security of American life and property in the Dominican Republic can not, to my knowledge, be substantiated in one single instance of attack upon such persons or property, or any other foreigners, prior to the intervention.

The Dominican people, however, are willing and able to tender the most effective guaranties, not only in regard to the security of foreign life and property upon a cessation of the military occupation, but also in regard to a permanent suppression of political disturbances and the maintenance of public peace. I feel inclined to believe that an unbiased consideration of the suggestions I am about to submit will convince of the feasibility of harmonizing the interest of the United States Government by obtaining sufficient guaranties for the maintenance of public peace in Santo Domingo and in such a way as will not conflict with the just aspirations of the Dominican people for the preservation of their liberty and national dignity.

Summarizing our views on the basis of the foregoing considerations, we may reduce them to the following propositions:

1. The restoration of national government in the Dominican Republic should be carried out in such a way as to in no way impair or restrict the sovereignty of the Dominican people.
2. To this end the total evacuation of Dominican territory by the American naval forces, now exercising control through a military government, should be carried out as soon as said national government is duly constituted.
3. Concurrent upon the precedent conditions, the Dominican people should be accorded full opportunity to freely reorganize their administration in accordance with their own constitution and their own laws, and within the unhampered exercise of their sovereignty.

#### CONCLUSION.

(A) The Dominican Republic has always been, is, and desires to be a free and independent nation that has always been governed by its own laws since it was constituted on February 27, 1844, a sovereign State and assumed its position internationally.

(B) The Dominican Republic has been and is recognized by the nations of the world as a sovereign nation, self-governing and sufficient unto itself to comply with its duties as a sovereign State. The recognition has been recorded many times in treaties of peace, amity, and commerce entered into not only with the United States but also with the principal countries of the world. In consequence of such recognition the Dominican Republic has figured equally with the other nations, great and small, as an integral part with its voice and vote in international congresses, such as the Second Peace Congress at The Hague in 1907, and the Pan American Congresses called on different dates at distinct points in the Americas on the initiative of the Government of the United States or some of the Latin American Republics.

(C) The Dominican Republic has never subscribed with any nation any agreement which would restrict its capacity as sovereign State, nor established to its prejudice any kind of subordination of its political organization or own administration. The convention with the United States in 1907 alone demonstrates the sincere desire of the Dominican Republic to pay its debts, and the unlimited confidence which it had and maintains in the good faith and loyal friendship of the United States. That convention granted to the United States the authority to control the Dominican customs service, with the specific and exclusive object that each month there would be separated from the customs collections a fixed sum to insure the payment of interest and amortization of the public debt. During the 14 years under the convention the service of the Dominican debt has never failed to be met with absolute promptness, and more, by virtue of contingent receipts which might be and in effect have been increased year by year, the debt has been liquidated to such an extent that notwithstanding additional increases authorized by the American Government, it will be entirely liquidated, according to the calculations made and published by American officials, 33 years before the date of maturity stipulated.

(D) In no clause of that convention is the United States given the authority to undertake any kind of intervention, much less an armed one, in Dominican territory.

(E) The convention of 1907 does not accord any authority to the United States to intervene in any manner in the Dominican Republic, and though on the supposition that it might have been granted in the case of the failure of payment of the debt, nevertheless, in no way would such intervention be explained when the payments, as the annual reports of the general receiver show, has never failed to be regular, authentic, and publicly known.

(F) Neither does the convention of 1907 nor any other treaty made by the Dominican Republic accord to the Government of the United States or to the Government of any other nation the authority to intervene in the domestic affairs of the Republic on account of political disturbances. The real cause of these disturbances constitute a subject for deep study and concern for Dominicans, who for many years have sought as a remedy for this evil a new and modern political and administrative organization which would suppress political bossism and put an end to abuses of unscrupulous public officials and would permit the establishment of a popular, responsible government of, by, and for the people, capable of maintaining a broad program of peace, progress, and greater liberty.

(G) The friendly influence of the Government of the United States can be very beneficial to the Dominican people. It should not aspire to anything more than to be useful in the development both commercial and industrial and economic and political. But a system of subjection sanctioned by the American Government to accomplish these ends would only produce lamentable consequences. Instinctively the Dominican people have rejected it, because it constituted a threat against their national life. After having compared demonstrated acts, Dominicans are justified conscientiously in continuing to repudiate it.

(H) Finally, the situation created in Santo Domingo after five years of military occupation, with the destruction of the civil government by virtue of a foreign military government which has acted without the consent of the people, is anomalous, illogical, unjustifiable, and indefensible.

It is urged that an end be put to it, leaving the Dominican people alone and free to reconstruct their system of government and to continue managing it with their own laws, in their capacity of being free, sovereign, and independent.

**STATEMENTS OF CAPT. C. S. FREEMAN, UNITED STATES NAVY,  
NAVY DEPARTMENT, WASHINGTON, D. C., AND MAJ. EDWIN N.  
MCLELLAN, UNITED STATES MARINE CORPS, HEADQUARTERS  
UNITED STATES MARINE CORPS.**

The CHAIRMAN. Capt. Freeman, you have a statement, I think, prepared at the request of the Secretary?

Capt. FREEMAN. Yes, sir; the Navy Department has prepared two separate statements, one on the Dominican Republic and the other on Haiti. They have been prepared in different offices of the department, and approach the subject in different ways. The Navy Department has had a very short time to make up a statement for the committee, and consequently it was thought best by the Assistant Secretary—the Secretary being absent from the city—to send down the officers who have been mainly responsible for making up these statements.

I have a memorandum prepared on the Dominican Republic, and Maj. McClellan has a somewhat different document prepared on the Haitian Republic. We are here simply to submit these; and if the committee requires any information in the shape of facts in regard to the Dominican Republic or Haiti we are prepared to answer in regard to them, but we do not represent the department as to its policy.

Senator KING. Mr. Chairman, may I inquire of Maj. McClellan whether he prepared that statement in the light of this memoir?

Maj. MCCLELLAN. This statement was prepared at the direction of the Secretary of the Navy, to include all the possible facts, from the date of the original occupation of the Republic of Haiti in 1915 until the present time. It is just a copy of documents and reports. In other words, it is not a compilation of opinions or anything like that. It has nothing to do with any memorials or anything else. It is purely an open, frank statement, as far as possible, from the records of the Navy Department.

Senator KING. Then you might want to supplement that after an examination of the charges preferred in the memoir? I do not use the word "charges" in any offensive way, but the charges which may be preferred by the Dominican Government.

Maj. MCCLELLAN. I should say that the Secretary of the Navy would direct a representative to prepare a reply, or to cross-examine and carry on every investigation necessary which is disclosed by the memorial.

Senator KING. You would not feel, then, like withholding what you have this morning until—

Maj. MCCLELLAN (Interposing). No, sir; it is for the benefit of the committee in arriving at their conclusions on the facts.

The CHAIRMAN. Is there no summary of the occupation, no preface to the—

Maj. MCCLELLAN. This is contained in chronological order, Senator. As a matter of fact, it gives a brief history of the Republic of Haiti right from the beginning down to 1921. Everything is chronologically arranged. If the committee desires, the Navy Department would be very glad to prepare a brief summary, but, in view of the fact that this material was prepared in practically two days, you can well see that one would not have the time to put the essential points in any digest or any summary.

The CHAIRMAN. I suggest that since two different officers in the department have prepared these records in two days, that they be prepared to file with the committee next week such supplementary matter as in their judgment would be useful to the committee; in the case of one, perhaps, a summary statement; and, in the case of the other, perhaps, some additional documentary matter.

Senator KING. I was going to suggest that that seems to me to be an immense volume, much of which is wholly irrelevant and immaterial.

Maj. MCCLELLAN. It is all very relevant, so far as any investigation is concerned. It shows the events, as well as the cause or reasons, historically, as well as the expedients, at the time of the occupation in 1915. It is not an argument, but merely the facts.

Senator KING. Then if you had further time, you would not abridge that?

Maj. MCCLELLAN. Not at all; I would merely supplement it with an index for the benefit of the committee, as well as certain documents.

The CHAIRMAN. You have, of course, a copy of that in the department?

Maj. MCCLELLAN. I have copies, except of the last 20 pages. I wrote it so hurriedly this morning that I could not finish it.

The CHAIRMAN. Will you take that with you for your convenience, and return it to us with your index and summary, if that suits the other members of the committee?

Senator KING. I think that is a good suggestion.

(The matter referred to is here printed in full, as follows:)

HEADQUARTERS UNITED STATES MARINE CORPS.

Washington, August 15, 1921.

Memorandum for Senator McCormick.

Subject: Memorandum on the Republic of Haiti.

Inclosure: 1.

1. In accordance with instructions received from the Assistant Secretary of the Navy, there is transmitted herewith a short and concise report on the Republic of Haiti, in place of the original and more voluminous report which was delivered to you by Maj. McClellan on August 5, 1921.

JOHN A. LEJEUNE,

Major General, Commandant.

[Memorandum on the Republic of Haiti prepared for Senate committee appointed to inquire into the occupation and administration of the Republic of Haiti and the Dominican Republic by the forces of the United States.]

EARLY HISTORY OF THE REPUBLIC OF HAITI.

X The west one-third of the island of Haiti forms the Republic of Haiti while the east two-thirds comes within the boundaries of the Dominican Republic.

Haiti was discovered by Columbus, who landed on the Mole St. Nicholas December 6, 1492. Slaves were imported into Haiti by the Spaniards as early as 1512, and their descendants now reside in the Republic of Haiti. The treaty of 1697 divided the island, the western part to France and the eastern part to Spain. The treaty of 1777 fixed the boundaries between the two divisions. The national convention of 1791 conferred upon the free mulattoes all the privileges of French citizens. The decree conferring these rights being revoked, the mulattoes, joined by the plantation slaves, broke out in insurrection, and turmoil lasted for several years. A French commission proclaimed the abolition of slavery in 1793. In 1795 France acquired title to the entire island.

Toussaint l'Ouverture brought order out of the chaos that had existed since 1791 and then published, subject to the approval of France, a form of constitutional government under which he was to govern for life. This step aroused the suspicions of Bonaparte, who sent Gen. Le Clerc with 25,000 troops to thwart the ambitions of Toussaint. Le Clerc reestablished slavery. After a long struggle Le Clerc proposed terms, and Toussaint, induced by the most solemn guarantees on the part of the French, laid down his arms. He was sent to France, where, in 1803, he died in prison. This treatment of Toussaint caused the Haitians to believe themselves betrayed by the French, and they renewed the struggle under the leadership of Dessalines. The French withdrew from Haiti in 1803.

On January 1, 1804, occurred the declaration of Haitian independence and the restoration of the original name of Haiti. Since this date, a period of over 117 years, Haiti has maintained her independence without break, and this has caused the Haitians to be imbued with the most intense of national spirit. Dessalines was made ruler for life and later proclaimed himself Emperor. He was assassinated in 1806. Between 1806 and 1810 there was civil war between the followers of Christophe and Petion, and during this period the Spaniards reestablished themselves on the eastern part of the island. In 1818 Gen. Boyer succeeded Petion as ruler in the south, and after Christophe's death in 1820 reunited Haiti under one government. The entire island in 1822 again came under one ruler when Boyer reconquered the east from the Spaniards, the name Republic of Haiti being adopted. Boyer was driven into exile in 1843. In the next year the eastern part of the island established itself as the Dominican Republic, and, except for a period of about four years, starting with 1861, when Spain reasserted her authority, has remained independent.

Then followed Herard for the first five months of 1844; Guerrier, who was driven out of office and then died; Pierrot, who was overthrown in February, 1846; Riche, who died suddenly in February, 1847; Soulouque, who was at first President, then Emperor, abdicating under pressure in January, 1859;

Geffrard, who served from 1859 to 1867 and who instituted and developed public instruction; Salnave, who was executed by his countrymen in 1870; Saget, who served out his full term of four years and peacefully retired.

Dominique fled in 1876; Canal resigned; Salomon was overthrown in 1888; Legitime was forced into exile in 1889; Hyppolite fell from his horse and died in 1896; Simon Sam fled in 1902 as a rioting mob threatened his life; Nord Alexis fled in 1908; Antoine Simon fled in 1911; Leconte was blown up with his palace in 1912; Auguste died of a slow and vicious sickness, probably poison, in 1913; Michel Oreste fled into exile in January, 1914; Oreste Zamor ruled for only a brief period, February to October, 1914, his being a revolutionary government, retrograde and ephemeral; Theodore was overthrown in January, 1915; Vilbrun Guillaume Sam was murdered in 1915; and finally we have the present President, Philippe Sudre Dartiguenave, elected in August, 1915.

Thus there have been 2 Emperors, 1 King (Christophe), and 24 Presidents who rose and fell during the history of Haiti.

#### THE UNITED STATES CALLED UPON FREQUENTLY.

From the days of the American Revolution to the present the United States has been compelled to keep a watchful eye upon the incidents in Haiti, and a casual reading of the fates of the above-named rulers and the many reports on file in the Navy Department will indicate that naval vessels visited that island in the interest of the Haitians themselves, Americans, and other foreigners many times.

Without searching the records earlier than 1857 we find that the United States was called upon to send naval vessels to Haitian waters in the interest of law and order, for the annual report of the Secretary of the Navy for that year shows that the *Cyane* visited Cape Haitien for the relief of an American vessel and two American seamen seized upon suspicion by order of the Haitian Government, and the Secretary's report for 1859 discloses that the *Brooklyn* proceeded to Port au Prince and Aux Cayes to protect United States interests from suffering by the revolution then prevailing in Haiti.

The Secretary's report shows that naval vessels visited Haiti in 1866 because "revolutionary movements and civil disturbances" threatened "to place in jeopardy the lives and property of American residents." In the next year the Secretary reported that naval vessels had visited Haiti, a country "afflicted with perpetual discontent and revolution." Then follows visits in 1868, 1869, 1876, 1888, 1889, 1892, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1911, 1912, and 1913. In these years the trouble and disturbances in Haiti was of such a serious nature that the Secretary of the Navy felt called upon to comment upon the fact that warships had been sent there. No doubt there were many times during this period that interior disturbances affected foreign interests without the restraining hands of the United States.

#### CHRONIC CONDITIONS RECUR IN 1914—FOUR NATIONS LAND.

The U. S. S. *South Carolina* arrived at Port au Prince January 28, 1914, and found conditions so threatening to foreign residents and interests that it became urgently necessary to land the entire marine guard, in company with forces from the *Lancaster* (British), *Conde* (French), and *Bremen* (German). The marines of the *South Carolina* returned on board ship on the 9th of February. Returning to Port au Prince on March 8, 1914, because of political disturbances, the *South Carolina* found it imperatively necessary to remain in that port until April 14, 1914, while the U. S. S. *Montana* was also stationed at Port au Prince from January 25 to February 13, 1914.

The U. S. S. *Washington* arrived at Cape Haitien on June 29, 1914, for the purpose of protecting American and other foreign interests and remained there until July 8, 1914, when relieved by the U. S. S. *South Carolina*. Other naval vessels serving in Haitian waters during the political disturbances of 1914 were the U. S. S. *New Jersey*, U. S. S. *Georgia*, U. S. S. *Tacoma*, U. S. S. *Petrel*, U. S. S. *Nashville*, U. S. S. *Wheeling*, and the U. S. S. *Hancock*, carrying the Fifth Regiment of Marines.

The political situation in Haiti in 1914 was so uncertain that it occupied considerable time of the State Department.

## EVENTS LEADING UP TO THE PRESENT OCCUPATION.

Early in 1915 the political situation in Haiti was such that the State Department became apprehensive for the safety of American and other foreign interests therein, the American consul at Cape Haitien requesting that a warship be sent there. In compliance with this request the U. S. S. *Washington* arrived at Cape Haitien on January 23, 1915, for the purpose of investigating political conditions, and left on the 25th for Port au Prince. It was during this month that Theodore was overthrown as President, and in March was succeeded by the most unfortunate Vilbrun Guillaume Sam. Shortly after the overthrow of Theodore, on February 2, the Secretary of State authorized the Secretary of the Navy to land marines and bluejackets to aid the American minister to Haiti, if such action became necessary; but as events turned out no forces were landed at this time, and Sam entered office as president.

During June, 1915, the French warship *Descartes* proceeded to Cape Haitien, as the French consular agent at that port was fearful for the safety of French residents and interests, and upon the arrival of the *Descartes* a landing party was sent ashore from that vessel. This force was withdrawn on the 24th.

The U. S. S. *Washington*, with Rear Admiral Caperton on board, arrived at Cape Haitien July 1, 1915, and on the 3d established a field radio station ashore, and on the 9th landed marines from the U. S. S. *Washington* and bluejackets from the *Eagle*.

On July 27, 1915, a revolution broke out in Port au Prince that resulted in the execution by the Haitians of a large number of political prisoners and the death of the President of Haiti, Sam, at the hands of a mob that violated the French Legation, in which Sam had taken asylum. Rear Admiral Caperton reported in part: "Dominican Legation violated Tuesday; Gen. Oscar, chief of arrondissement force, removed and killed. At about 10.30 a. m. this morning French Legation invaded by a mob of about 60 Haitians, better class; President Guillaume forcibly removed from upstairs room and killed at legation gate and body cut in pieces and paraded about town. No government or authority in city."

Upon the first report Rear Admiral Caperton, in the *Washington*, sailed from Cape Haitien for Port au Prince, leaving the *Eagle* to attend to affairs at the cape.

## MARINES AND BLUEJACKETS LAND.

Upon arriving at Port au Prince at 11.50 a. m., July 28, Rear Admiral Caperton immediately assumed control of the situation. Under orders of the Navy Department, and in cooperation with the Department of State, Rear Admiral Caperton, on the afternoon of July 28, 1915, landed a provisional regiment of two battallions, composed of marines and bluejackets, under command of Capt. George Van Orden, United States Marine Corps, and occupied Port au Prince. No resistance was encountered except some sniping at the marines, which fire was returned, resulting in 2 Haitians being killed and 10 wounded.

The U. S. S. *Eagle* landed 20 men at Cape Haitien at the request of the French consul on the 28th. The *Descartes* landed a small French force at Port au Prince on August 2, 1915.

## REENFORCEMENTS SENT TO HAITI.

At the request of Rear Admiral Caperton an additional regiment of marines was sent to Haiti, arriving at Port au Prince on August 4, 1915. The U. S. S. *Tennessee* arrived at Port au Prince on August 15, 1915, with another regiment and Col. Littleton W. T. Waller, United States Marine Corps, who was placed in command of all troops ashore in Haiti.

## PROCLAMATION OF ASSURANCE.

Pursuant to instructions received from the Navy Department on August 7, 1915, Rear Admiral Caperton on August 10 issued the following proclamation to the Haitian people:

"I am directed by the United States Government to assure the Haitian people that the United States has no object in view except to insure, establish, and help to maintain Haitian independence and the establishment of a stable and firm government by the Haitian people.

"Every assistance will be given to the Haitian people in their attempt to secure these ends. It is the intention to retain United States forces in Haiti only so long as will be necessary for this purpose."

This proclamation was also published at St. Marc, Haiti, on August 10, 1915, and on August 18 Rear Admiral Caperton requested the American consul at Port au Prince to direct the several consular representatives of the United States in Haiti to give out the above proclamation in their districts.

#### PROCEDURE ADOPTED TO ASSIST HAITI.

On August 10, 1915, the Secretary of State advised the American minister in Haiti concerning the procedure which he should adopt for the purpose of assisting the Haitian National Assembly to elect a president of the Republic, viz: First. That Congress understand that the Government of the United States intends to uphold it but that it can not recognize action which does not establish in charge of Haitian affairs those whose abilities and dispositions give assurance of putting an end to factional disorder. Second. In order that no misunderstandings can possibly occur after election it should be made perfectly clear to candidates, as soon as possible, and in advance of their election, that the United States expects to be intrusted with the practical control of the customs and such financial control over the affairs of the Republic of Haiti as the United States may deem necessary for efficient administration. Further, that the Government of the United States considers it its duty to support a constitutional government. It means to assist in the establishment of such a government and to support it as long as necessity may require. It has no design upon the political or territorial integrity of Haiti. On the contrary what has been done, as well as what will be done, is conceived in an effort to aid the people of Haiti in establishing a stable Government and maintaining domestic peace throughout the Republic.

#### DARTIGUENAVE ELECTED PRESIDENT.

Election day, August 12, 1915, passed without disorder and Dartiguenave was elected president, votes for president being cast by congress as follows: Dartiguenave, 94; Cauvin, 14; Thezan, 4; Bobo, 3; 1 blank. Dartiguenave was declared elected amidst enthusiasm and immediately took the oath of office. Following his election he spoke, stating that he had never been chief of any faction, band, or group, and that he would govern solely for the benefit of Haiti, according to the constitution and the laws; he later expressed appreciation for American forces, which, he stated, had made possible an election free from intimidation.

#### REINFORCEMENTS SENT TO HAITI.

Rear Admiral Caperton, on August 19, 1915, requested that an additional regiment of marines of not less than two battalions of four companies each of Infantry and an Artillery battalion with five additional officers for staff positions, together with eight medical officers and hospital corpsmen and other equipment, be sent to Haiti and that upon receipt of said reinforcements he stated he would occupy the seaport towns in accordance with departmental instructions relative to occupation of customhouses. In compliance with this request the U. S. S. *Tennessee* on August 31 arrived in Port au Prince and landed Headquarters Artillery Battalion and the First and Ninth Companies, and then proceeded to Cape Haitien, where the Thirteenth Company landed on September 3. This battalion had an enlisted strength of 318 men, armed with twelve 2-inch landing guns and two 4.7-inch heavy field guns, and sailed from the United States August 26.

#### THE CUSTOMS TAKEN OVER.

The Navy Department cooperating with the State Department, on August 19, 1915, directed Rear Admiral Caperton to assume charge of the customhouses at Jacmel, Aux Cayes, Jeremie, Miragoane, Petit Goave, Port au Prince, St. Marc, Gonaives, Port de Paix, Cape Haitien, funds collected to be use for organization and maintenance of an efficient constabulary, for conducting such temporary public works as will afford immediate relief through employment for starving populace and discharged soldiers, and finally for supporting Dartiguenave government.

On August 30, 1915, Rear Admiral Caperton informed the Secretary of the Navy that he had organized customs service for the seacoast of Haiti with Paymaster Charles Morris as administrator of customs, Navy pay and line officers being appointed as collectors of customs and captains of ports for the different ports and that he could not occupy Aux Cayes and Jacmel until the arrival of the U. S. S. *Sacramento* and requested that the arrival of that vessel be expedited. On August 31, Rear Admiral Caperton informed the Secretary of the Navy that "unless otherwise directed will occupy and begin administering customhouse at Port au Prince at 10 a. m., September 2." The customhouse at Port au Prince was taken over by the United States naval force on September 2, the Haitian Government having been advised in the premises and the following notice was published in the newspapers and otherwise:

" NOTICE.

"For the protection of the Haitian Government and people and for better safe guarding their interests, under the direction of the Government of the United States of America, I have assumed control of the maritime customs service of Haiti.

"The receipts from these customs will be collected by officers of the United States Navy and will be applied to improving the condition of the Haitian people and to the support of the Haitian Government. Funds not so expended will be held in trust for the time being for the people of Haiti by the Government of the United States."

THE TREATY.

As a result of the negotiations which had been carried on over a considerable period of time between the American chargé d'affaires and representatives of the Republic of Haiti, a treaty of mutual amity for the purpose of remedying the financial conditions and assisting the economic development and tranquility of Haiti was signed at Port au Prince, September 16, 1915, subsequently ratified by both the contracting parties, and proclaimed in the United States, May 3, 1916. The United States Government recognized the government of Dargenave of Haiti on September 17, fired the necessary salute, and Rear Admiral Caperton, accompanied by his staff, called on the President of the Republic of Haiti, his call being returned by the President of Haiti and his cabinet on September 18.

In the following proclamation the President of the United States proclaimed this treaty on May 3, 1916:

"Whereas a treaty between the United States of America and the Republic of Haiti having for its objects the strengthening of the amity existing between the two countries, the remedying of the present condition of the revenues and finances of Haiti, the maintenance of the tranquility of that Republic, and the carrying out of plans for its economic development and prosperity was concluded and signed by their respective plenipotentiaries at Port au Prince on the 16th day of September, 1915, the original of which treaty, being in the English and French languages, is word for word as follows."

The preamble reads in part as follows:

"The United States and the Republic of Haiti desiring to confirm and strengthen the amity existing between them by the most cordial cooperation in measures for their common advantage;

"And the Republic of Haiti desiring to remedy the present condition of its revenues and finances, to maintain the tranquility of the Republic, to carry on plans for the economic development and prosperity of the Republic and its people;

"And the United States being in full sympathy with all of these aims and objects and desiring to contribute in all proper ways to their accomplishment"; etc.

Article II of this treaty provides for the nomination by the President of the United States and appointment by the President of the Republic of Haiti of a general receiver to supervise customs, and of a financial adviser. Article X provides for the establishment of the Gendarmerie d'Haiti, to be organized and officered by Americans, nominated by the President of the United States and appointed by the President of Haiti. Article XIV provides that should the necessity occur the United States "will lend an efficient aid for the preservation of Haitian independence and the maintenance of a government adequate for

the protection of life, property, and individual liberty," and furthermore that the United States and the Republic of Haiti "shall have authority to take such steps as may be necessary to insure the complete attainment of any of the objects comprehended" in the treaty.

This treaty shall remain in "full force and virtue for the term of 10 years," and "further for another term of 10 years if, for specific reasons represented by either of the high contracting parties, the purpose" of the treaty has not been fully accomplished. Over five years of this period has expired.

#### MARTIAL LAW.

On August 30, 1915, Rear Admiral Caperton informed the Secretary of the Navy and the Commander in Chief as follows:

"On account increasing uneasiness Port au Prince, present Government confronted with conditions apparently unable to control, propagation by newspapers and public men of inflammatory propaganda against Government and American occupation, disloyalty to present Government of some Government officials, and in order to better support the present Government I will tomorrow, September 3, proclaim martial law in Port au Prince, Haiti. This action in accordance with American *chargé d'affaires*." Rear Admiral Caperton further announced, on the same date, that he had been requested by the President of Haiti to establish martial law. Pursuant to the above information, Rear Admiral Caperton formally issued the proclamation of martial law on September 3, 1915, at Port au Prince, Haiti:

#### "PROCLAMATION.

"Information having been received from the most reliable sources that the present Government of Haiti is confronted with conditions which they are unable to control, although loyally attempting to discharge the duties of their respective offices; and these facts having created a condition which requires the adoption of different measures than those heretofore applied; and in order to afford the inhabitants of Port au Prince and other territory hereinafter described the privileges of the Government, exercising all the functions necessary for the establishment and maintenance of the fundamental rights of man, I hereby, under my authority as commanding officer of the forces of the United States of America in Haiti and Haitian waters, proclaim that martial law exists in the city of Port au Prince and the immediate territory now occupied by the forces under my command.

"I further proclaim, in accordance with the law of nations and the usages, customs, and functions of my own and other Governments, that I am invested with the power and responsibility of government in all its functions and branches throughout the territory above described, and the proper administration of such government by martial law will be provided for in regulations to be issued from time to time as required by the commanding officer of the forces of the United States of America in Haiti and Haitian waters.

"The martial law herein proclaimed, and the things in that respect so ordered, will not be deemed or taken to interfere with the proceedings of the constitutional Government and Congress of Haiti, or with the administration of justice in the courts of law existing therein, which do not affect the military operations or the authorities of the Government of the United States of America.

"All the municipal and other civil employees are, therefore, requested to continue in their present vocations without change; and the military authorities will not interfere in the functions of the civil administration and the courts, except in so far as relates to persons violating military orders or regulations, or otherwise interfering with the exercise of military authority. All peaceful citizens can confidently pursue their usual occupations, feeling that they will be protected in their personal rights and property, as well as in their proper social relations.

"The commanding officer of the United States expeditionary force, Col. Littleton W. T. Waller, United States Marine Corps, is empowered to issue the necessary regulations and appoint the necessary officers to make this martial law effective.

"Done at the city of Port au Prince, Haiti, this 8d day of September. A. D. 1915."

The commanding officers who had taken over the various coast towns in the adjoining territory of Haiti were informed by Rear Admiral Caperton on September 21 that his proclamation of September 3, relative to martial law, applied to all the territory within their jurisdiction, and appointed the provost marshal and the provost judge for each said town and territory immediately surrounding.

On September 4, 1916, the chargé d'affaires, Port au Prince, reported to the Secretary of State that all civil officials provided for by the treaty have now taken their offices, and requested information as to turning over all Federal civil administration at present conducted by President's orders to the Haitian Government, in reply to which the Secretary of State announced that the time had not yet arrived for the withdrawal of the naval forces in Haiti and the termination of martial law, and that it was the desire of the department that the present status be continued until such time as the gendarmerie has proved itself loyal and efficient in all emergencies and the internal peace of Haiti is thereby definitely assured.

On September 22, 1920, the Judge Advocate General of the Navy rendered legal opinion with reference to the status of the marines in Haiti, which is partially quoted below:

"The military forces of the United States have not displaced the civil government of Haiti and established a military government of the United States in that country, but are engaged pursuant to law in lending efficient aid to the Republic of Haiti in preserving a republican form of government and suppressing domestic violence. By treaty between the United States and Haiti, signed September 16, 1915, duly ratified by both Governments and proclaimed May 3, 1916 (39 Stat., 1654), one object of which, as stated in the preamble, was 'to maintain the tranquility of the Republic [of Haiti],' it was provided (Art. XIV) that—

"The high contracting parties shall have authority to take such steps as may be necessary to insure the complete attainment of any of the objects comprehended in this treaty, and should the necessity occur the United States will lend an efficient aid for the preservation of Haitian independence and the maintenance of a government adequate for the protection of life, property, and individual liberty."

"Pursuant to the above treaty and upon recommendation of the State Department expressly reciting the desirability 'that every effort should be made to put the provisions thereof in operation with the least delay,' Congress enacted a law which was approved by the President of the United States on June 12, 1916 (39 Stat., 223), and which provided in part—

"That the President of the United States be, and he is hereby, authorized, in his discretion, to detail to assist the Republic of Haiti such officers and enlisted men of the United States Navy and the United States Marine Corps as may be mutually agreed upon by him and the President of the Republic of Haiti."

"Thereafter, on June 12, 1918, the Republic of Haiti adopted a new constitution, article 127 of which provided that—

"The present constitution and all the treaties actually in force or to be included hereafter and all the laws decreed in accordance with this constitution or with these treaties shall constitute the law of the country, and their relative superiority shall be determined by the order in which they are here mentioned."

"The treaty of 1916 above quoted was in force on the date of the Haitian constitution, it having been expressly provided in said treaty (Art. XVI) that 'the present treaty shall remain in full force and virtue for the term of 10 years, to be counted from the day of exchange of ratifications, and, further, for another term of 10 years if, for specific reasons presented by either of the high contracting parties, the purpose of this treaty has not been fully accomplished. Accordingly, the said treaty of 1916 was by explicit provision of the Haitian constitution of 1918 declared to be 'the law of the country'; that is, the law of Haiti, just as under the United States Constitution (Art. VI) the said treaty of May 3, 1916, and the act of Congress of June 12, 1916, enacted pursuant to said treaty, are declared to be 'the supreme law of the land'; that is, the law of the United States.

"In other words, the United States has guaranteed to the Haitian Republic that it will lend efficient aid in preserving government and tranquility in that country, just as it has given a similar guaranty to the States of this Union, and Congress has given discretion to the President of the United States to detail land and naval forces to enforce this guaranty in both cases upon mutu-

agreement between the President of the United States and the Government requiring such assistance.

"The marine brigade is now in Haiti by authority of law for the purposes of maintaining the recognized Government of that Republic and preserving tranquillity, occupying in this respect a status substantially identical with that which would exist should Federal troops be sent into a State of this Union upon the request of the recognized government of that State for the same purpose.

"Our military forces operating in Haiti, pursuant to the treaty and the act of Congress above cited, by mutual agreement between this Government and the Republic of Haiti, for the purpose of suppressing armed uprisings and maintaining the constitutional Government which has been recognized by the President of the United States, have the same powers and duties as the military forces of Haiti in the administration of martial law in that country and in the resort to the laws and usages of war, for the existing conditions of local disturbance constitute, in the language of the Supreme Court, 'a state of war'—not a state of war between the United States and Haiti, but domestic war which the United States, in the fulfillment of its treaty obligations, is bound to assist the Government of Haiti to suppress.

"That martial law in Haiti was originally established by the head of our military forces in that country upon the request of the Haitian President is shown by the official records of this department; and indirect reference to this fact is also to be found in the opening paragraph of the proclamation of martial law.

"That the martial law thus established was not intended to displace the constitutional Government of Haiti, but was in support of that Government, is expressly disclosed by the following further paragraph of the aforesaid proclamation:

"The martial law herein proclaimed, and the things in that respect so ordered, will not be deemed or taken to interfere with the proceedings of the constitutional Government and congress of Haiti, or with the administration of justice in the courts of law existing therein, which do not affect the military operations or the authorities of the Government of the United States of America."

"The above-quoted proclamation was issued on September 3, 1915. The martial law thus established has been continued ever since, with the consent of the Government of Haiti, as shown by the numerous instances in which the President of that Republic has decorated members of our military forces and extended to them his most cordial expressions of appreciation for their services to his country; also, the new Haitian constitution expressly provides (Title VII) that 'all the acts of the Government of the United States during its military occupation of Haiti are ratified and validated.' Our operations in Haiti have also been conducted with the express sanction of Congress since the act of June, 1916, above cited, which placed entirely in the discretion of the President of the United States the detail of such military forces of the Navy and Marine Corps to assist the Republic of Haiti 'as may be mutually agreed upon by him and the President of the Republic of Haiti.'

"Such being the status of our military forces in Haiti, engaged in administering martial law in support of the constitutional government, in a country in which a state of domestic war exists, there can be no question that the military commander of such forces is authorized to take any steps necessary and sanctioned by the laws and customs of war to meet the exigencies of the situation. Military commissions and provost courts are recognized instrumentalities of martial law. Recourse to such exceptional military courts is justified whenever the civil courts are closed, or when necessary for the trial of offenses against the military forces or violations of regulations required to make martial law effective. Otherwise, in the language of the Supreme Court above quoted, 'martial law and the military array of the Government would be mere parade, and rather encourage attack than repel it.' In the proclamation heretofore quoted, it was stated that upon this point that 'the military authorities will not interfere in the functions of the civil administration and the courts except in so far as relates to persons violating military orders or regulations, or otherwise interfering with the exercise of military authority.' This department's records show that the territory under martial law has been extended to include parts of Haiti not specifically embraced in the original proclamation;

it does not, however, appear that the jurisdiction of military courts has been enlarged so as to embrace offenses not described in that proclamation, and therefore the trial of such other offenses must properly be left to the civil courts."

#### THE SO-CALLED CENSORSHIP.

The following order was promulgated throughout the Republic of Haiti on September 3, 1915:

"The freedom of the press will not be interfered with, but license will not be tolerated. The publishing of false or incendiary propaganda against the Government of the United States or the Government of Haiti, or the publishing of any false, indecent, or obscene propaganda, letters signed or unsigned, or matter which tends to disturb the public peace will be dealt with by the military courts. The writers of such articles and the publishers thereof will be held responsible for such utterances and will be subject to fine or imprisonment, or both, as may be determined."

This ban was modified inferentially recently and with unfortunate results.

A paraphrase of a dispatch from the brigade commander dated January 9, 1921, to the Major General Commandant follows:

"Rush. 8608. President of Haiti sent me to-day the following letter:

"DEAR MONSIEUR LE COLONEL: Certain newspapers, relying upon an impunity which until now has been assured them, for some time past have been insulting the officers of the gendarmerie and the Government, spreading the most insidious propaganda and causing uneasiness among the people.

"If we persist in viewing with indifference this state of affairs which I qualify as intolerable, I foresee that the military officials must expect to witness acts of a still more regrettable nature.

"I therefore address myself to you, to whom is intrusted the maintaining of public security and peace, asking you to take all measures that are demanded by the circumstances.

"In case you judge it is necessary to have them, the Government holds at your disposition other facts, apart from the above.

"Accept, Dear Monsieur le Colonel, the assurance of my sentiments of cordial consideration.

"DARTIGUENAVE."

"Have replied, acknowledging receipt of letter and stating that I have taken the subject matter under consideration. Prompt instructions requested.

"JOHN H. RUSSELL."

The following letter dated January 18, 1921, was written by the brigade commander to the Chief of Naval Operations, Navy Department, via the Major General Commandant:

"1. In paragraphs 11 and 12 of the above reference, copy attached hereto, it was pointed out that the Haitian politicians had found a veritable gold mine in the situation that had been created for them during the summer months.

"2. Since the writing of the above report the political conditions in Haiti have gradually been growing worse. There have been several causes that have contributed to this end. Among them may be named the following:

"(1) The scurrilous and insulting articles that daily appear in the press defaming the Haitian Government, the occupation, and the gendarmerie.

"(2) So-called patriotic meeting and assemblies where unbridled tongues give forth villifying words against the Haitian Government, the occupation, and the gendarmerie.

"(3) The lack of any attempt on the part of the Haitian Government to put a stop to such abuses and the knowledge that the military occupation will not interfere.

"(4) The knowledge of the people that the Haitian courts would not support the Haitian Government in any attempt to check abuses.

"(5) The general dislike of the black man for the white.

"(6) The prevalent belief that the occupation will soon be withdrawn and Haiti left to her own devices.

"(7) The support of certain so-called patriotic societies by persons or organizations in the United States.

"(8) The present poor economic condition of the country which has led to many unemployed.

"(9) And last, but far from least, the intense rivalry among the politicians for the next presidency. The candidates are lining up and seeking by every means to promote their own interests.

"3. The result of all this turmoil and license is bound to affect the military situation. Tranquillity continues to reign throughout the entire country, but rumors regarding contemplated disturbances are daily becoming more numerous. It is true that when run down nothing is found, but it is my opinion, founded on a knowledge of the Haitian and an absolute knowledge of the military situation in Haiti that, unless steps are shortly taken to curb the license now being permitted, local disturbances will occur and eventually the tranquillity of the country will be again disrupted.

"4. From a military point of view the situation can be kept well in hand with the troops at my command, but life and property can be destroyed and a general condition of unrest created that will again necessitate active and forceful measures which, in my opinion, could well be avoided.

"5. It is my opinion that the Haitian Government should be forced to openly admit its inability to restrain the press and protect itself, the occupation and the gendarmerie, from its insulting and scurrilous remarks due to the inefficiency and inadequacy of the judiciary system of Haiti. Such admission has already been made but not openly. If so made it would throw the onus of such work on the military occupation, which could put in operation laws similar to those now existing in the Dominican Republic relating to the press, freedom of speech, etc.

"6. I have deemed it my duty to make the above report, as I am firmly of the belief that some action toward the bridling of the press should be undertaken, and I desire, as a matter of self-protection, to present this opinion in order that if such a condition is allowed to continue unabated and disturbances occur the military occupation will not be held responsible therefor."

On January 28, 1921, Rear Admiral Snowden, United States Navy, military governor of Santo Domingo and military representative of the United States in Haiti, placed the following indorsement on the above letter:

"1. A copy of the above-mentioned report has just come into the hands of the undersigned.

"2. I approve and support in the strongest terms the letter and advice of the brigade commander in Haiti and believe that the situation is critical as regards the near future.

"3. The conditions are such as can not be permitted to continue and is impossible of control under the present policy of free and unlimited license as to libel, defamation, and malicious propaganda.

"4. I can not too strongly urge the defense of the military forces from malicious libel and propaganda by laws or orders permitting free speech but not license.

"5. It is a fact that the present policy of license regarding propaganda, etc., here and in Haiti will before long no doubt use the power of the military forces to control the situation at the expense of many lives on both sides, but measures should be at once taken to curb these attacks upon the military forces, in order that a critical condition may not be brought about."

The Secretary of the Navy wrote as follows to the Secretary of State on February 15, 1921:

Referring to my letter of February 7, 1921 (P. D. 238-6), in which I inclosed copies of two confidential reports from the brigade commander of the United States marine brigade in Haiti, I have the honor to transmit herewith a copy of a report from the military governor of Santo Domingo, who is also the military representative of the United States in Haiti, in which he submits his comment on the brigade commander's report of January 18, 1921, which was one of the reports submitted in my letter, above cited.

Particular attention is invited to the closing sentence of the governor's letter, in which he states as follows:

"I have no doubt of the power of the military forces to control the situation at the expense of many lives on both sides, but measures should be at once taken to curb these attacks upon the military forces in order that a critical condition may not be brought about."

In the following dispatch to the commandant of the Marine Corps, date May 17, 1921, the brigade commander requested authority to bring to trial certain persons:

"Special rush 8617 for Opnay Haitian press continues to publish scurrilous and insulting articles daily. These articles are untruthful, incendiary in char-

acter, and seriously tend to disturb the peace in Port au Prince, creating a condition of grave danger between the gendarmerie and marines and natives. The Haitian Government should be forced to protect the officers and men of the gendarmerie and occupation, or the occupation should be allowed to protect itself. The gendarmerie begin to feel that they are not being supported. It is generally known, and has been stated by the President, that Haitian courts will not convict such cases, as trial must be by jury, and the juries are with the people whose passions have been aroused by unbridled press. Believe that threat of trial or only one case would be sufficient to restore to normal conditions. Earnestly recommend that I be authorized to try by provost court those concerned in the publishing of falsehoods or articles against the gendarmerie and occupation. Request early reply. 1640."

The following dispatch, dated May 24, 1921, was sent by the Secretary of the Navy to the brigade commander:

"8624. The proclamation of martial law as proclaimed on September 3, 1915, and ratified by Haitian constitution reserved from the jurisdiction of civil courts of Haiti those things which affect the military operations or the authorities of the Government of the United States of America. Agitation against United States officials who are aiding and supporting constitutional Government tending to undermine their authority and coupled with political agitation looking to destruction of the constitutional government will lead to revolution and anarchy with consequent destruction of life and property and prolonged misery for Haitian people. Not only in self-defense of American forces but in self-defense of Haitian Government and people such measures must be taken as will suppress such agitation and prevent return of violent disorders. From the information before you, you will determine what action under martial law the crisis demands and act accordingly, keeping in mind the idea of action only in self-defense of your command and Haitian Government, and employing processes of martial law only where your conservative judgment admits the situation demands its exercise, and then restricting penalties to serve the purposes of prevention rather than punishment. In respect to those who attack the Haitian President and Government direct rather than through the American forces, it would be advisable to have the Haitian President request you or direct the chief of gendarmerie to proceed against them through the agencies of martial law which is maintained for and in behalf of the constitutional Government of Haiti. You would thereby have on record a statement of what the Haitian state construes the crisis demands in the way of prevention in order to preclude the engineering of domestic disorder and attempts to overthrow the constitutional government by violence. In trials before military commissions or provost courts the charge should cite the offense against the military forces or the violation of a regulation adopted to make martial law effective. Should there be insufficient regulations to cover the existing situation such should be promulgated. In the absence of appropriate regulations or which to base a trial, those who, from the information before you, you have reasonable grounds to believe are concerned in unlawful opposition and the encouragement of domestic violence may be arrested and held in confinement until the exigency has passed and the constituted authorities are able to execute the laws, 1645, Sec. Nav."

In carrying out the above instructions the brigade commander on May 26, 1921, published the following proclamation:

HEADQUARTERS FIRST PROVISIONAL BRIGADE,  
UNITED STATES MARINE CORPS,  
*Port au Prince, Republic of Haiti, May 26, 1921.*

***To all inhabitants:***

The United States forces in Haiti are engaged in aiding and supporting the constitutional Government of Haiti and are your friends.

By their efforts and those of the gendarmerie of Haiti peace and tranquility have been established throughout your land, permitting you to cultivate your gardens, conduct your business, and earn an honest living.

The only agitation that is being carried on in all Haiti is that undertaken by a few newspapers in the large cities and by a few persons in so-called political speeches.

This agitation, however, is a menace to the condition of law and order that has been given to you, and consequently it becomes necessary to issue the following order under the powers and authority of martial law.

## ORDER.

While the freedom of the press and speeches are practically unrestricted, articles or speeches that are of an incendiary nature or reflect adversely upon the forces in Haiti or tend to stir up an agitation against the United States officials who are aiding and supporting the constitutional Government of Haiti, or articles or speeches at the President or the Haitian Government are prohibited. Any offender against this order will be brought to trial before a military tribunal.

JOHN H. RUSSELL,

*Colonel, United States Marine Corps, Commanding First Brigade,  
United States Marines, and United States Forces in Haiti.*

On the date the above proclamation was published the President of the Republic of Haiti wrote a letter to the brigade commander reading in part as follows:

"I have this day received your proclamation dated May 26, 1921. It has my full and entire approval, and I desire that it be given its full and entire effect.

"Pray accept dear M. le Colonel the renewed expression of my best sentiments.

"DARTIGUENAVE."

On June 24, 1921, the following memorandum was prepared for the Secretary of the Navy and the major general commandant:

## MEMORANDUM.

"1. For some time past the American authorities in Haiti did not concern themselves with the character of articles published in the Haitian newspapers. A very small percentage of the population in Haiti is able to read, and as the circulation of the Haitian newspaper seldom exceeds a few hundred it was considered that such newspapers would not exercise much influence outside of a few large towns, and they did not exercise much influence until recently.

"2. Partly as a reflection of race disturbances and agitation in the United States, partly as a reflection of the late political campaign in the United States, but principally owing to the characteristic which many Haitian writers have of working themselves into a passion with little or no propocation, freedom of the press was construed to be unlimited license to attack not only the Government of Haiti and the American occupation, but also the personal and private character of any American or any Haitian official.

"3. Continued and unrestrained abuse of officers and men had a tendency to destroy any friendly relationship between the marines and the native population, and the attacks gradually assumed more and more the nature of propaganda toward a new revolution against the constitutional government of Haiti and threatened to recall the condition of anarchy which had recently been suppressed.

"4. A copy of the dispatch from the brigade commander in Haiti quoting from an article published in a Haitian newspaper, a copy of the order prohibiting incendiary articles from being published in Haiti, and a copy of the department's dispatch to the brigade commander authorizing such action are attached hereto.

"5. In interpreting the order the usual rules of interpretation should be followed and the order should be considered as a whole. Considered in such wise, it is apparent that it is intended not to prohibit constructive criticism or the advocacy of policies different from those advocated by the Government of Haiti, or to otherwise interfere with freedom of speech and press, but simply to prevent the publication of articles or speeches which are in the nature of propaganda calculated and intended to bring on a new revolution and a condition of anarchy which, as stated in the Secretary's dispatch, will inevitably lead to destruction of life and property and prolonged misery for the Haitian people.

"6. So far as attacks on individuals are concerned, no action is intended to suppress these unless they are slanderous or libelous. Charges made against Americans, whether presented privately or publicly, are always properly investigated, and no attempt to suppress such charges is contemplated, except in those cases where they are inspired by a desire to create disorder and are based on nothing but an evil imagination.

"7. In our own country we are not without examples, and recent ones, of unfortunate riotings and killings having resulted from a failure of the proper authorities to prevent the cultivation of criminal mob violence. It is the desire to avoid such violence in Haiti that led to the department's action in respect to those in Haiti who attempt to stir up the evil and the ignorant to violence. There is inclosed a quotation from a letter from the President of Haiti to the brigade commander fully approving the action taken. It was largely upon the President's urgent representation that the proclamation was issued.

"8. In addition to the above-mentioned inclosures there is also attached an excerpt from a Haitian newspaper article which refers particularly to ex-President Wilson."

The dispatch of the brigade commander referred to in the above memorandum follows:

"8627. Reference your 8625-1415, *Courier Haitien* published article April 16 on departure of Col. Hooker, in part as follows: 'Man proposes, God disposes. He did not think that he would leave Haiti so soon. He did not think that he would go without having executed his infamous project against us.

"PAR. 2. We wish you bon voyage, Col. Hooker. As to the money that you have taken from Haiti, as to the fortune that you have amassed in the country in violation of our poor peasants, the brave Cacos, you will not enjoy it yourself, and for all the wrong that you have done to a good, peaceful, and hard-working people for the sole purpose of enriching yourself at its expense, your children will pay to the fourth generation for this.

"PAR. 4. Col. Hooker, the shades of Pierre Pinede, of Saj Peralte, and of such others that you have sent to their forefathers rejoice at your departure and curse you.

"PAR. 5. With pockets full of gold, depart happily, but remember that there is an eminent justice that sooner or later will make you pay for all the suffering that you have made the Haitien people endure.

"PAR. 6. The curses of the widows, the orphans, and the bereaved fiancées of your innumerable victims accompany you, Col. Hooker.'

"PAR. 7. Jolibois Fils editor sent paper to Hooker marked, 'Copy of paper with compliments.' Some days afterwards Hooker entered Cinema and spoke to Chevallier. Jolibois was talking with Chevallier at the time and saluted Hooker. Hooker told him he did not mind attacks on or criticism of his official acts, but that he had protected him, and that a personal attack was the act of a pig. Hooker then went to a theater and nothing further occurred. Long account of incident published in paper by Jolibois, together with letter and cable sent. Summon ordering brigade inspector immediately investigated Jolibois' manner and demeanor as taken by Hooker, Jolibois in no way threatens at any time during evening.

"PAR. 8. Officers and men of brigade and gendarmes were sent the Haitien daily. Call Marine Corps veritable Huns. Presence of marine alone permits such insulting attacks, for under Haitian régime the editor would have been imprisoned and papers would have been stopped. Pinede died natural death from consumption and smallpox. Hooker not in Haiti when Saul Peralte was killed.

"PAR. 9. In above attack Jolibois is evidently trying to stir up people against occupation. Notice how he speaks of brave Cacos. Papers distributed and are read to people by agents in interior. 1745."

The newspaper article referred to in the foregoing memorandum that villifies ex-President Wilson reads as follows:

[Extract from article appearing in *Les Annales Capoisees*, Cape Haitien, Republic of Haiti, under date of Mar. 4, 1921.]

"To-day in the history of Haiti the 4th of March is the beginning of a new era. Mr. Harding, the defender of our cause and advocate of our rights, had entered the White House as President of the United States in place of Mr. Woodrow Wilson, the man of baneful prejudices, who conspired against the existence of our country with the complicity of a group of business men in America, such as Messrs. Farnham & Co. May he retire to private life followed by the maledictions of Haitian people and may he be perpetually tormented by remorse, that canker of a guilty conscience, have a sad and taciturn ending, continually gnashing his teeth, a prey to horrible hallucinations and believing himself to be always pursued by the invisible specters of those of us who have died martyr to the cause of liberty. Like Cain may he never find a resting place upon the face of this earth and may he on his death bed eat 'Les Excrements De Son

Vase,' like the man who no longer has faith in the divine mercy. This is the fate that I wish for him and which will without failure come to him, for there exists that Heavenly justice which never forgives the crimes that have been committed against an entire nation."

#### LARGE FORCE REQUIRED.

Rear Admiral Caperton on March 13, 1916, reported that the total shore forces in Haiti amounted to not more than 1,700 enlisted men, and stated that it was not considered practicable to maintain military control of the country with a smaller force.

On March 11, 1916, the Secretary of the Navy sent Rear Admiral Caperton the following dispatch paraphrased as follows: "Relinquish no part of military control which you are now exercising in Haiti, nor without receipt of further instructions put end to martial law as now in force."

#### POLICY OF UNITED STATES.

During December, 1916, the Secretary of the Navy in a dispatch to Capt. Knapp outlined the attitude of the United States Government toward the Government of Haiti as follows:

"\* \* \* the United States policy has been to support President Dartigueve so long as his conduct conforms to correct principles and to the agreements between Haiti and the United States. Any attempt to overthrow President Dartigueve will not be countenanced, nor will any legislative action annulling any decree of the President during the time when no legislative body was in session be permitted. On the other hand, the United States will consider such action to be the beginning of revolution and disorder in the Republic. \* \* \*"

#### THE ELECTIONS.

The general elections in Haiti were held on January 16 and 17, 1917, without any marked disorder. Considerable repeating and other frauds were attempted, but generally without success. Arrangements for the election were apparently thoroughly successful and the action of the occupation widely appreciated.

On April 21, 1917, the cabinet and national assembly met in apparently the best of feeling with no friction present. In a speech Vincent, who presided, stated that Haitian peace was due to the United States, and with her assistance much progress would result. Following adjournment the entire cabinet called on the commander of the first provisional brigade and assured him that they desired America's continued assistance and wished to cooperate.

The present situation with regard to elections in Haiti is summed up in the following extracts from a report by the brigade commander dated April 4, 1921, reading as follows:

"In a study of the political situation in Haiti it must be ever borne in mind that the Haitian politician represents but an infinitesimal part of the population of Haiti."

"The possibility of an election being held next January [1922] for Haitian deputies and senators and the election of a president by the assembly in the following April has served to complicate an already involved political situation.

"Numerous candidates for the presidency have already announced themselves. In fact, the time is apparently propitious for the Haitian politician and any Haitian, born of a Haitian father, who has engaged in politics, has any following and some money to spend in advancing his cause may be considered to be in the field for the highest honors.

"The one outstanding fact that is apparent through the midst of political talk, which has now reached the boiling point, is the intense hatred of all Haitian politicians for the existing Government. To their minds the Government must be changed, they care not how, in order to make room for some one else to fill the presidential chair, and consequently they are united against the Government.

"Recently an educated Haitian in northern Haiti, who advocated the withdrawal of the occupation, was asked whether if the occupation withdrew he would support the Government, the constitution, and the laws of Haiti. He replied that if the occupation withdrew that, of course, the existing Government must fall at once. When asked if another president was installed who

was not to his liking he would support him or endeavor to overthrow his Government, he could conceive of only the latter alternative.

"The question that is heard on all sides is, 'Will the elections for the assembly be held next January?' At present it is impossible to answer, as the Haitian Government has given no definite reply to this question, which has been asked many times.

"The question that one naturally asks is, Does the law require the holding of the elections for the National Assembly in January next? The constitution of Haiti states that the election must be held on the 10th of January in an even year. The year shall be set by the President of the Republic in a decree issued at least three months before the meeting of the primary assemblies. In other words, the elections will be held when the President believes that the condition of the country is such as to permit of it. The question of holding the election, therefore, lies entirely with the President, but next year a new President must be elected, or rather the time of office of the present incumbent expires, and if there is no assembly who will elect the President? The Conseil d'Etat was empowered by the constitution to act, for legislative purposes, in the place of the assembly. This Council of State is, however, but a creature of the President, as all its members are appointed by him, and it is reasonable to expect that if so empowered it would unquestionably not have the power. On the other hand, from my talks with Haitian Government takes the view that the acts of the Conseil d'Etat can not be confined to legislative acts only, but that it has as broad powers as those of the National Assembly.

"If, on the other hand, the claim is upheld that the Conseil d'Etat has not the power to assume electoral functions, and, furthermore, the President fails to hold the elections in January for senators and deputies, how, then, can a President be elected, and under such conditions would the present incumbent be justified in remaining.

"These are all questions that here in Haiti are uppermost in the minds of those closely allied to Haitian affairs, and at the present time it is difficult to see how any of them can be settled without causing much discontent and feeling among the Haitian politicians, of whom many are already sinking their small fortunes in promoting their candidacies. It must be further remembered that the Haitian politician has heretofore run the country—he has controlled the mass. The Union Patriotique has among its members many candidates for the Presidency, but if no election is held all these men will unite in a common cause, and then we have a more or less organized body united against the Haitian Government and against our efforts here if we support that Government in its action.

"In addition, in the coast towns the newspapers are maintaining their antioccupation and anti-Government attitude, and are almost daily publishing insulting and vitriolic articles.

#### WAR DECLARED ON GERMANY.

On May 3 the Haitian cabinet decided to send the National Assembly a message recommending that war be declared on Germany. Much confusion resulted. On May 5 the National Assembly received the President's message recommending the declaration of war. This caused an attack on the cabinet but the cabinet was sustained. On May 12 the brigade commander reported to the State Department that the Haitian cabinet had decided to break diplomatic relations with Germany and to hand the chargé d'affaires his passport. War against Germany was eventually declared by Haiti on July 13, 1918.

#### VISITS OF PRESIDENT INTO COUNTRY.

On December 11, 1917, an automobile was driven for the first time over the road from Gonaves to Cape Haitien. This was the first wheeled vehicle that had traveled this road in 112 years. Having received a report concerning this the Major General Commandant addressed the brigade commander as follows: "My sincere congratulations to all who have been instrumental in doing this great work."

On January 3, 1913, the President of the Republic of Haiti with his party left Port au Prince in an automobile at 4 a. m. and arrived at Cape Haitien at

7.50 p. m., making stops at Arcahaie, St. Marc, Dessalines, Gonaives, Ennery, Plaisance, and Limbe. On January 9, the presidential party left Cape Haitien and returned to Port au Prince. The towns passed through were all decorated and great enthusiasm was shown, clearly demonstrating the contentment and happiness of the people. This was the first time in the history of the country that a President of Haiti had been able to visit the northern cities of Haiti without a protecting army at his back.

In a speech to Haitian people on April 15, 1920, the President of the Republic stated that he, the President, had five years ago signed a convention with the United States, that he was a Haitian and loved his country, and that he would sign such a convention five times over if need be to clear up the brigandage in Haiti. He further told them what a great and powerful country the United States was, and that the white officers and men now giving them protection and allowing them to pursue their work were men of the highest honor and integrity, who were devoted to the interest of their country and were working for the good of Haiti, and that it was necessary that the Haitians assist them in every way. His remarks were well received and in the opinion of the brigade commander had an excellent effect. This speech by the President was made during a tour in which he made an extended trip through northern Haiti delivering addresses in many of the larger cities. The president was received enthusiastically everywhere along the route and newspaper men who accompanied the party declared in their papers that pacification was restored. The President made excellent speeches and was greatly pleased at the results of the trip.

#### THE CONSTITUTION.

It having been agreed that the new constitution for Haiti as amended by order of the State Department should be submitted to the Haitian people for their vote on June 12, 1918, arrangements were made by Col. Russell for taking care of any disturbances that might arise. In his report Col. Russell stated that the voting polls were opened at 7 a. m. and closed at 5 p. m. At Port au Prince all stores were closed, and although crowds were around the voting booths they were most orderly. Reports from all over the Republic soon indicated that the new constitution would be adopted by a large majority vote and that no disorders would occur. In his report the next day, June 13, 1917, Col. Russell reported that the constitution had been adopted by an overwhelming majority, up to the present time returns showed 69,337 affirmative votes and 335 negatives. No disorders during the day.

Shortly after the adoption of the constitution the President of Haiti stated that he intended to call only such men to his assistance (in his cabinet) as he knew to be capable, honorable, and disposed to assist him in the work of reconstruction of the country.

#### THE CONVENTION WITH CACO CHIEFS.

Col. Waller on October 1, 1915, met the hostile Caco chief at Quartier Morin and an agreement was drawn up, signed by both sides, providing in part that the Cacos would disarm immediately and turn in all arms and ammunitions to the United States forces and return to their homes and not interfere with railroads, telegraph, telephone, commerce, agriculture, or other industries of the country, etc. After the signing of this convention there ensued a period during which conditions were very unsettled in northern Haiti. The Caco forces were scattered over a territory of approximately 2,000 to 2,500 square miles, roughly, within the territory included between St. Marc, Gonaives, Port de Paix, Cape Haitien, Fort Liberte, Hinche, Ennery, the principal centers of their activities being Gonaives, Quartier Morin, Le Trou, Fort Liberte district, and Grand Riviere; the district along the border from Ouanaminth to Carice was held by troops of the former Government. It was understood that the disarming of the soldiers would take place at the same time as the disarming of the Cacos by their chief in the same district. The Cacos, however, proved to be very insincere in their attitude on disarming, which resulted in several operations of some importance during the month of October, 1915, chief of which was the attack by the American forces on Fort Dipitie and operations incident thereto, which resulted in a considerable number of casualties to the Cacos.

On October 27, Col. Waller left Port au Prince for Cape Haitien to conduct the necessary operations to subdue the Cacos. Arriving at Cape Haitien the plans for the operations were somewhat accelerated by the continued attacks

on the marines at Bajon and the sniping at patrols between Grand Riviere and Bajon. During November, 1915, these operations were carried out and Fort Riviere, the stronghold of the Cacos was captured November 17.

#### "CACO" DEFINED.

In a report to the commander of the cruiser squadron, Col. Waller gave the following definition of a "Caco": "It must be explained that the Cacos have been the controlling elements in all revolutions. They were purchased by first one candidate and then another. Finishing a contract with one man, they having put him in power, would immediately sell their services to the next aspirant to unseat the first."

#### UNNECESSARY FORCE PROHIBITED.

On November 20 the Secretary of the Navy informed Rear Admiral Caperton that the department was strongly impressed with the number of Haitians killed and felt that a severe lesson had been taught the Cacos and believed that a proper control could be maintained to preserve order and protect innocent without further offensive operations. In reply Rear Admiral Caperton informed the Secretary of the Navy that all operations except protective patrolling had been suspended and that directions had been given that every effort should be to prevent loss of life on both sides, that the expeditionary force is maintaining military control of the ports of entry of Haiti and undertaking such other operations as necessary to preserve peace and order in the territory contiguous thereto.

#### MODUS VIVENDI EMBODYING TERMS OF TREATY.

On November 11, 1915, the treaty was ratified by the Haitian Senate after much delay, and on November 29 a modus vivendi embodying the exact terms of the treaty was signed by plenipotentiaries of the United States and Haiti to establish some method of procedure while awaiting exchange of ratifications. The modus vivendi, however, was not carried out by the United States at this time owing to constitutional restrictions in the matter of appointing officers as officials without congressional action.

#### THE GENDARMERIE.

The American minister in Haiti on January 10 informed Rear Admiral Caperton that the State Department on January 8, 1916, had advised him concerning the organization of the gendarmerie; that it had been agreed between the State Department and the Haitian commission that "members of the gendarmerie shall form the personal guard of the President of Haiti and the gendarmerie shall be the sole police and military force of the country," thereby abolishing the palace guard as unnecessary.

On October 15, 1915, the Secretary of the Navy decided as follows:

"Article I, section 9, clause 8, of the Constitution of the United States prohibits any person holding any office of profit or trust under the United States from holding or accepting any office, present, or emolument, or title from any foreign State, unless Congress shall consent thereto. While officers of the United States on duty in Haiti could not without the consent of Congress hold office, receive emolument, etc., under the Haitian Government, they are not prohibited by the Constitution or any law of the United States 'from rendering a friendly service' to that State, such as assisting to organize a gendarmerie. (See Op. 13, Atty. Gen., 537, 538.) However, at the present date there is no authority whereby such officers could become officers in such a force by appointment from the Government of Haiti."

On June 12, 1916, an act to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Republic of Haiti was enacted, as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized, in his discretion, to detail to assist the Republic of Haiti such officers and enlisted men of the United States Navy and the United States Marine Corps as may be mutually agreed upon by him and the President of the Republic of Haiti: *Provided*, That the officers and en-

listed men so detailed be, and they are hereby, authorized to accept from the Government of Haiti the said employment with compensation and enrolments from the said Government of Haiti, subject to the approval of the President of the United States.

"SEC. 2. That to insure the continuance of this work during such time as may be desirable, the President may have the power of substitution in the case of the termination of the detail of any officer or enlisted man, for any cause: *Provided*, That during the continuance of such details the officers and enlisted men shall continue to receive the pay and allowances of their ranks or ratings in the Navy or Marine Corps.

"SEC. 3. That the following increase in the United States Marine Corps be, and the same is hereby authorized: Two majors, 12 captains, 18 first lieutenants, 2 assistant quartermasters with the rank of captain, 1 assistant paymaster with the rank of captain, 5 quartermaster sergeants, 5 first sergeants, 5 gunnery sergeants, and 11 sergeants.

"SEC. 4. That the following increase in the United States Navy be, and the same is hereby, authorized: One surgeon, 2 passed assistant surgeons, 5 hospital stewards, and 10 hospital apprentices, first class.

"SEC. 5. That officers and enlisted men of the Navy and Marine Corps detailed for duty to assist the Republic of Haiti shall be entitled to the same credit for such service, for longevity, retirement, foreign service, pay, and for all other purposes, that they would receive if they were serving with the Navy or with the Marine Corps."

Marine and naval officers were immediately appointed by the President of the Republic of Haiti after nomination by the President of the United States to officer and administer the Gendarmerie d'Haiti.

From October 18, 1915, to February 1, 1916, the gendarmerie acted in accordance with instructions issued by the expeditionary commander. On February 1, 1916, the following proclamation was issued changing those duties from purely police to include both military and police and absolutely supplanted the old régime:

" PROCLAMATION.

"Whereas the President of Haiti and his cabinet have decreed that on this date the commandants of communes and the chiefs of sections are abolished, and also that all military and police duties of the commandants of arrondissements are taken away, it is hereby ordered that, from this date, all the military and police duties heretofore performed by those officers be performed by the Gendarmerie d'Haiti supported by the expeditionary forces under my command."

Pursuant to this order, the gendarmes then in service were transferred to all parts of Haiti, both in the large and small towns, appropriate increase made in strength, and the gendarmerie took up its duties under the following instructions issued by the expeditionary commander regarding its functions:

1. Preservation of order.
2. Protection of individual rights.
3. Protection of property.
4. Supervision of arms.
5. Prevention of smuggling.
6. Protect and report on conditions of highways and bridges. When so ordered by the commandant of the gendarmerie, the gendarmes will require, according to law, the proper inhabitants to alter or repair public highways and bridges, and will supervise this work. At the request of the mayor of the commune they may, when ordered by the proper officer of the gendarmerie, undertake this work.
7. Protect and report on conditions of the telegraph and telephone service. When ordered by a commissioned officer of the gendarmerie, will have the authority to censor all messages and to take charge of any station or office when necessary for the good of the public.
8. Report on and supervise the use of the public lands according to law.
9. Protect and report on conditions of public buildings.
10. Collection of vital statistics, including the census, when ordered.
11. Report on and protect public irrigation works.
12. Enforce sanitary orders and regulations.
13. Report on and enforce regulations preventing spread of animal diseases.
14. Report on and enforce regulations preventing spread of epidemics.

15. Plenary control in time of great disorder following war, rebellion, earthquakes, typhoons, etc.

16. Control of prisons.

17. Issuance of permits for travel within the Republic.

18. Agricultural reports.

19. Require all weights and measures to conform to legal standards.

20. Enforce harbor and docking regulations.

These duties have since been modified as follows:

On August 24, 1916, in an agreement between the United States and Haiti the maintenance and operation of the telegraph and telephone lines were put under the engineer of Haiti.

On January 4, 1917, the Secretary of the Interior issued an order that permits for travel within the Republic were no longer necessary.

On May 31, 1919, the building, upkeep, and repair of roads were turned over to the direct supervision of the engineer of Haiti.

With these exceptions the duties and functions of the gendarmerie are as present as outlined above.

On August 24, 1916, the gendarmerie agreement (protocol to treaty) was ratified by the United States, and on the same date the commandant of the Marine Corps directed that the officers and enlisted men then serving be transferred out of the marine brigade and into the gendarmerie.

The difficulties with which the gendarmerie had to cope in the early days were almost multitudinous. The conditions, both urban and rural, the results of over a hundred years' custom, were suddenly changed, and these changes were manifestly not agreeable to the old officials replaced by this new organization.

On July 5, 1916, the municipal and rural police were abolished and the entire policing of Haiti placed in the hands of the gendarmerie. This had to be done as each commune had its own "private" police which extended into the sections of the commune and through custom and law degenerated to such an extent that the chief of section had the authority to require any citizen to arrest any other and countenanced arrests of which he had no previous knowledge.

The gendarme as a soldier has done excellent work not only under their white officers but under their native noncommissioned officers as well. On many occasions they have met and defeated greatly superior forces. From the date of their organization the native gendarme has on no occasion deserted his white officer.

The gendarmerie has direct charge of all the prisons and prisoners of Haiti. During the past year the number of prisoners had increased, due to captures made in the field. At each district headquarters there is a main prison. Each district and post have a "lockup."

The following is a list of district prisons, with a tabulation of prisoners of hand, June 30, 1920, and the number confined and released during the month of June, 1920:

Districts.	On hand June 30.	Confined during month.	Released during month.
Port au Prince.....	451	100	16
Pétionville.....	175	279	15
Petit Goave.....	289	267	20
Jacmel.....	113	155	13
Aux Cayes.....	171	111	17
Jeremie.....	126	74	6
Mirebalais.....	190	85	4
St. Marc.....	173	254	20
Gonaïves.....	387	327	20
Cape (civil).....	491	263	10
Cape (district).....	20	80	9
Port de Paix.....	132	113	11
Le Trou.....	34	18	1
Port Chabert.....	306	80	31
Grand Rivière.....	97	116	11
Ouanaminthe.....	116	275	20
Hinche.....	147	130	9
Croix La Source.....	54	76	2
Total.....	3,471	2,743	238

NOTE.—This table is practically the average number per month during the past year.

At the larger prisons, Port au Prince and Cape Haitien, the prisoners are taught a trade, and when their product is marketable they are given a percentage on their work. The money derived in this manner is given to them on release or may be allotted by them to their families if the term of confinement is for a long period. All the gendarme uniforms and the clothing for prisoners are manufactured by prison labor. A garden is required for prisons for the betterment of the gendarme and prison rations. At Post Chabert, near Cape Haitien, a prison farm is in operation, giving healthy, open-air work to over 100 prisoners. The idea of this farm is in addition to aiding the ration in cost, to experiment as to the methods of cultivation, mostly in native products, and to give the benefit of better methods to the Haitian general public, letting them graphically see the results. Gardens are also in operation at all posts.

Telegraph and telephone lines all over Haiti were put in working order and kept up by the gendarmerie, assisted by the occupation until turned over to the engineer. Since that time side lines necessary for official work were put in by the gendarmerie connecting Circa la Source, Hinche, Thomonde, Thomassique, Port de Paix, Valliere, etc., with the outer world. With the exception of the last two places the material was specially ordered from the United States and paid for by the gendarmerie. These lines are still kept up by the gendarmerie and held until such time as civil operators can be found to enter these localities and take over. Lately the engineer has supplied necessary repair material when needed.

With the exception of the larger seacoast towns the gendarmerie cooperating with the sanitary engineer of Haiti has supervision of the sanitary service practically over the whole island. Every gendarme post has a dispensary or small hospital where, in the absence of the sanitary service, inhabitants receive treatment free of charge.

Gendarmerie schools have been opened at all posts. This has been a godsend to the enlisted man and is greatly appreciated by them. Reading, writing, and simple figuring is as much as has been attempted so far.

The medaille militaire (Haitian medal of honor) was awarded to the following officers and men of the Constabulary Detachment. This medal is awarded for conspicuous conduct in the field:

Lieut. Col. F. M. Wise.	First Lieut. J. W. Knighton.
Lieut. Col. R. S. Hooker.	Second Lieut. H. H. Hanneken.
Maj. J. J. Meade.	Sergt. Joseph O. Vanhorn.
Maj. W. N. Hill.	Corpl. Archie M. Ackroyd.
Maj. W. W. Buckley.	Corpl. Clair S. Christian.
Maj. A. A. Vandegrift.	Corpl. Roger E. Kirchhoff.
Corpl. Eugene S. Jones.	Corpl. Manuel E. Perry.
Corpl. William R. Button.	Corpl. Lewis B. Puller.
Corpl. E. S. Winfrey.	Pvt. 1st Class M. F. Brown.
Corpl. H. R. Wood.	
Lieut. Commander J. S. Helm, M. C.,	
U. S. N.	

One hundred and five Haitien members of the gendarmerie received the medaille militaire. These presentations were made at Port au Prince and Cape Haitien by the president of Haiti with appropriate ceremonies. Congressional medals of honor were awarded to Second Lieut. H. H. Hanneken and Corpl. William R. Button for the successful attack on the *Charlemagne M. Peralte*.

The present organization of the gendarmerie is as follows:

Chief.....	1
Assistant chief.....	1
Directors, line.....	3
Director, quartermaster, paymaster.....	1
Director, medical.....	1
Inspectors, line.....	10
Inspectors, quartermaster.....	2
Inspectors, medical.....	2
Captains.....	18
Captain, inspector, Coast Guard.....	1
First lieutenants, line.....	23
First lieutenants, medical.....	3
Second lieutenants, line.....	39

Second lieutenants, medical.....	8
Second lieutenants, machine gun.....	10
First lieutenants, Coast Guard.....	3
First sergeants.....	12
Sergeants.....	112
Corporals.....	262
Field musicians.....	4
Privates.....	2,100

The pay of the enlisted personnel is as follows:

	Per month
First sergeants.....	\$25.00
Sergeants.....	20.00
Corporals.....	15.00
Field musicians.....	10.00
Privates.....	10.00

In addition to the above each gendarme is allowed 15 cents a day for rations. Clothing is furnished as needed, and with the exception of a few articles, such as belts, shoes, etc., is manufactured in prisons. The term of enlistment for the gendarmes is three years. The gendarmes are armed with the Springfield rifle loaned by the Marine Corps.

Without going into detail the gendarmerie is a complete military unit, modeled after our own organizations, having its own transport, medical, quartermaster and commissary services, post exchanges, etc.

Since the formation of the Gendarmerie d'Haiti, the following named officers of the Marine Corps have been chiefs of that organization: Maj. Smedley D. Butler, until May 1, 1918, when he was succeeded by Maj. Alexander S. Williams, who served as chief until relieved by Lieut. Col. Frederic M. Wise on July 19, 1919. Lieut. Col. Wise was relieved by Lieut. Col. Douglas C. M. Dougal on April 15, 1921.

#### CORVEE.

Soon after the American occupation of Haiti it was realized that good roads between the principal towns were a military necessity, for, due to the chaotic conditions prevailing in Haiti as a result of the almost incessant revolutions there were no roads in Haiti outside of the towns and cities, and communication between these points by land was almost impossible. The main trunk road from Port au Prince to Cape Haitien was impassable for wheeled traffic and required from two to three weeks to make the journey by animal.

By the word "corvee" is meant a system of enforced labor on roads. In Haiti such a system has formed a part of the law for many years, but prior to the American occupation it had not been enforced for some time. By the corvee system, men living in a district were required to work on the main road or artery in that district a certain number of days during each year. The Haitian Government was without funds to employ labor for road work or, in fact, for any public work. It was heavily in debt to the extent of some \$31,000,000, and the United States was trying to rehabilitate it. Naturally the first act of the United States was to enforce law and order and obtain peace throughout the land, and in order to accomplish this good roads were essential.

By authority of the President of Haiti, the law (Code Rural, sec. 3, Ch. V, arts. 52 to 65) requiring the inhabitants to do a certain amount of work on the roads was enforced. This was known as the corvee.

The gendarmie of Haiti, which was formed soon after the American occupation, acting for the Haitian Government, put into effect this old corvee law. Under this law the road to Cape Haitien was begun in October, 1917, and finished about December 31, 1917. When this road was completed the system continued, and although legal gradually fell from favor. The "membres agricoles" and "magistrats communaux," the Haitian officials who kept the lists of workmen and made out working details, saw a valuable source of income and to the advantage of it. Persons who did not wish to work could buy immunity, and the consequence was that to a great extent the same man, those who could not pay, were chosen for work over and over again. An attempt to remedy this was made by the issuance of certificates to the workmen signed by the local gendarmie officer, made upon the completion of each man's work. It was rumored that these certificates were destroyed by the Haitian officials unless bribes were forthcoming, but it was difficult to obtain proof on account of their

over the people. This, coupled with the fact that in some cases laborers were held overtime and worked out of their immediate localities, was the reason the corvée system became obnoxious to the people. The corvée was discontinued on October 1, 1918, and forbidden in any form, but unfortunately through a misinterpretation of this order the corvée continued in the Maissade-Hinche district for a while after this date. In order to make absolutely certain that this discontinuance was complete the following proclamation was published on August 22, 1919:

*"Citizens of Haiti:*

"The time has come to put a stop to further bloodshed. It has been necessary to use stern measures to repress the disorders in the north, and with the recent arrival of military engines we can use even sterner methods, but I hope, with your help, to be able to abandon such means. I ask your assistance, and I ask you to have faith in the good intentions which the President and people of the United States of America entertain toward your country.

"The corvée has been done away with entirely. Work on the roads is entirely voluntary and will be paid for daily. The workmen will be free to come and go when it pleases them; they shall be paid for the hours they work. Any injustices committed by native or American officials should be reported to American military officials, and justice will be done and the offender punished.

"It is the desire of the American people to establish security and prosperity in this country. It can not be done while the bandits burn and pillage. All good inhabitants should give the greatest assistance to officers and men of the occupation in suppressing the bandits. All natives who have been forced to join these thieves and bandits masquerading under the name of cacos, if they desire to resume their peaceful farming, have but to report to the American military officials, assure them of their peaceful intent and future loyalty, and a full pardon and all possible protection will be granted. This protection is impossible if the country people continue to support the bandits calling themselves cacos.

"I personally promise you that the United States Government only desires to give to the citizens of Haiti security and prosperity and the enjoyment of liberty, equality, and fraternity."

The following quotation from report of Rear Admiral H. S. Knapp, dated October 14, 1920, to the Secretary of the Navy, gives valuable information concerning this subject:

"55. One of the matters undertaken by the gendarmerie was the opening up of roads for wheel traffic. Under its auspices a road over 250 miles long was opened up from a point west of Port au Prince to Cape Haitien in the north, and, indeed, to Ouanaminthe in the northeast, on the Dominican border. This was a great achievement for the progress of Haiti, whose roads capable of taking wheel traffic had therefore been a negligible quantity. The road was built across the mountains for a considerable portion of its length and, in view of the fact that the gendarmerie is not by its organization provided with engineering talent, the achievement is all the more remarkable. In addition, other roads were built by the gendarmerie into the interior. The criticism of these roads has been made that they were built for military purposes. That they serve a military use is perfectly plain; but the critics, if they will take pains to inform themselves of the orders when the roads were built, will find that the stress laid on their building was to open up the country for the benefit of the inhabitants. The President of Haiti in public speeches has expressed high appreciation of the value of the roads constructed by the gendarmerie.

"56. These roads were built under what has come to be described as the 'corvée system of labor.' The Rural Code of Haiti contains a law relating to the maintenance and repairs of public highways, of which a copy has already been sent to the department in another communication. This law provides in article 54 that—

"Public highways and communications will be maintained and repaired by the inhabitants, in rotation, in each section through which these roads pass and each time repairs are necessary."

"Similar laws exist in the United States, but the word 'corvée' is not used in their connection. Article 53 of the same law provides that—

"Highways, public and private roads are placed under the supervision of the authorities and agents of the rural police."

"Other articles provide for the calling out of the necessary labor to maintain and repair the roads. The gendarmerie, after its organization, replaced

the rural police mentioned in this law, which went into effect January 1, 1865, and still remains upon the statute books. In applying the so-called corvée system the gendarmerie was acting under an existing law, and did so under an order of the President of Haiti.

"57. As at first applied, the inhabitants of the sections through which the road passed offered no objections, but quite the reverse, and the general sentiment was very favorable to the construction of the road, which in places was not new work but consisted of discovering and mending the old roads which existed at the time of the French in Haiti before independence, but which had become overgrown and in places entirely lost. The through road to the north was hailed on all sides as a signal mark of progress. As time went on, however, an abuse crept in; the inhabitants of other sections than those through which the road passed were forced to work on the roads. This undoubtedly created grave discontent, which was reflected in the attitude of the people. I find no authority in the Rural Code for taking the inhabitants from one section and making them work in another section, but I am convinced from what I have heard that this was done. The laborers worked under the supervision of the gendarmerie and hence were under military control. When not authorized by the Rural Code this was unjustified by law, and the whole practice, even legally administered, was a drawback to the development of the gendarmerie itself in its true function as the police agency of the country. The ranking officers of the gendarmerie at that time are not now in Haiti, and what has just been said must in justification to them be qualified by the statement that I have not been able since being here to ask any presentation of the case from their point of view. I am only able to state my conclusions, as far as I can reach them, from such investigations as I have made since my arrival in Haiti.

"58. At the instigation of the senior officer of the occupation in Haiti, the President, on October 1, 1918, directed the discontinuance of the use of the corvée system on the roads of the Republic, and the commanding officer of the gendarmerie issued an order in compliance with those instructions. Even then, however, the employment of corvée labor did not cease everywhere. The order of discontinuance did not mention, in at least one instance, a road where corvée labor was then employed, and the local commanding officer took the legalistic point of view that his section was not included under the terms of the order. However legally created, the effect was unfortunate. As soon as the fact did become definitely known in Port au Prince that the order was not being obeyed steps were at once taken to stop all corvée work. In one or two instances it did not cease then. For this the local officers in immediate charge, and especially the department commander of the north, in whose jurisdiction this disobedience of orders occurred, are responsible and blameworthy. The corvée is now nonexistent in any form. The law, however, has not been repealed, and it still may legally be put into operation by the Haitian Government. I personally believe the law to be a good one if legally administered.

"59. The roads that were built by corvée labor are invaluable to the progress of the country. Had they been built in strict accord with the law, a very praiseworthy achievement would have resulted, with no reproach of illegality, or even of overstepping the law, which reproach now seems to attach to a public work of such high value in itself."

#### GEN. LEJEUNE INSPECTS AND IS SATISFIED.

On October 4, 1920, Major General Commandant John A. Lejeune concluded a report to the Secretary of the Navy with this paragraph:

"During my tour of inspection in Haiti I found the marines to be in a highly efficient condition. Their health, except for some cases of malaria, was excellent. Their discipline was superb and their morale high. As I inspected the detachments located at isolated points far in the interior of Haiti, I was filled with admiration of their fine appearance and efficient condition. My heart was filled with pride to see these splendid men giving to their country and the Republic of Haiti such intelligent, zealous, efficient, and courageous service. I feel that the American people have every right to be proud of their representatives who are now wearing the uniform of the Marine Corps in Haiti."

#### THE MAYO COURT OF INQUIRY.

The Secretary of the Navy, under date of October 16, 1920, convened a court of inquiry, consisting of Rear Admiral Henry T. Mayo, as president, Rear Admiral James H. Oliver, and Maj. Gen. Wendell C. Neville, as additional members.

and Maj. Jesse F. Dyer, as judge advocate, to inquire into the alleged indiscriminate killings of Haitians and other unjustifiable acts by members of the United States naval service, including those detailed to duty with the Gendarmerie d'Haiti, against the persons and property of Haitians since the American occupation, July 28, 1915. The inquiry was completed on October 19, 1920, and the findings of the court follow:

#### FINDING OF FACTS.

1. The court finds that two unjustifiable homicides have been committed, one each, by two of the personnel of the United States naval service which has served in Haiti since July 28, 1915, and that 16 other serious acts of violence have been perpetrated against citizens of Haiti during the same period by individuals of such personnel.

2. The court finds further that these offenses were all isolated acts of individuals and that in every case the responsible party was duly brought to trial before a general court-martial, convicted, and sentenced.

3. The court has found no evidence of the commission of any other unjustifiable homicides or other serious unjustifiable acts of oppression or of violence against any of the citizens of Haiti or unjustifiable damage or destruction of their property caused by any of the personnel in question.

In view of the fact that the only unjustifiable acts found by the court to have been committed are those wherein disciplinary action has already been taken and where no further proceedings could be had in the matter, the court has not deemed it necessary to report further upon the question of responsibility.

#### CONCLUSIONS.

Referring to paragraph 2 of the precept, it is the conclusion of the court that there have been no proper grounds for the statement that "practically indiscriminate killing of natives has been going on for some time" as alleged in the letter from Brig. Gen. George Barnett, United States Marine Corps, to Col. John H. Russell, United States Marine Corps.

Referring to the amendment of the precept calling for the conclusions of the court as to the general conduct of the personnel of the naval service in Haiti since July 28, 1915, the court does not consider that the small number of isolated crimes, or offenses that have been committed by a few individuals of the service during the period in question are entitled to any considerable weight in forming a conclusion as to the general conduct of such personnel. It was inevitable that some offenses would be committed. However, considering the conditions of service in Haiti, it is remarkable that the offenses were so few in number and that they all may be chargeable to the ordinary defects of human character, such defects as result in the commission of similar offenses in the United States and elsewhere in the best regulated communities.

The general conduct of our troops of occupation can be fairly judged by the results of that occupation.

Now, for the first time in more than a hundred years, tranquillity and security of life and property may be said to prevail in Haiti.

The Haitian people themselves welcomed the coming of our men and are unwilling to have them depart.

The establishment and maintenance of tranquil conditions and then of security of life and property all over the Republic of Haiti has been an arduous and dangerous and thankless task. That task our marines have performed with fidelity and great gallantry.

The court can not refrain from recording its opinion of much, and that the most serious part, of the reflections which have been made upon the officers who have served in Haiti.

The outstanding characteristic of those officers, from the brigade commander down, has been their sympathetic attitude toward every step that would lead to a betterment of the country and to improvement in the physical, mental, and moral conditions of the population.

With slender resources and inadequate administrative authority, they have accomplished much, where anything more than suppression of organized insurrection seem impossible.

The above remarks apply with particular force to those officers and enlisted men of the Marine Corps who have been serving as officers of the gendarmerie of Haiti.

After a careful study of the matters in issue, based not only upon the evidence in the record, but also upon other original and reliable sources of information, and the court's own observations while in Haiti, the court regards the charges which have been published as ill considered, regrettable, and thoroughly unwarranted reflections on a portion of the United States Marine Corps, which has performed difficult, dangerous, and delicate duty in Haiti in a manner which, instead of calling for adverse criticism, is entitled to the highest commendation.

The record of the proceedings of this twenty-first day of the inquiry was read and approved, and the court having finished the inquiry, then at 11 o'clock a. m. adjourned to await the action of the convening authority.

#### LITERACY AND EDUCATION IN HAITI.

Illiteracy in the Republic of Haiti has been conservatively estimated to be at from 95 to 98 per cent. On December 3, 1920, Major General Commandant John A. Lejeune, signed the following indorsement to the Secretary of the Navy, the subject of the indorsement reading "Carrying out the terms of the treaty between the United States of America and the Republic of Haiti by organizing and administering an educational system (including primary) for the Republic of Haiti":

"1. This correspondence is forwarded with the strongest approval and expressing the opinion that it will not be until the United States seriously assumes the duty of educating the Haitians and pursuing such duty to a satisfactory conclusion that the pacification and occupation of the Republic of Haiti, which has been so successfully accomplished, will bear fruit; and further that the law of the United States, and the treaty proclaimed May 3, 1916, will not only permit but requires the performance of this duty.

"2. Under the provisions of the act of June 12, 1916 (39 Stat., 223), the President of the United States is authorized in his discretion, to detail to assist the Republic of Haiti such officers and enlisted men of the Navy and Marine Corps as may be mutually agreed upon by him and the President of the Republic of Haiti, and personnel so appointed are authorized by this act to accept such employment with compensation and emoluments from the Republic of Haiti, subject to the approval of the President of the United States.

"3 The above-mentioned law was enacted solely for the purpose of carrying into effect the terms of the treaty between the United States and the Republic of Haiti proclaimed May 3, 1916, and while up to the present date its provisions have been exerted mainly for the carrying out of Articles X and XIII of the treaty concerning the gendarmerie and engineers, it is in no way restricted in its operation to those purposes, and it contains adequate authorization for the purpose of detaching personnel of the Navy and Marine Corps to initiate, organize, and administer a system of education for the Republic of Haiti.

"4. While the subject of education is not expressly mentioned in the treaty, as is the Gendarmerie d'Haiti, sanitation, etc., nevertheless important provisions of the treaty can not be carried out unless the United States and the Republic of Haiti, by protocol or separate agreement based on certain general provisions of the treaty, agree to have education (including primary) in the Republic of Haiti administered in a manner similar to that prescribed in Article X of the treaty for the preservation of domestic peace by the gendarmerie. While such action might be based upon moral grounds or upon the expedient of following a path necessary to the rehabilitation of Haiti, it is believed that the treaty contains sufficient and adequate authority upon which to proceed. Surely such an injection of assistance by the United States into the internal affairs of Haiti should be less criticizable than that in matters pertaining to the armed forces of the Republic through which sovereignty is usually maintained.

"5. In effect, the treaty was negotiated and ratified by both States for the purpose of assisting in the 'economic development and prosperity' of the Republic of Haiti (preamble), for the 'efficient development of its agricultural, mineral, and commercial resources and in the establishment of the finances of Haiti on a firm and solid basis' (Art. I), to 'promote material prosperity' (Art. IX) for the 'development of its natural resources' (Art. XIII), and for the 'sanitation and public improvement of the Republic' (Art. XIII). None of these can be accomplished unless the education of the Haitian people, beginning at the bottom, is made possible by the assistance, contemplated by the treaty, by the United States.

"6. Particular attention is invited to Article XIV providing that the United States of America and the Republic of Haiti shall have authority to take such steps as may be necessary to assure the 'complete attainment of any of the objects comprehended in this treaty,' and also to the words of the preamble reading that 'the United States being in full sympathy with all of these aims and objects and desirous to contribute in all proper ways to their accomplishment.'

"7. Without considering what might have been avoided by the inclusion of an article in the treaty providing for performance of this serious duty, or that the United States might have anticipated a failure on the part of the Haitian Government to efficiently and satisfactorily perform this duty of education, the fact confronts the United States at this time that the duty has been unperformed and also that it is highly improbable that unless the United States does assist, the Republic of Haiti will never evolve to such a self-sustaining status that the United States would be justified in withdrawing. An occupation of a foreign country, though best-intentioned, is doomed to failure if it begins and ends in a military phase.

"8. At the present time the effort of American officials, including Marine Corps and Navy personnel, have been limited to moral suasion and to influencing the Haitian officials and Haitian public opinion toward administering an efficient system of education, and these efforts, limited as they are, have failed.

"9. It might be remarked that the treaty was not negotiated primarily for the purpose of permitting the United States to conduct indefinitely those activities included within the treaty phrase of 'aims and objects,' but rather for the education of the Haitian people and thus enabling the Republic of Haiti to become a self-sustaining and 'going' State. The act of taking over certain functions of the Government was a mere incident in the course of events contemplated by the treaty, the final of which being that of turning back a practically perfect governmental machine to a people educated and capable of administering and maintaining it level with an efficient standard.

"10. The United States may install the most excellent road system, it may establish the most efficient Gendarmerie to maintain domestic peace and police, it may place sanitation upon a healthful basis, it may assist in the economic development and prosperity, and may arrange the finances satisfactorily, but if the Haitian people themselves are not elevated by education to the plane on which the people of an average modern State dwell, no positive and enduring benefit will have been conferred upon them, and the occupation will have been in vain, unless they have been educated to the degree that they are able to conduct their own affairs unaided by an occupying force.

"11. In conclusion, the recommendation of the brigade commander, approved by Rear Admiral Knapp, is approved, that a protocol or separate agreement be arranged with the Republic of Haiti, providing for the administration of educational matters, including primary education, in a manner similar to that outlined in Article X for the Gendarmerie."

The Secretary of the Navy in forwarding the above to the Secretary of State placed on it the following indorsement:

"This correspondence is forwarded with the strongest approval of the Navy Department. The opinion of the Major General Commandant, 'It will not be until the United States seriously assumes the duty of educating the Haitians and pursuing such duty to a satisfactory conclusion that the pacification and occupation of the Republic of Haiti, which has been so successfully accomplished, will bear fruit,' is concurred in.

"The Navy Department will be pleased to assist in such manner as may be possible and practicable in establishing and administering an efficient educational system for the Republic of Haiti with the object of enabling that Republic to reach such a self-sustaining status as will justify the United States in withdrawing its military forces therefrom."

#### TWO INTERESTING LETTERS.

The Secretary of the Navy and the Major General Commandant of the Marine Corps frequently receive letters praising the work of the naval service in the Republic of Haiti. The following replies by Gen. Lejeune to two of these letters, dated November 15 and 19, 1920, respectively, are of interest:

"I was particularly interested in your statement, which I believe is a correct conclusion, that the few irregular acts on the part of marines toward the Haitians were the acts of individuals and not a part of the policy established

by those in positions of responsibility, and that the responsible officers have always been deeply chagrined by the occasional failures of their subordinates to carry out not only their definite orders and instructions but the principles to which all civilized peoples are devoted.

"As far as the participation of the Marine Corps in these affairs is concerned, it not only must but is satisfied to stand on its record, even though such record has been marred by the occasional unauthorized acts of individuals, and there is not the slightest desire to evade responsibility for any incident. Every general rule of normal human conduct has an occasional variation, and the general rule of a successful administration of Haitian affairs, from the Marine Corps point of view, has I am sure been proved by the exception. Unfortunately, the almost consistent success of the marines' good work has been smothered by the publicity accorded the exceptions.

"Your reference to the illiteracy of the Haitian people, which you estimate is from 95 to 98 per cent, is quite pertinent, and I believe that it will not be until the United States seriously assumes the duty of educating them and pursues such duty to a successful conclusion that the pacification of the Republic of Haiti, which has been so successfully accomplished, will bear fruit.

"Upon my recent visit to both of these countries, I found the military situation and general condition to be excellent in so far as the Marine Corps was responsible, and your words and those of many others who have been kind enough to express themselves to me would indicate that the general American public will in the end undoubtedly take this viewpoint and accord to their fellow Americans, who have so unselfishly taken up this work, a degree of praise and vindication which will compensate them for the unmerited criticism caused by the delinquencies of a few individuals."

"Those parts of your letters which refer to sanitation, and its improvement under the occupation, to the roads built, to the political condition of Haiti, and to the improvement in Haitian finances proved very interesting to me. I was particularly interested in that part of your letter which outlines the duties of the United States to be: First, 'to put down rebellion, obtain arms and ammunition, and to restore order in the country'; second, 'to provide sanitation'; third, 'to form a government for the Haitians which would be stable and secure'; fourth, 'to ascertain, adjudge, and liquidate the debts'; fifth, 'teach the Haitians how to govern themselves'; and sixth, 'turn the Government over to the Haitians for their own governing when the Haitians were capable of self-government.'

"I am sure that the great majority of Americans will agree with your conclusions that the purpose is evident that the United States desires to give to Haiti a permanent, stable and safe government, and in the meantime and while working out its destiny to educate the Haitian so that he may take over the management of that government when he is able to do so."

#### SECRETARY DENBY VISITS HAITI.

The Secretary of the Navy on March 27, 1921, arrived in Port au Prince and on the same day, in company with the American minister, called on the President of the Republic of Haiti. The Secretary afterwards inspected the marines' and gendarmes' posts in Haiti and crossed the border into the Dominican Republic on March 30, 1921. Secretary Denby, upon his return to the United States, expressed high praise of the marines' work in Haiti.

#### OFFICERS IN COMMAND.

Rear Admiral W. B. Caperton, commander cruiser force, was senior naval officer present from July 28, 1915, to July 19, 1916, when he was relieved by Rear Admiral C. F. Pond, who in turn was relieved by Rear Admiral H. S. Knapp on November 22, 1916.

Since March 31, 1917, these naval officers have held the designation of military governor of Santo Domingo and military representative of the United States in Haiti. When the revolution broke out in the Dominican Republic in May, 1916, Rear Admiral Caperton proceeded to the city of Santo Domingo and assumed control of the situation. From that date on he and his successors resided in that city and despite the above-mentioned title could, if necessary, exercise but little direct control over Haitian affairs.

Rear Admiral Thomas Snowden on February 25, 1919, relieved Read Admiral Knapp, and remained in command until relieved by Rear Admiral S. S. Robison, June 2, 1921.

The following-named officers of the Marine Corps have been in command of the First Provisional Brigade, United States Marine Corps, ashore in the Republic of Haiti, since the formation of that brigade: Col. Littleton W. T. Waller, until November 22, 1916, when he was relieved by Col. Eli K. Cole. Col. Cole was relieved by Col. John H. Russell on November 28, 1917. Brig. Gen. Albertus W. Catlin on December 7, 1918, relieved Col. Russell and was succeeded on July 15, 1919, by Lieut. Col. Louis McC. Little. Lieut. Col. Little was relieved on October 1, 1919, by Col. John H. Russell, who is at present in command. Since May, 1916, these officers have virtually been in control of naval affairs in the Republic of Haiti, in view of the demands made upon the time of above-mentioned naval officers by Dominican affairs.

This memorandum practically contains no reference to military operations. Such is unnecessary, except to state that the marines successfully carried out the major mission assigned to them by the Navy Department that acted in accordance with the requests of the Department of State. This major mission was the military one of pacification and the maintenance of peace and order in the Republic of Haiti.

In addition to having so thoroughly completed their military mission, the marines have done everything legally within their power to assist the Haitian people and their Government. It would take many pages to adequately describe the constructive measures they have carried out. Handicapped by a total absence of any express control over education, judiciary, agricultural, etc., systems, they have done what they could through informal and persuasive methods. The gendarmerie is a monument to the military, administrative, and executive efficiency of the marines. They pay all the Haitian civil employees coming under their jurisdiction and there is yet to be any malfeasance in such duty. They have built roads, administer the telegraph and telephone systems, assist in agricultural matters, hold schools for the gendarmes, and so on. The contrast between the ordinary natives and the native gendarme is so marked that any observing American is thrilled with pride in viewing the superior condition, both physically and mentally, of the latter. When it is realized that the mission of the marines in Haiti is first the pacification and maintenance of order and the constitutional government, the success achieved by him in these matters beyond the military is remarkable and encourages those interested in Haiti to believe in the ultimate success of the occupation.

#### INVESTIGATION BY SENATE COMMITTEE.

Three Haitian delegates (H. Pauléus Sannon, Sténio Vincent, and Perceval Thoby) who visited Washington on May 9, 1921, with the purpose of presenting memorials to President Harding, the State Department, and Congress, demanding the withdrawal of the United States military forces, the immediate abolition of martial law and courts based on it, abrogation of the convention of 1915, and the convocation of a constituent assembly, issued a copy of the memorial on May 8, 1921, in which were repeated such charges against our military forces as caused an investigation to be made by the Navy Department through the medium of the Mayo court of inquiry in 1920. On May 9, 1921, Secretary of the Navy Denby stated that the Navy Department welcomed any investigation that Congress might care to make. "The Marine Corps did a splendid work there as humanely as it was possible to do it," Secretary Denby is quoted as saying, "and the Naval Establishment has functioned in Haiti in a manner seldom equalled by military occupation anywhere." When he visited Haiti recently on a tour of inspection he saw evidence on every hand, Mr. Denby said, to convince him that the continued presence of American marines on the island was desirable.

The first meeting of the Senate committee, of which Senator Medill McCormick is chairman, was held on August 5, 1921.

#### THIS MEMORANDUM IS BUT A SYNOPSIS.

The foregoing is but a brief and synoptical summary of the events occurring in the Republic of Haiti. In order to ascertain any desired details, the annual reports of the Secretary of the Navy, reports of the Major General Com-

mandant, particularly those of Gens. Lejeune and Barnett, the various reports of Rear Admiral H. S. Knapp, and the files, records, and archives of the Navy Department and Marine Corps should be consulted.

Capt. FREEMAN. This matter I have is with regard to the Dominican Republic. The CHAIRMAN. Will you leave that with us?

Capt. FREEMAN. Yes, sir.

The CHAIRMAN. Any additional matter that you care to present next week we will be glad to have.

Senator KING. Do you mean to say that is the case of the Navy with respect to the Dominican Republic?

Capt. FREEMAN. I do not mean, Mr. Senator, that it is a case, because we are not making a case. It is a statement of the facts. It is simply an attempt to state the facts in relation to the occupation and administration of the Dominican Republic.

The CHAIRMAN. Let me suggest that I do not conceive that the committee ought to address itself to the consideration of a case. This inquiry is pretty broad in its scope.

Senator KING. I used the word "case" as a sort of generic term. The presentation of the facts as they consider them to be is what I meant.

Capt. FREEMAN. That is what it is intended to be—a summary of the facts in regard to the occupation and subsequent administration of the Dominican Republic to date.

Senator KING. Upon reading the presentation by Mr. Knowles and those whom he represents would it necessitate a revision and a review or a supplementing of this document? If so, it occurs to me, if you have got to file another, that you better keep this until you can bring it down to date. Of course I am only saying that in the interest of saving the expense of printing. We do not want to print two statements.

The CHAIRMAN. I think we want their statements independently of one another in the first instance. We will receive your statement if there is no objection.

(The matter referred to is here printed in full, as follows:)

#### OFFICIAL DOCUMENTS AND CORRESPONDENCE ON DOMINICAN REPUBLIC.

There are in print available for distribution the following volumes treating in part or in whole of the Dominican Republic:

Annual reports of the Secretary of the Navy, 1916, 1917, 1918, 1919, 1920. Attention is especially invited to Appendix D of the Report of 1920.

Santo Domingo; Its Past and its Present Condition. Prepared by members of the military government of Santo Domingo.

Report on Economic and Financial Conditions of the Dominican Republic. Lieut. Commander Arthur H. Mayo, Supply Corps, United States Navy.

Report of Department of State of Finance and Commerce of the Dominican Republic, 1916-1919, with Estimates for 1920. Lieut. Commander Arthur H. Mayo, Supply Corps, United States Navy.

In addition there are available in the files of the Navy Department:

Seven bound volumes of correspondence covering Santo Dominican affairs during the years 1905, 1906, 1911.

Collections of executive orders issued by the military governor of Santo Domingo.

Quarterly reports of the military governor of Santo Domingo.

Records of military commissions and other military courts held in the Dominican Republic.

Special reports and general correspondence relating to the Dominican Republic.

[Memorandum on Dominican Republic prepared for Senate committee appointed to inquire into the occupation and administration of the territories of the Republic of Haiti and the Dominican Republic by the forces of the United States.]

NAVY DEPARTMENT,  
OFFICE OF NAVAL OPERATIONS,  
Washington, August 5, 1921.

The Dominican Republic, occupying the eastern two-thirds of the island of Haiti, was proclaimed on February 27, 1844, and the present flag of the Republic was raised. This inception of the present Republic represented a suc-

successful revolt against the then Haitian (black) ruler of the Spanish-speaking survivors of a series of wars and uprisings extending over the beginning of the nineteenth century. A constitution, modeled after our own, was promulgated in November, 1844, and the commanding general of the Dominican army was elected president. He resigned in August, 1848, in the face of a threatened revolution and two successive presidents were in power during the next 18 months. The third president of the Republic was the first to serve a full term of office. Following his administration, revolution succeeded revolution in seemingly endless sequence. These civil quarrels of the Dominicans, interspersed with wars with Haiti, brought about an occupation of the Republic by Spanish troops from 1861 to 1865. When the Spanish troops were withdrawn, following a two years' revolt against their rule, and it is to be noted that the Dominican people actually fought against the Spanish occupation, after bearing with it from March, 1861, to August, 1863, the revolutionary struggles for political power continued and have marked the history of the country up until its occupation by United States forces.

The steps leading up to the present occupation by United States forces may be traced back to 1904. The culmination of more than a half century of revolutions was a hopeless piling up of the public debt and ultimately, in 1904, the default of the entire interest on this debt. Negotiations were entered into which resulted in arrangements being made to liquidate the debts owed the United States by pledging the customhouse receipts of some of the larger ports as security. On October 20, 1904, an American agent was, by agreement with the Dominican Government, placed in charge of the customhouse at Puerto Plata.

Foreign nations, noting the success of this plan, began to exert pressure with a view to securing the payment of their debts through control of certain customhouses pledged to them. Foreign intervention becoming imminent, the Dominican Government applied to the United States for assistance, and, in February, 1905, the protocol of an agreement between the United States and the Dominican Republic was approved, providing for the collection of the Dominican customs revenues under the direction of the United States, and the segregation of a specified portion toward the ultimate payment of the debt. This agreement went into effect on April 1, 1905, and continued as the *modus vivendi* until superseded by a new fiscal treaty agreed upon by the United States and the Dominican Congress, and taking effect on August 1, 1907. The provisions of this fiscal treaty still apply and require that the customs revenues of the Republic be collected by a general receiver of Dominican customs, appointed by the President of the United States, and that a portion of the income be set aside by him for the service of the bond issues made by the Dominican Government for the defrayment of the public debt.

Although the political leaders could no longer count on captured customhouses to give them an immediate financial return on their revolutionary activities, revolutions nevertheless continued. This unsettled condition of the country necessitated the maintenance of a considerable naval force in Dominican waters, in order that our assistant collectors of customs might not be at the mercy of irresponsible mobs or bands of irregular troops. During 1905 an average of 11 vessels, mostly of the gunboat and cruiser type, was continuously maintained in Dominican waters throughout the 12 months of the year. This force was a source of considerable expense and constant concern to the Navy Department. The number of vessels decreased in subsequent years, as the country gradually accepted the idea of American customs receivers in its ports, but the repeated revolutions and disturbances continued to give concern, and our naval vessels in Dominican waters were a familiar sight until after the establishment of the occupation. Now, visits of strictly military units are very rare, naval communication with the Republic being largely confined to transports and cargo vessels.

While it may be admitted that conditions improved somewhat in the Dominican Republic after 1905, it may be well to indicate the almost continuous condition of turmoil and agitation, which existed even after the prize of office yielded less financial return than when all of the revenues of the Republic were at the disposition of the Government. As a result of a revolution, Gen. Carlos F. Morales became President on June 19, 1904. It was during his administration that the collection of Dominican customs by American agents began. Naturally, the "outs" strongly opposed this method of assuring the payment of the public debt, and the agitation against Morales finally reached such a violent stage that he fled the country to save his life. He returned ulti-

mately, and resigned on January 12, 1906, the vice president, Gen. Ramon Caceres, assuming the presidency. Caceres completed his term of office and was reelected on July 1, 1908.

There followed various uprisings of political malcontents and a border clash with Haiti also occurred. Then on November 19, 1911, Caceres was assassinated by political conspirators, and Senator Eladio Victoria was designated provisional president by the National Assembly (both houses of the Dominican Congress). On February 27, 1912, he was duly elected constitutional president, but the method of his election was contested by opposing factions, and uprising began throughout the country. When it became evident that the Government could not control the situation, the United States Government offered its good offices. As a result of joint negotiations, the Dominican Congress convened, accepted the resignation of Victoria, and designated Monseigneur Adolfo A. Nouel, archbishop of Santo Domingo, as President. The archbishop appears to have recognized the hopeless state of the Government, due to the inability of the professional politicians to accept anything except personal success in the shape of appointments and patronage. He therefore resigned and left for Europe. He has since returned and continues his labors as a public-spirited citizen.

The Dominican Congress filled the vacancy caused by the resignation of the archbishop by designating Gen. Jose Bordas Valdez provisional president. He assumed office on April 14, 1913, with a view to serving out a one-year term. His assumption of office was the signal for another revolution. Again a United States commission came to Santo Domingo. The agreement then arrived at provided for the resignation of Bordas, and the Dominican Congress designated Dr. Ramon Baez, son of a former president, as provisional president on August 27, 1914. The agreement also provided for the general election of a constitutional president, and the popular elections which followed resulted in the reelection of a former president, Juan Isidro Jimenez.

Through this series of uprisings and revolutions we come to the situation that confronted the United States during that delicate period when, with a World War gathering headway, the usual international checks and balances were all awry. The Dominican Congress needed money. The customs receipts were in the hands of the United States. The internal revenues were undependable and might, and very generally did, fall into the hands of a local political chief at any time. The granting of an increasing number of foreign concessions, therefore represented an easy means of acquiring quickly the needed ready money to finance the mushroom governments. German and British influence possessed considerable strength in the country, the former doubtless preponderant. The Dominican Republic would prove a military base of importance for commerce-destroyers if it could be involved in the European struggle. The whole influence of our country was being thrown on the side of preserving neutrality and preventing a spread of the European quarrel to the Western Hemisphere.

Fortunately the election of Jimenez, who took office on December 5, 1914, was followed by a brief period of comparative calm in the Dominican Republic. The elements of disorganization were present, however, awaiting favorable opportunity for expression. In April, 1916, Gen. Desiderio Arias, secretary of war, executed a coup d'etat, deposed Jimenez, and seized the executive power. At this point the United States Government intervened and with the consent of the rightful though deposed President, Jimenez, landed naval forces on May 5, 1916, and pacified Santo Domingo City, the capital. Jimenez then resigned, and the council of ministers assumed control of affairs.

During June, 1916, United States naval and marine forces were landed at various points in the country with a view to putting an end to the rebellion still being actively fostered under the leadership of Gen. Arias. A short and decisive campaign of about two weeks was conducted by the marines under the command of Col. Joseph H. Pendleton in the north of the island, which resulted in the quelling of organized opposition and the occupation of the principal north coast ports. Thereafter the important interior points of the country were occupied without serious difficulty, and peace was restored, except for the operation of bandit bands.

Meanwhile the Dominican Congress convened, following the resignation of President Jimenez, and designated as provisional president Dr. Federico Henriquez y Carvajal to serve for a period of six months. It is to be observed that the Dominican constitution of 1908, which is still in force, did not provide for a vice president, the motive doubtless being to avoid the temptation afforded to the incumbent of that office to do away with his chief and establish himself in

power. The Dominican constitution provides, however, that the Congress shall designate by law the person to fill the office of the presidency in case of the incapacity, resignation, removal, or death of the President, and the secretaries of state (council of ministers) are obliged to convoke the Congress for this specific purpose immediately when the vacancy exists.

Our international relations were now rapidly approaching a critical stage. It was highly desirable to have peaceful conditions close to our own boundaries, and the United States Government therefore stipulated that a new treaty be drawn with the new Dominican Government guaranteeing the maintenance of law and order and further assuring the payment of Dominican financial obligations. This treaty was in reality the price of recognition, and Dr. Henriquez refused to accede to the terms. Thereupon the United States authorities refused to pay over any of the revenues of the Republic. There being no surplus in the treasury, Government salaries ceased throughout the Republic. This deadlock continued from early August, 1916, until late November of the same year, when, all efforts to induce the Dominican authorities to conduct their Government in a manner conducive to the maintenance of internal peace and to the satisfactory conduct of foreign relations having proved of no avail, the United States Government on November 29, 1916, proclaimed a state of military occupation of the Dominican Republic by the naval and marine forces of the United States and made the Republic subject to military government. The proclamation of occupation, prepared in its essentials in the city of Washington, was issued by Capt. H. S. Knapp, United States Navy, commander cruiser force, United States Atlantic Fleet, and over his signature, and was in the following words:

"PROCLAMATION OF OCCUPATION.

"Whereas a treaty was concluded between the United States of America and the Republic of Santo Domingo on February 8, 1907, Article III of which reads:

"Until the Dominican Republic has paid the whole amount of the bonds of the debt its public debt shall not be increased except by previous agreement between the Dominican Government and the United States. A like agreement shall be necessary to modify the import duties, it being an indispensable condition for the modification of such duties that the Dominican Executive demonstrate, and that the President of the United States recognize, that, on the basis of exportations and importations to the like amount and the like character during two years preceding that in which it is desired to make such modification, the total net customs receipts would at such altered rates of duties have been for each of such two years in excess of the sum of \$2,000,000 United States gold"; and

"Whereas the Government of Santo Domingo has violated the said Article III on more than one occasion; and

"Whereas the Government of Santo Domingo has from time to time explained such violation by the necessity of incurring expense incident to the repression of revolution; and

"Whereas the United States Government, with great forbearance and with a friendly desire to enable Santo Domingo to maintain domestic tranquillity and observe the terms of the aforesaid treaty, has urged upon the Government of Santo Domingo certain necessary measures which that Government has been unwilling or unable to adopt; and

"Whereas in consequence domestic tranquillity has been disturbed and is not now established, nor is the future observance of the treaty by the Government of Santo Domingo assured; and

"Whereas the Government of the United States is determined that the time has come to take measures to insure the observance of the provisions of the aforesaid treaty by the Republic of Santo Domingo and to maintain the domestic tranquillity in the said Republic of Santo Domingo necessary thereto:

"Now, therefore, I. H. S. Knapp, captain, United States Navy, commanding the cruiser force of the United States Atlantic Fleet, and the armed forces of the United States stationed in various places within the territory of the Republic of Santo Domingo, acting under the authority and by direction of the Government of the United States, declare and announce to all concerned that the Republic of Santo Domingo is hereby placed in a state of military occupation by

the forces under my command, and is made subject to military government and to the exercise of military law applicable to such occupation.

"This military occupation is undertaken with no immediate or ulterior object of destroying the sovereignty of the Republic of Santo Domingo, but, on the contrary, is designed to give aid to that country in returning to a condition of internal order that will enable it to observe the terms of the treaty aforesaid, and the obligations resting upon it as one of the family of nations.

"Dominican statutes, therefore, will continue in effect in so far as they do not conflict with the objects of the occupation or necessary regulations established thereunder, and their lawful administration will continue in the hands of such duly authorized Dominican officials as may be necessary, all under the oversight and control of the United States forces exercising military Government.

"The ordinary administration of justice, both in civil and criminal matters, through the regularly constituted Dominican courts will not be interfered with by the military government herein established; but cases to which a member of the United States forces in occupation is a party, or in which are involved contempt or defiance of the authority of the military government, will be tried by tribunals set up by the military government.

"All revenue accruing to the Dominican Government, including revenues hitherto accrued and unpaid, whether from custom duties under the terms of the treaty concluded on February 8, 1907, the receivership established by which remains in effect, or from internal revenue, shall be paid to the military government herein established which will, in trust for the Republic of Santo Domingo, hold such revenue and will make all the proper legal disbursements therefrom necessary for the administration of the Dominican Government, and for the purposes of the occupation.

"I call upon the citizens of, and residents, and sojourners in Santo Domingo, to cooperate with the forces of the United States in occupation to the end that the purposes thereof may promptly be attained, and that the country may be restored to domestic order and tranquillity, and to the prosperity that can be attained only under such conditions.

"The forces of the United States in occupation will act in accordance with military law governing their conduct, with due respect for the personal and property rights of citizens of and residents and sojourners in Santo Domingo, upholding Dominican laws, in so far as they do not conflict with the purposes for which the occupation is undertaken.

"H. W. KNAPP,

*"Captain, United States Navy,*

*"Commander Cruiser Force, United States Atlantic Fleet.*

"U. S. S. 'OLYMPIA,' FLAGSHIP,

"SANTO DOMINGO CITY, DOMINICAN REPUBLIC,

"November 29, 1916."

22. The military government established under Capt. (later Rear Admiral) Knapp as the first military governor of Santo Domingo has continued in force throughout the Dominican Republic ever since. It suffered, however, an unexpected evolution almost at its inception because of the refusal of the leading Dominican authorities to function with but under it, as called for in the terms of the proclamation. The situation which developed is perhaps best expressed in the words of the military governor as follows:

"After the issuance of the proclamation of military government, I waited for some days to see if the members of the provisional government would in any way cooperate with the military government in carrying on the ordinary administration of affairs. The hope that I had in this direction proved to be unfounded, and I was assured by persons most familiar with conditions here that I could expect no assistance of the kind. I established the offices of the military government in the Government palace. Upon taking possession, it was found that the President and all of the members of the cabinet had come to their offices after the proclamation of military government, had cleaned out their desks, and had not since appeared in the Government palace. It was an evident case of desertion. Under the circumstances, as the affairs of government had to go on under intelligent administration, I placed the several departments of the Dominican Government in charge of officers under my command.

"This action was forced upon me by the attitude of the members of the Dominican Government. It did not appear possible to get Dominicans of the proper caliber who would accept these high administrative offices, for they were afraid of the criticism that they would receive from their own people.

I could not force Dominicans into office, but I was able to direct officers under my command to assume these duties. The action taken prevented the utter disorganization of governmental administration. There were, moreover, some particular reasons why it was necessary to have some of the cabinet offices promptly filled. It was desirable to begin as soon as possible public works, which had been interrupted by the state of turmoil that had existed, and by the arrangements under the treaty of 1907 the necessary funds required the signature of Dominican officials before they could be withdrawn from the Guaranty Trust Co., of New York, which is the depository of the Dominican loan.

"The result has been most fortunate. Unforeseen as the action taken was to me when I came to Santo Domingo, looking back, I now consider that it has helped enormously in the progress of the objects for which the occupation was undertaken. The American officers have been administering their departments with a high degree of intelligence and zeal, and, of course, with integrity and freedom from affiliations here that have never been questioned in them, but could not have been counted upon with Dominican officials: Had Dominicans remained in office, I should have had to have their actions constantly observed in any event; but the advantage of having officers actually administering, instead of observing and checking the administration of others, has been evident. Not only is this true from the point of view of the military government but it is true also from the point of view of many disinterested Dominicans. I have myself been asked, almost begged, by Dominicans not to disturb the existing order of things for a long period; not to think of putting Dominicans in these offices, but to continue the administration of affairs through the American officers, whose work is giving such great satisfaction to all disinterested people and whose presence in the responsible Dominican offices is resented only by the class which has brought the Dominican Government to the low plane which has made it a reproach. I can not claim any prevision leading up to my action, but I regard that action, taken by force of circumstances, as the most fortunate thing that could have happened.

"The sessions of the Dominican Congress, by the constitution in effect, begin on the 27th of February, which is the day celebrated as the anniversary of independence. The sessions last for 90 days, and may be prolonged for 60 days more. Every two years the terms expire of one-half of the deputies and one-third of the senators. Upon the advent of military government there were calls for election which had been issued by the late provisional government to fill these vacancies. The holding of elections at that time was out of the question in the minds of all persons whom I consulted, including Dominicans themselves. I therefore issued executive order No. 12 on the 26th of December, 1916, after I had had sufficient time to familiarize myself with conditions and to receive reports from the marine officers in the more distant parts of the country, none of whom believed in the elections being held. The executive order met the approval of all who wished well to Santo Domingo.

"In view of the fact that a quorum of the Congress did not exist, owing to the constitutional termination of the services of certain of the senators and representatives, and to the fact that elections were forbidden in the interests of the general pacification of the country, the existence of Congress became of no value to the country; on the contrary, it was represented to me, and I concurred in the conclusion, that it would be unwise to leave the country with the anticipation of an early filling of the congressional vacancies with the subsequent elections that should be held. I, therefore, on January 2, suspended the Congress and likewise suspended from office senators and deputies whose terms had not expired. Like the order suspending elections, that suspending the Congress met with almost universal approbation, as a measure that would go far to removing disturbing political agitation.

"For some time before the advent of military government, there had been sitting in Santo Domingo a special constituent assembly under the auspices of the provisional government, which the United States had refused to recognize. This constituent assembly finished its work on the very day that military government was proclaimed, and shortly thereafter the new constitution appeared in print. I refused to recognize it and the calls for election that were issued in accordance with its provisions. The proposed constitution is a dead letter, except for such value as it may have when a recognized constitutional assembly shall meet in the future."

With the failure of Dominicans of sufficient education to cooperate with the military government, the administration of the Dominican Republic and the

destinies of the Dominican people passed entirely into the hands of the United States Government. The situation was without precedent. To withdraw meant anarchy. To remain meant the acceptance of undivided responsibility for the functioning of a nation which basically the United States recognized as a sovereign power. Some working doctrine was essential upon which to base our conduct of affairs. It was found in the thought that the military Government administers the government of the Dominican Republic in trust for the Dominican people, in whom, in the words of article 13 of the Dominican constitution, "sovereignty is vested solely."

If the small political class, constituting perhaps about 5 per cent of the population, and the remaining persons of some degree of education, constituting at most another 5 per cent, would not or could not unite to contribute to the military Government that small measure of cooperation which would serve automatically to shorten the occupation and restore the absolute and unqualified sovereignty of the Dominican State, then it behooved the military Government to produce out of the people of the Republic a personnel who could be entrusted with the lawful and just administration of a modern civilized sovereign power in the family of nations.

With this end in view and in the hope meanwhile that actual contact with honest administration might produce enlightenment and a desire to assist in the minds of that small percentage of the population, qualified mentally, if not morally, to conduct affairs of state, the military Government proceeded to establish complete peace throughout the Republic, and began an intensive system of public instruction, public works, and honest control of finance.

The government of the Republic is administered by the military Government in accordance with Dominican laws, except as it has been found necessary to modify or supplement them by executive orders. The general policy of administration is set by the Department of State of the United States, acting through the Navy Department. The general policy being outlined by the Department of State, the Navy Department indicates this policy to the military governor who applies it in his administration of affairs. The Navy Department does not interfere with the details of administration, leaving all such matters to the determination and initiative of the military governor. Through his quarterly reports and special correspondence to the Navy Department, together with a consideration of his executive orders, copies of which he submits for information upon issue, the Department is enabled to determine whether the policy outlined by the Department of State is being carried out by the military governor. Major questions are referred to the Navy Department by the military governor for consideration, and, as such questions usually involve matters of policy, the opinion of the Department of State is sought. Occasionally situations develop in which a change of policy appears warranted. At such times, a more or less considerable interchange of correspondence occurs, followed by a return to normal conditions, when the intercourse between the military governor and the Navy Department is confined to routine reports on accomplished facts. In this manner, the closest cooperation and coordination exists between the Navy Department and the military governor, without the Navy Department being an administrative agency and with the military governor left with a free hand under the guidance of policy dictated by the Department of State. This method of carrying on the military government in its relations with the United States Government has produced excellent results, and the occasional lapses from it that have produced slight confusion at times have proved its efficacy as an established practice.

#### INITIAL ESTABLISHMENT OF PEACE.

Owing to the custom of jail deliveries upon the outbreak of every revolution, the country was overrun with criminals of all classes, many of them of the most brutal kind. To this custom is attributable the system of brigandage in the Dominican Republic, which continuously worked against the improved conditions in the country, the so-called bandits robbing and murdering their own people while avoiding the military authorities. Under the military government this banditry has been practically wiped out, although there exist still certain vagabonds or highway robbers in the eastern section of the country. The military forces occupied the country with garrisons in certain cities and outposts, with a system of patrols to insure the maintenance of peace and to protect inhabitants against the attacks of ne'er-do-wells. Under this system the country is receiving the blessings of peace and is progressing as never before in its

history. Fully 95 per cent of the people avail themselves of the peaceful opportunity to pursue their callings, the remainder being revolutionary and obstructive politicians incapable of any fruitful work.

Upon the remains of the old *Guardia Republicana* has been erected an efficient constabulary, which is intended to police the entire Republic and to be the only military force in the country upon the turning over of the Government to its own representatives. This organization has been vastly improved and is still undergoing an evolution to perfect it and to make it an object of pride to all law-abiding citizens. It is the purpose to have this constabulary cover the entire Republic and to absorb all police functions. At present a large number of its officers are United States citizens, selected from the Marine Corps and elsewhere, but it is hoped to bring the force to such a high state of efficiency that Dominicans of good families will be glad to be identified with it.

#### INTERIOR ADMINISTRATION.

Before the occupation by the United States, the laws of the Dominican Republic provided for a division of the country into 12 Provinces, for each of which there was a governor appointed by the executive power. Communication by road between the various sections of the country and the capitals of the Provinces was practically nonexistent. This condition fostered the growth of an undue power on the part of the governors of the Provinces, who exercised within their respective jurisdictions practically complete control over the public forces, the police, and other governmental agencies.

The weakness of the central government, combined with the lack of proper means of communication, frequently resulted in defiance of the authority of the central government by the provisional governors and the consequent illegal abuse of power.

The military government has succeeded in reducing the power of these semi-independent governors to the status of proper civil governors with limited governmental functions. The governors now, instead of being oppressors of people of their Provinces, as was so frequently the case under the old régime, are able assistants of the military governor through their efforts for the education of the people, and they are exerting much influence toward good government generally.

The communes into which the Provinces are divided are governed locally by the *ayuntamientos*, or boards of aldermen, which formerly were elected, but since the occupation have been appointed by the military governor. The former system permitted of many abuses and much misgovernment, particularly through lack of accountability to any authority higher than their own.

Great improvement has been made in municipal administration through laws issued by the military Government. One of these laws constitutes a commission form of local government through the reduction in the number of members of the aldermanic boards, a change which has produced much greater efficiency in the conduct of municipal business.

Vexatious local taxes have been abolished and the financial affairs of the municipalities have been put upon a sound basis, while the control of the central government by means of an auditing system has removed many of the old opportunities for defalcations and misappropriations of funds. Certain handicaps have been encountered because of the lack of suitable personnel among the Dominicans to carry on the local governments, but the contrast for the better is marked between the old careless and inefficient and frequently dishonest local governments and the present *Ayuntamientos*, which endeavor to act for the good of their communes.

#### FINANCES.

When the United States intervened in the governmental affairs of the Dominican Republic there were six months' salaries of all government officials unpaid. Supply bills of the various departments of the governments had not been settled for long periods. The employees of the Government and merchants were demanding the payment of their just claims. A floating indebtedness consisting of claims of all descriptions had been created to the amount of approximately \$15,000,000 in direct disregard of the terms of the American-Dominican convention of 1907. The cash balance of the Government was nonexistent, since the Government account with the depository was overdrawn in the amount of \$14,234.63.

Instances were found where officials who had certified their right to salaries had not been within 80 miles of their work or office and had never occupied the positions designated, except in name. Pay rolls with a dozen or more names were found that had been receipted in the handwriting of one individual, and it was also found to be the custom with the heads of some offices to obtain the salaries of all of the employees of their office and to pay the employees such part of their salaries as was deemed fit, the head of the office retaining the balance for his own use. Other pay rolls were found pledged by the head of the office to local speculators who had purchased them for trivial amounts and were loudly demanding payment. The whole fiscal system was found to be honey-combed with graft. The vast majority of officers were dishonest and the records were found to have been deliberately falsified in hundreds of cases. Officials charged with the collection of internal revenue, with disbursing funds, and with the receipt and custody of supplies were receiving ridiculously low salaries, and graft had become so much a part of the system that practically all officials took toll of the funds passing through their hands, or accepted bribes, turning their backs to permit others to commit similar breaches of their trust.

The military government had organized the collection of the internal revenues of the country, and under honest and efficient management the collections have increased from an average of \$700,000 prior to the occupation to about \$4,000,000 annually. The cost of collection of internal revenues had dropped from 14 per cent in 1915 to about 5 per cent. In order to adjudicate the multitude of claims presented to the Government there was appointed in 1917 a Dominican claims commission, which continued in session for about three years. A total of 9,038 claims were filed, amounting to \$19,980,518.48. Awards were made by the commission on 6,287 of these claims, to the amount of \$4,292,342.52.

Many taxes existed, especially communal taxes, which bore unfairly upon the poor and acted as a drag to business in general. The military Government has eliminated the majority of these taxes and has established a tax on property, which has been successfully administered.

A tariff commission was appointed to make a study of the tariff and make recommendations for a downward reduction. The consent of the United States Government was secured to this revision of the tariff and a new tariff was placed in effect on January 1, 1920. Under this new tariff, transportation media, agricultural machinery and tools, industrial machinery, building material, and, in general, articles necessary for the development of the Republic have been placed upon the free list. The rates of duty have been greatly reduced on articles of necessity where the reductions would assist in lowering the cost of living. This tariff revision resulted in an increase in importations which, although entering the country at reduced rates, have resulted in record customs collections due to the increase in the volume of importations.

Criticism has been made from time to time of the fact that it has been found necessary to borrow money and thus nominally increase the bonded indebtedness in the face of the increased prosperity of the Republic known generally to exist. This condition is brought about by the terms of the various loan agreements. If the Dominican Government, in the person of the military governor, could slow up the redemption of bonds, this course would certainly be followed. The money paid against the defrayment of the Dominican national debt, as represented by its bond issues, is obligatory under the loan terms. As a matter of fact the Dominican Republic, under the military government, is a victim of overprosperity. In general the loan agreements provide for the payment of a fixed sum annually plus a percentage of the amount by which the customs revenues of any year exceed another fixed sum. It is apparent from this general statement that increased prosperity represented by increased amounts from the customs revenue does not and can not redound to the immediate advantage of the Dominican Government. In other words, surplus customs revenues go, in the main, to the retirement of bond issues before they are due rather than to apply to expenditures wholly justifiable for the good of the people and the country, and warranted by the revenue returns. Needless to say, this condition of affairs is only temporary under existing conditions. It is at present evident that the \$20,000,000 customs administration loan made in 1908 will be paid off by 1925, instead of 1958; that is, 33 years before it is due. The \$4,000,000 bond issue of 1918 will be paid off about the end of the next calendar year, instead of in 1938; that is, about 16 years before it is due.

The recent \$2,500,000 short-term bond issue will be paid by June 1, 1925. The short term and consequently high rate of this last bond issue results from the basic stipulation that its life be limited by the duration of the term of the pre-

ent receivership general of customs, which expires with the final payment of the \$20,000,000 loan of 1908.

At the present writing the Dominican Republic, in common with other West Indian governments, is suffering from the decided slump in the sugar, coffee, and cacao markets. This set-back can be only temporary in character, and is due to trade conditions over which the military government of the Dominican Republic has no control.

The diligent conserving of public funds has permitted more than three and a half million dollars to be assigned from the surplus for appropriations for the building of roads, schools, public buildings, and port-improvements. Every effort is being bent to the completion of suitable roads which will open much-needed communication between all parts of the Republic and permit of the development of the interior.

The customhouses, wharves, and other properties of the State were found to be in a deplorable condition. These properties have now been placed in good condition. Wharves have been extended and warehouse facilities increased at practically all the ports. This work is still being continued.

The military government has been obliged to contend against a standard of honesty in the Republic, which, in so far as Government funds were concerned, was decidedly low. It is only by continual watchfulness, constant supervision, and frequent and efficient inspection that considerable losses in Government funds can be avoided even now. Some small losses have been suffered, but the general graft, dishonesty, and inefficiency with which the former treasury organization was honeycombed have been almost wholly eliminated.

#### ROADS AND OTHER PUBLIC WORKS.

The military government is carrying on an extensive road-building program with the intention of connecting all the roads of the Republic. These roads will at the same time open up and facilitate the development of large areas of very fertile country. Previous to 1916 there were only about 65 kilometers of good roads in the entire Dominican Republic. Since November, 1916, there have been constructed more than 150 kilometers of new macadam roads, 7 large steel bridges, 8 large concrete bridges, and many wooden bridges. In addition there have been more than 150 kilometers of second and 300 kilometers of third-class roads constructed in various parts of the country. Five large concrete bridges are being constructed and will be finished before the withdrawal of the occupation. The most ambitious as well, as the most important road now under construction, is a highway of about 290 kilometers, extending from Santo Domingo city on the south coast to the cities of La Vega, Santiago, and Monte Cristi on the north coast. This road will shorten travel time between Santo Domingo city and New York by four days, the time involved in the steamer trip around the eastern end of the island. Another important road, which will be finished before the withdrawal of the occupation, is that from Santo Domingo city to San Pedro de Macoris, connecting the two most important ports on the south coast. This road is 70 kilometers long.

The military government has constructed a new customhouse at Santo Domingo city, and has plans for the improvement of the present wharf and dredging of the channel. The same kind of work has been carried on at San Pedro de Macoris, where two new reinforced concrete piers are nearing completion. At Puerto Plata, on the north coast, a modern reinforced concrete pier was completed a short time ago. A modern water supply system has been installed in the town of Azua, near Santo Domingo city, and plans are under way for an excellent water system in the capital city itself.

Along the coast the lighthouse service has been improved and maintained and new burners installed everywhere. A lighthouse tender has been purchased and placed in service. The former Government-owned dredge has been docked, repaired, and maintained in operation. A new dredge, the *Yaque*, has been purchased and is in use.

Repairs and alterations have been made to numerous Government buildings which were in very poor condition. These buildings have been made serviceable and sanitary improvements installed.

Two steel radio towers 150 feet high have been erected at Santo Domingo city and a radio station has been placed in operation. Many new school buildings are under way, and provision has been made for the expenditure of about \$150,000 more to complete construction.

## POSTS AND TELEGRAPHS.

In place of the paralyzed condition of the mail and telegraph service, due to disorders existent when the military occupation took over the administration of affairs, the post-office and telephone system has been unified and placed under civil service. Twice as much business has been handled as formerly and such important changes made in the systems that the time required for the delivery of mail across the island has been reduced to 4 days instead of 10 to 14 days. A trunk telephone line from Santo Domingo City to the northern coast has been undertaken. City telephone systems have been established in Santo Domingo City, Le Vega, Santiago de los Caballeros, La Romana, San Francisco de Macoris, San Pedro de Macoris, Monte Cristi, and Puerto Plata. A topographical survey of the Dominican Republic is being made and will be well advanced before it will be necessary to discontinue it due to the prospective withdrawal. This topographical survey has been accompanied by the making of a land survey for the purpose of properly delineating and marking the boundaries of land under various owners.

On account of the richness of the Dominican Republic in minerals it has been found necessary to promulgate orders to stop exploitation of the mineral wealth, which was not being carried on in good faith, and a new mining law has been promulgated covering mining concessions. A law for the conservation and distribution of water in arid and semiarid regions has been promulgated and is in operation.

It has been the endeavor of the military government to build up and improve all means of communication between the various sections of the country, to improve the numerous ports, and to maintain and better the conditions of navigation aids, to modernize all construction, and to open the interior of the Republic to a higher civilization.

## AGRICULTURE.

Before June, 1917, nothing had been done in the Dominican Republic along the line of modern agriculture education. Since then educational work has been instituted and has expanded and improved considerably, until at present there are between 30 and 40 instructors in various sections of the country.

In order to focus this work and provide the necessary places for experiments with various crops, an agricultural experimental station has been established near Santo Domingo City, with a ground area of about 150 acres. The following structures have been placed in operation: Barn, bungalow, silo, dipping tank, and propagation house. A veterinarian and an animal husbandryman have been employed to improve conditions of the stock. Pure-bred poultry, horses, cattle, and hogs have been imported. At the same location there has been constructed an agricultural college, with a view of educating one Dominican from each Province yearly, in order to fit them for agricultural instructors and managers of agricultural enterprises. Two agricultural experimental substations have been established. Orchards of American fruit trees have been planted and appear to be doing well. Demonstration plots are being worked on various farms, with a view to showing by practical physical demonstration the best agricultural methods.

A forestry law has been promulgated with a view to protecting the soil from erosion and thus conserve the forests and the natural beauty of the country. Laws have been established prohibiting the importation of coconut seeds in order to protect the Republic from the introduction of the destructive bud rot disease present in the other Antilles. A similar law has been issued covering the importation of cotton seeds. The Agricultural Review, a Government publication, is published monthly. It contains information of value to agricultural interests and has a free circulation of about 3,000.

## JUSTICE AND PRISONS.

During the military occupation of Santo Domingo there has not been one case of corruption of a judge, nor has any venal act upon the part of a judge been reported. Many reforms have been made in the judicial organization with a view to expediting the trial of offenders.

Ramshackle and unsanitary prisons have been repaired or rebuilt and new ones constructed. A modern penitentiary is now in course of construction which will accommodate 500 prisoners. Two correctional schools for boys of

tender age have been established. In these two schools manual training is taught and the inmates are trained in carpentering, tailoring, and shoemaking.

At the time of the occupation only civil marriages were recognized by law, and the judges, who had a monopoly of the business, charged such high fees for marriages that many of the poorer classes could ill afford to have the ceremony performed. Executive orders issued by the military government have corrected this evil, and hundreds and perhaps thousand of persons who have openly lived as husband and wife without ever enjoying a civil ceremony have now taken advantage of the inexpensive cost of marriage and have thereby in many cases legitimized their children.

#### PUBLIC INSTRUCTION.

Before the reforms initiated under the military Government, public education in the Dominican Republic was very ineffective. There was great confusion in regard to the law on the subject, and for several years practically no school law was recognized. Primary education was for the most part confined to schools with one or two teachers in the most important towns. There were no rural schools. Town schools deserved the name only when they were in the hands of private teachers. The usual salaries of teachers in primary schools ranged from \$8 to \$9 a month, and, under favorable conditions, were not paid more than eight or nine months in the year. There were no more than 18,000 pupils in all schools, although statistics of these times are neither constant nor reliable.

One of the first acts of the military Government was to form a commission of prominent Dominicans to report upon conditions then existing regarding education, and to formulate recommendation looking to their improvement and the establishment of a system of education that would best serve the interests of the people of the Republic.

This commission sat for almost a year, and prepared and recommended the following draft of laws:

1. Law on compulsory school attendance.
2. Law for the direction of public schools.
3. General studies law.
4. University law.
5. Law on theological seminary.
6. Organic law on public education.
7. Law of school revenues.

The first six laws were promulgated with very slight modification by the military Government and now constitute the school code of the country.

There were until recently about 1,500 teachers of all classes in actual service. It has been temporarily necessary to consolidate certain of the schools and the duties of certain of the teachers, on account of the decrease in internal revenues due to unfavorable economic conditions which have prevailed more or less throughout the West Indies. This situation will undoubtedly be of comparatively short duration, although it has been made the subject of unfavorable criticism of the military Government. It may be pertinent to remark at this point on the peculiarly vexatious character of such unfavorable criticism. The statement is made that schools have been closed by direction of the military Government. This statement is wholly true. It is added that the military Government is depriving the children of the Dominican Republic of their right to an elementary education. In so far as the temporary closing of certain schools is concerned, this statement is also true. The presentation of these two isolated facts, however, wholly ignores the increase of school attendance during the military occupation and the vast improvement in school conditions.

The rural school-teachers draw a salary of from \$55 to \$75 a month, as against salaries of \$8 to \$15 before the reform. Graded school-teachers draw salaries of from \$60 to \$100 a month, as against salaries of from \$20 to \$40 before the reform. Summer schools are provided for the teachers and certificates are required for all teachers. The capacity of the teaching force has been one of the surprises of the development of the schools.

The school attendance has increased from about 18,000 to more than 100,000 in all schools. The increase in the school population is not due to the compulsory attendance alone. It is a consequence of the more efficient school work of the teachers, as well as of the greater attraction in the schools for the pupils and a better social condition resulting from the occupation.

Before the reform, schools were invariably located in dirty, miserable quarters. A school usually consisted of a room of small size with two or

three board benches for the pupils and a broken chair for the teacher. At present the schools are working in the best houses of every town, and schools are now neat, pleasant places, although it has been necessary to maintain the schools very largely in rented buildings until the program of construction of schoolhouses has been completed.

There is a recognized drawback to this otherwise favorable review of the school situation. Although efforts are made to employ competent teachers and certificates of qualification are required of them, there is a lack of thorough school inspection and an absence of definite information as to the actual progress of the pupils as a whole under the opportunities afforded them. With time, this drawback would undoubtedly disappear, under the present administration of affairs.

#### SANITARY AND PUBLIC HEALTH CONDITIONS.

Upon the establishment of the military government, sanitary and public health activities in the Dominican Republic were almost entirely lacking. A sanitary law was in existence, but little or no attention was paid to it. Cities and towns were dirty; elementary sanitation was neglected, and the few hospitals in the country were in a sadly neglected state and totally inadequate. There was no real attempt toward disease control.

A new sanitary law has been promulgated, creating a national department of sanitation and beneficence. This law centralizes the administration of sanitation and public health matters and the practice of medical professions under the control of a secretary of state for sanitation and beneficence and places this department on a level with the other departments of the Government. The secretary is assisted by a national public-health council, an advisory body of representative Dominicans.

The country is divided into sanitary districts, each district being in charge of a district sanitary officer immediately responsible to the secretary. Dominicans are appointed to all positions of responsibility under the department of sanitation and beneficence wherever practicable.

A national leper colony and leprosarium is being completed. Inadequate charity hospitals and orphanages have been reorganized under the general direction of the department of sanitation. Existing hospitals are being enlarged, and plans for several new hospitals are being completed. A series of small dispensaries for the treatment of the poor throughout the country is a feature of the sanitary administration.

Under the military government, there has been established an adequate national sanitary organization for the administration of sanitary and public health affairs, including municipal sanitation, hospitalization, quarantine, the practice of the medical profession, the sale of drugs, national and municipal charity work so far as the public health is concerned, the compilation of vital statistics, and the control of disease. The training of personnel under this organization is going forward, with a view to making secure the future sanitation and public health of the country as a whole.

#### GENERAL COMMENT.

It has been pointed out that, following a long period of turmoil in the Dominican Republic, during which the United States repeatedly offered its good offices with a view to straightening out affairs and preventing foreign intervention, the United States Government directed the occupation of the country and its administration under military government by forces under the immediate supervision of the Navy Department. The Navy was assigned the task of carrying on in the Dominican Republic under policy outlined by the United States Government and has continued to do so until the present time, when an endeavor is being made to accomplish a withdrawal of the military government in accordance with the terms of a proclamation issued on June 14, 1921, in the following terms:

#### " PROCLAMATION.

"Whereas, by proclamation of the military governor of Santo Domingo, dated December 23, 1920, it was announced to the people of the Dominican Republic that the Government of the United States desired to inaugurate the simple processes of its rapid withdrawal from the responsibilities assumed in connection with Dominican affairs; and

"Whereas it is necessary that a duly constituted government of the Dominican Republic exist before the withdrawal of the United States may be effective, in order that the functions of Government may be resumed by it in an orderly manner.

"Now, therefore, I, Samuel S. Robinson, rear admiral, United States Navy, military governor of Santo Domingo, acting under the authority and by direction of the Government of the United States, declare and announce to all concerned that the Government of the United States proposes to withdraw its military forces from the Dominican Republic in accordance with the steps set forth herein. It is the desire of the Government of the United States to assure itself before its withdrawal is accomplished that the independence and territorial integrity of the Dominican Republic, the maintenance of public order, and the security of life and property, will be adequately safeguarded, and to turn over the administration of the Dominican Republic to a responsible Dominican Government duly established in accordance with the existing constitution and laws. To this end, it calls upon the Dominican people to lend to it their helpful cooperation with the hope that the withdrawal of the United States may be completed, if such cooperation is given, in the manner hereinafter provided, within a period of eight months.

"The executive power vested by the Dominican constitution in the President of the Republic will be exercised by the military governor of Santo Domingo until a duly elected and proclaimed president of the Republic shall have taken office and until a convention of evacuation shall have been signed by the President and confirmed by the Dominican Congress.

"Within one month from the date of this proclamation the military governor will convene the primary assemblies to assemble 30 days after the date of the decree of convocation in conformity with articles 82 and 83 of the constitution. These assemblies shall proceed to elect the electors as prescribed by article 84 of the constitution. In order that these elections may be held without disorder and in order that the will of the Dominican people may be freely expressed, these elections will be held under the supervision of the authorities designated by the military governor.

"The electoral college thus elected by the primary assemblies shall, in accordance with article 85 of the constitution, proceed to elect senators, deputies, and alternates for the latter, and to prepare lists for the justices of the supreme court of justice, of the appellate courts, and the tribunals and courts of the first instance, as prescribed by article 85 of the constitution. The military governor, performing the functions of chief executive, will then appoint, in accordance with article 53 of the constitution, certain Dominican citizens as representatives of the Republic to negotiate a convention of evacuation. In order that the enjoyment of individual rights may be insured, and in order that the peace and prosperity of the Republic may be conserved, the said convention of evacuation shall contain the following provisions:

"1. Ratification of all of the acts of the military government.

"2. Validation of the final loan of \$2,500,000, which is the minimum loan required in order to complete the public works which are now in actual course of construction and which can be completed during the period required for the withdrawal of the military occupation, and which are deemed essential to the success of the new Government of the Republic and to the well-being of the Dominican people.

"3. Extension of the duties of the general receiver of Dominican customs, appointed under the convention of 1907, to the said loan.

"4. Extension of the powers of the general receiver of Dominican customs to the collection and disbursement of such portion of the internal revenue of the Republic as may prove to be necessary should the custom revenue at any time be insufficient to meet the service of the foreign debt of the Republic.

"5. The obligations on the part of the Dominican Government, in order to preserve peace, to afford adequate protection to life and property, and to secure the discharging of all obligations of the Dominican Republic, to maintain an efficient Guardia Nacional, urban and rural, composed of native Dominicans. To this end it shall also be agreed in said convention that the President of the Dominican Republic shall at once request the President of the United States to send a military mission to the Dominican Republic charged with the duty of securing the competent organization of such Guardia Nacional, the Guardia Nacional to be officered by such Dominican officers as may be competent to undertake such service conditions, and for such time as

may be found necessary to effect the efficient organization with American officers appointed by the President of the Dominican Republic upon nomination of the President of the United States. The expenses of said mission will be paid by the Dominican Republic, and the said mission will be invested by the Executive of the Dominican Republic with proper and adequate authority to accomplish the purpose above stated.

"The military governor will thereupon convene the Dominican Congress in extraordinary session to confirm the convention of evacuation referred to above. The military governor will then assemble the electoral college for the purpose of electing a President of the Dominican Republic in accordance with article 85 of the constitution, and simultaneously officials other than the Senators and deputies elected at the first convocation of the electoral college will be installed in office. The Dominican President so elected will then take office in accordance with article 51 of the constitution upon this ratification of the convention of evacuation, at the same time signing the convention of evacuation as confirmed by the Dominican congress. Assuming that through the cooperation of the people of the Dominican Republic a condition of peace and good order obtains, the military governor will transfer to the duly elected President of the Republic all of his authority and the military Government will cease, and thereupon the forces of the United States will be at once withdrawn.

"The further assistance of the advisory commission appointed under the proclamation of December 23, 1920, being no longer required, it is hereby dissolved, with the expression of the grateful appreciation of the Government of the United States for the self-sacrificing service of the patriotic citizens of the Dominican Republic of whom it has been composed.

"S. S. ROBISON,

"Rear Admiral, United States Navy,

"Military Governor of Santo Domingo.

"SANTO DOMINGO, DOMINICAN REPUBLIC.

"June 14, 1921."

(Whereupon the committee adjourned, subject to the call of the chairman.)

# INQUIRY INTO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

**TUESDAY, OCTOBER 4, 1921.**

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Washington, D. C.*

The committee met pursuant to adjournment at 10.30 o'clock a. m., in the committee room, Capitol, Senator Medill McCormick presiding.

Present: Senators McCormick (chairman), Oddie, and Pomerene.

Also present: Mr. Ernest Angell, representing the Hati-Santo Domingo Independence Society, the National Association for the Advancement of Colored People, and the Union Patriotique D'Haiti; Mr. Horace G. Knowles, representing the Patriotic League of the Dominican Republic and the deposed Dominican Government; and Mr. Roger L. Farnham, representing the National City Bank of New York City.

## STATEMENT OF MR. ROGER L. FARNHAM, VICE PRESIDENT NATIONAL CITY BANK, NEW YORK, N. Y.

**THE CHAIRMAN.** Mr. Farnham, will you please give your full name?

**MR. FARNHAM.** Roger L. Farnham.

**THE CHAIRMAN.** Give your connection with the National City Bank and your business.

**MR. FARNHAM.** Vice president National City Bank, New York.

**THE CHAIRMAN.** And your business interests are those of the Bank in Haiti?

**MR. FARNHAM.** Yes.

**THE CHAIRMAN.** You may go to any length you choose on that subject.

**MR. FARNHAM.** As to the position of the bank, you mean?

**THE CHAIRMAN.** How does it come that the bank is interested in Haiti, or the National Bank of Haiti, and to what extent is it interested?

**MR. FARNHAM.** In 1910 the old National Bank of Haiti was reorganized in connection with a new Government loan taken by some French bankers.

**SENATOR POMERENE.** Was that a private bank?

**MR. FARNHAM.** Yes; that was a private bank, which had had a contract to act as treasury of the Haitian Government. But due to some internal difficulties and bad management, the bank had practically failed, and it was reorganized with strong group of French bankers behind it, and in connection with that reorganization a new contract was made between the Haitian Government and the bank, under which contract the bank was to make certain annual loans to the Government, for purposes of the budget, and it also was to act as the treasury of the Government, receiving all revenues—not collecting any, but receiving them—and paying out all disbursements for account of the Government.

**SENATOR POMERENE.** That was prior to 1910?

**MR. FARNHAM.** No; I am reciting the subject of the 1910 contract.

Also under that contract the bank was to be the bank of issue of the currency of the country.

For some reason, Senator Knox, who was then Secretary of State here, intervened in the matter, and objected to the contract as it originally was drawn, saying that it was very onerous to the Haitian people, and also he felt that some American banking interests ought to be represented. He did not favor the preponderance of French interests, and at his request several bankers from New York visited Washington and discussed the matter with him. The result

was that the National City Bank of New York, Messrs. Speyer & Co., Hallgarten & Co., and Ladenburg Thalmann & Co. each became subscribers to 2,000 shares of the capital stock of the company, which is a French organization operating under a French charter.

The capital stock was 40,000 shares. Out of that the National City Bank acquired 2,000 shares, and the other interests, respectively, 2,000 shares each. Those shares represented 125 francs paid in, the par value being 500 francs. At the same time the German bank, Berliner Handel Gesellschaft, acquired 2,000 shares.

The changes which Senator Knox, then Secretary of State, brought about in the original contract, were quite to the benefit of the Haitians. From that time on the bank has been conducted as a French institution, with, I think, three Americans on the board of directors, but the practical management of the bank was from Paris. The American directors had practically little to do. The bank has its principal office in Port au Prince, and nine branches or agencies throughout the country.

That situation continued until the time of the American intervention in Haiti in 1915 or perhaps a short time before that, when, because of the World War, the French people were so taken up with matters at home that they asked the American directors to assume the management of the affairs of the bank, and from that time on the active management has been from New York rather than from Paris, although the board was continued in Paris and was consulted from time to time.

Shortly after the European war broke out Secretary of State Bryan, in several interviews, suggested the advisability of the American interests acquiring the French shares in the bank, and making it an American bank. That suggestion was repeated from time to time, and after some extended conferences. I think in 1917, just before the United States entered the war, the National City Bank purchased the stock held by the other three American parties, Hallgarten, Speyer, and Ladenburg Thalmann, so that that gave the National City Bank about 8,000 shares of stock in the bank, out of 40,000 shares.

Senator POMERENE. At 500 francs per share?

Mr. FARNHAM. Yes; par value, of which 125 francs had been paid in. The stock of the bank never was issued, never has been issued. An inscription was made on the books of the bank in Paris, stating the fact of the subscription, and each participant was issued a certificate.

Senator POMERENE. Well, your subscribers were without the evidence—

Mr. FARNHAM. Except in the form of a certificate.

About a year and a half ago, after several suggestions from the State Department, negotiations were entered into, with the result that the National City Bank purchased all the assets of the French institution.

Senator POMERENE. Including the German interests?

Mr. FARNHAM. All, yes, all of the assets. Under the circumstances, Senator, it was rather difficult to buy the stock. At a shareholders' meeting held in Paris, where all the shareholders were represented—and there were about 6,000 shareholders of the bank altogether—it was voted to accept the offer of the National City Bank, which was \$1,400,000.

Senator POMERENE. Let me understand that. Do I understand you to say all the shareholders? Does that include the German shareholders who were there?

Mr. FARNHAM. Yes; all shares of the German bank had been seized by the French Government, and the French Government acted in that matter.

The CHAIRMAN. Who was Secretary of State at that time?

Mr. FARNHAM. At the time we made the offer for the assets?

The CHAIRMAN. Yes.

Mr. FARNHAM. I think Mr. Lansing. The bank paid \$1,400,000, the understanding being that the assets would be transferred to a new company which the National City Bank would create; the French company would be discontinued, the charter surrendered, and the money would be distributed to the shareholders. That has not been carried out because it has been impossible to obtain from the Haitian council of state its approval for the transfer of the contract between the Haitian Government and the French bank to the new organization. The Haitians agreed to do it. Their minister and representatives went over the matter here in Washington at the State Department and signed their assent to the transfer, requesting that the new corporation, if we could see our way to do it, should be a Haitian corporation rather than an American one, and we complied, and drew up an organization in Haiti, under

the same title as now exists, the Banque Nationale Republique d'Haiti, but up to now it has been impossible to get the approval of that Government to the transfer of the contract, and so we are continuing the bank under the actual ownership of the National City Bank, but under the French charter, and with the French officials and directors remaining as they have been. Mr. Poirson, the vice president of the Banque Union Parisien, is president and I am vice president. The board is equally divided between French and Americans. That is the only interest the National City Bank has in Haiti, and all that it ever has had.

Senator POMERENE. You are continuing your operations down there just as heretofore.

Mr. FARNHAM. We are continuing operations as a bank; yes, sir. We have carried out the obligations of the contract; from time to time we have made advances to the Haitian Government, so that the obligations of the Government to the bank to-day amount to \$1,733,154. I forget the exact cents.

Senator POMERENE. What are your assets?

Mr. FARNHAM. That we hold a note of the Haitian Government for, which is at the approval of the State Department here, and bears the signature of the American financial adviser. That note is due and payable on the 31st of December of this year. It was made two years ago.

Senator POMERENE. What are the total assets of the bank?

Mr. FARNHAM. Of the Haiti Bank?

Senator POMERENE. Yes.

Mr. FARNHAM. We have just had an examination made. They are approximately a million and a half, with the note of the Haitian Government.

Senator POMERENE. In addition to that?

Mr. FARNHAM. No; including that.

The CHAIRMAN. Perhaps I might ask here, in order that the information might be in the record, what other banking institution is there in Haiti, and how many branches has it?

Mr. FARNHAM. The Royal Bank of Canada, a British bank, is there. It has an office in Port au Prince, one at Aux Cayas, and one at Cape Haitien.

The CHAIRMAN. What relation, if any, is there between the National City Bank, its stockholders, and the railways built under the so-called McDonald concessions?

Mr. FARNHAM. The National City Bank did not have and never has had any interest in that railroad except a loan of \$500,000 made to the contracting company building the railroad, the bank receiving as collateral for that loan, \$870,000 and some odd, of the bonds of the railroad company. That is the only interest the National City Bank has ever had in the railroad. The railroad was financed by a syndicate gotten up by W. R. Grace & Co., and the control of the capital stock of the railroad is with that syndicate. In that syndicate—the Grace Syndicate, so-called—one of its subscribers is the Ethelburga Syndicate, an English institution which owns 50 per cent of the capital stock of the railroad, so that the ownership of the railroad is divided equally between the English interests and a group of Americans. I think there are 12 in the American group. The stock never was issued to the public. It has always been held by the group.

The CHAIRMAN. That was one of those English interests which makes a business of investing in the enterprises and utilities of undeveloped countries, I take it?

Mr. FARNHAM. Yes.

The CHAIRMAN. Will you indicate where this railroad is on the map?

Mr. FARNHAM. The railroad runs from Port au Prince, following practically that real line out to the shore there, and from here out to that point, St. Marc. It runs from Gonaives to a place called Emery; and from Cape Haitien to a place called Bahon. It is in three sections. The original plan was to bring it way down here into this country [indicating on map], and so on below the Artibonite River, until it got to St. Marc, but that is practically an impossible proposition on account of the mountains. It can be brought over the mountains here at Bahon, and come in through here, and the engineers have been trying to find some way to get across this range of mountains here.

Senator POMERENE. This is all Greek to me. You say there are three sections. Are they not connected?

Mr. FARNHAM. No; not at all. They were built at the same time. One section was started here and another section here. [Indicating on map.]

Senator POMERENE. Now, you say here and here. Will you indicate it for the record?

Mr. FARNHAM. From Cape Haitien to Bahon. From Cape Haitien, on the north, it goes south to a point called Bahon 37 kilometers; and from Gonaives, on the west coast—that is another section—inland and eastward 33 kilometers to Ennery; and from St. Marc, also on the west coast, south to Port au Prince 102 kilometers.

Senator POMERENE. What are the several industrial activities which suggested the building of these roads in those particular sections or localities?

Mr. FARNHAM. In the Gonaives-Ennery section of the road the idea was to reach some coal deposits inland. The coal was thought to be valuable. It is not, because it is nothing but lignite and of a rather poor quality at that. The remainder of the line, from Cape Haitien to Bahon and from Port au Prince to St. Marc, are the two ends, if you please, of what was laid out to be a through line from the north to the south. They pass through a country which could produce sugar cane in large quantities, bananas, and cotton. There is no cultivation in Haiti, as we understand the term.

Senator POMERENE. Are the climatic and soil conditions there such as to make it a reasonable competitor of Cuba?

Mr. FARNHAM. Well, in a small way. The climatic and soil conditions are quite all right for sugar, cotton, coffee, and cocoa. There is an abundance of labor, after it is educated. The area susceptible of that sort of cultivation, of course, is somewhat limited compared to Cuba. It is generally thought by those who have investigated the situation that sugar can be made in Haiti as cheaply as in Cuba after the natives have been taught how to handle the cultivation of the cane. The same applies to cotton, cocoa, and coffee. At the present time the cotton and coffee grows practically wild. It was brought there in the days of the French, but for the last 100 years it has just taken care of itself. It propagates itself; there is no cultivation. There are no plantations. The only cultivation that you see as you go through the country is here and there small garden patches, which are cultivated by the women, of beans, sweet potatoes, and yams. There is no cultivation of bananas, no cultivation of cotton; and the sugar cane which you see growing practically all over the country in the fertile parts, the valleys and plains, is a propagation of what was put there by the French. The country is susceptible of a good deal of development, but it will require capital, and it will require some time to educate the Haitian to become a good laborer.

In recent years a number of Haitians—several thousand—have been taken over to Cuba during the sugar season to work in the fields. They are fair laborers. They can not match up with the Jamaican in the fields nor with the Spanish Gallego. If you sit on your horse in the cane fields in the cane season, as I have done, and watch two Gallegos working together and two Jamaican Negroes and two Haitians, you will see the piles of cane cut by the two Gallegos and the two Jamaicans grow almost twice as fast as the pile cut and thrown by the Haitians. They seem to lack the muscular strength. I know that in the construction of this railroad in Haiti, where we had them as laborers, the American foremen, who had previously been on railroad construction in Mexico and all up and down South America and in the United States, told me—and I saw myself, too—that they reckoned four Haitians were necessary to do the work of one good Irish track hand.

The CHAIRMAN. Let me ask, Mr. Farnham, is that possibly—

Mr. FARNHAM. They were very weak, and they had no food.

The CHAIRMAN (continuing). A matter of nourishment?

Mr. FARNHAM. Nourishment almost entirely, and ignorance in handling matters of that sort.

Senator POMERENE. Naturally, they have the physical strength, have they?

Mr. FARNHAM. Generally speaking, I should say no. The women are all strong, big, husky persons. The majority of the men are rather light and small, underfed. They seem to lack the physique.

Senator POMERENE. How do you account for the difference between the sexes?

Mr. FARNHAM. I do not know, but it is observable as soon as you go among the people, particularly in the country. The men are rather light in weight, and they do not seem to have the stamina. They can not stand up under hard work.

Senator ODDIE. Is there anything in the climate?

Mr. FARNHAM. I think the climate has something to do with it, but still in Santo Domingo, which has practically the same climate, or in Panama, which has even a worse climate to work in than Haiti, the Negroes there work satisfactorily.

Senator POMERENE. That statement surprises me very much. I am not disputing it at all. Do you mean to say that the women are actually or simply relatively stronger than the men?

Mr. FARNHAM. On the whole, I think they are actually stronger. The women perform the labor in the gardens; they do all the marketing; they think nothing of tramping 50 miles to market, carrying on their heads almost unbelievable loads. You will see a woman driving two or three burros, and she will be carrying on top of her own head more than any one of the burros. They will walk all night, many of them very fast. They will walk as fast as a good horse will walk and carry that heavy load over the island. They come into the market place at Port au Prince two or three times a week, particularly on Saturday, probably 5,000 or 6,000 women, who have come in from all directions. You will see some at the other principal towns like Cape Haitien and St. Marc. Fifty per cent of them have carried on their own heads what they bring to market.

Senator POMERENE. In doing this work in the construction of the railroads, is that done by the women or the men?

Mr. FARNHAM. The men. The women would not work at that. You can not get a woman to work cutting cane, but they will pick coffee and cotton, they will work in the garden, they will cultivate their garden stuff. I think if you should see a group of women and a group of men you would immediately notice the difference in their physique, their whole set-up.

The CHAIRMAN. Mr. Farnham, I think the committee would be interested to have your impression of political and economic conditions preceding the occupation, and the incidents of the occupation, and all events and conditions subsequent to the occupation.

Mr. FARNHAM. Well, I would like to preface what I would say by the statement that what I know of this country is gained by trips on horseback through the interior. I have made in Haiti seven trips on horseback, one of 33 days and one of 30 days and five of a fortnight each. I have made two in Santo Domingo, one of 34 days and another of 17 days, on the trail. I went with a party through Santo Domingo, and usually there have been two or three men with me on the trips through Haiti, and we have gone very well equipped, because we had saddle horses brought there from Wyoming and American pack mules. We had two horses apiece, so that we rode one in the morning and one in the afternoon, which permitted of pretty fast riding. In that way we have covered all of Santo Domingo and all of Haiti, except these two arms. That portion I have not been in. I have sailed around the coast of the arms, but I have not traveled over them. But I have been over practically all the rest of Haiti and Santo Domingo on horseback, and it is from these trips that I have been able to observe conditions.

My first trip was made in June, 1911, in Haiti. In 1913 I made the first trip through Santo Domingo and in 1918 the second. At that time—I am speaking now of 1911—and from then until the American occupation in Haiti, it was almost a condition—

Senator POMERENE. What was the date of the American occupation in Haiti?

Mr. FARNHAM. July, 1915. The country was in a state of almost continuous revolution, one man trying to succeed the other as President and so get control of the treasury.

Senator POMERENE. You are speaking of Haiti, not of Santo Domingo?

Mr. FARNHAM. Haiti. In that time I think there were seven Presidents.

The CHAIRMAN. In four years—from 1911 to 1915?

Mr. FARNHAM. Yes. Simon was President in 1911, and went out on the 1st of August that year, and so on. There were seven Presidents up to the time of the American occupation in July, 1915. During that period, in riding through the country one saw very few men. They were either in the Government army or in the revolutionary army, or hiding out in the hills to escape both. The majority of them were engaged in the latter occupation, keeping out there with their families. The cultivation, such as it was, by the women was considerably limited, and between either the revolutionary army or the Government army a great many small villages were destroyed, the houses burnt up, the people killed, and every sort of an outrage which you may imagine going with a movement of that sort.

It was under those conditions that they attempted to construct the Haiti railroad, but revolutionary conditions became so bad in 1913 that the management suspended the construction of it, and in 1914 they had to suspend operation of the sections which had been completed, and no trains were operated for nearly a year—until after the American troops landed there. Then,

at the request of the commanding officers, the road was put in some operation, with an occasional train, which gradually increased until conditions permitted the normal daily operation of trains.

The Governments which followed each other were revolutionary Governments, each one getting the country into debt more deeply. I think that was the situation which the Americans found when they arrived there, following the killing of the last President, Sam.

As to Santo Domingo, the conditions there, you should understand, are quite different from Haiti.

The CHAIRMAN. Let me submit this to the members of the committee: It seems to me that we had better confine the witnesses to one subject. If we attempt to consider the conditions and the problems in both countries simultaneously, I think we shall be in great difficulties. Will you just address yourself, therefore, Mr. Farnham, to the question of Haiti?

Mr. FARNHAM. I think that is all I can say about that. The business of the country was in control of the Germans, 90 per cent of it.

The CHAIRMAN. The commerce?

Mr. FARNHAM. The commerce of the country, both the import and export business. The German ships controlled the shipping. No other vessels went there, with the exception of an occasional ship from France, of the French Transatlantic Line. They had a vessel which called there about once a month, sometimes once in two months, but outside of that the traffic was in the control of the Hamburg-American Line, and the German merchants worked in conjunction with that line. They profited considerably through the revolutions. They loaned money to the would-be presidents to finance their revolutionary movements at what resulted in a profitable rate of remuneration to them.

In 1917, when we went into the war, Haiti declared war also on Germany, and the Germans were forced to leave the island. Their property was conscripted by the Haitian Government and placed in liquidation. Some two months ago that ban was lifted and practically all the Germans are back in Haiti, they have resumed their old business, and the property and funds which were taken from them then are now being returned to them, their buildings, lands, stores, together with some \$2,000,000 cash, which was realized from the sale of certain goods taken from their stores.

There are two or three half-German, half-Haitian houses in the country, one English house, and in the last two or three years two or three American individuals have opened up business there, but they are small.

The country has been served during the war by the Panama Steamship Line, which passes practically by the door, going back and forth to the canal—the diversion in and out is rather small—and that has rendered a weekly service which has been very necessary to the country for both passengers and mail, freight, and merchandise. An effort, I understand, is being made to discontinue that service. I think it is very desirable—

Senator POMERENE. An effort by whom?

Mr. FARNHAM. I do not know. I understand the Shipping Board have some control over it. A petition is now being circulated for everyone interested to sign to have the Panama steamship service to Haiti retained. Personally, I think it should be. I think it is very desirable to have an American steamship line going into that country?

Senator POMERENE. Has the German service been continued there, or renewed again?

Mr. FARNHAM. No; not yet. I understand it is to be. I was informed a week ago by one of the former employees of the Hamburg-American Line that it is now attempting to resume their service from New York to Haiti and through the Caribbean.

The CHAIRMAN. Did not the Hamburg-American Line, in a sense, dominate that entire island trade?

Mr. FARNHAM. Yes; before the war they did. They practically made the rates for the whole Caribbean, for all the American lines and all other lines.

The CHAIRMAN. With headquarters at St. Thomas?

Mr. FARNHAM. They had a big coaling station there; yes; but they served Venezuela, Panama, Jamaica, and Haiti. They laid out a certain district, which they monopolized to themselves and fixed rates.

Senator POMERENE. You have spoken of the National City Bank's interest there, and of the Canadian bank. Did the Germans have any banking interests there?

Mr. FARNHAM. No, sir. Quite a number of German houses were private banks themselves. They practically did their own banking business. Very few of the Germans did business with any outside bank. They shipped their goods by the German line, and their mail was handled in the same way, and their drafts went out in the same way. The only thing they did with the National Bank of Haiti prior to the American intervention was to obtain from the bank from time to time as they wanted them the necessary paper gourde, which was the money of the country, of the denomination of 20 cents, nominal value, and then when the crop season would be over they would change these gourdes back to dollars. The gourde is a paper bill about the size of our dollar bill, in denominations of ones, twos, tens, and twenties.

Senator ODDIE. You mentioned some influence that is being brought to bear to have the Panama steamship service discontinued.

Mr. FARNHAM. Yes.

Senator ODDIE. I would like to know a little more about that.

Mr. FARNHAM. Senator, I can not tell you very much about it myself. Two or three times it has been reported that the Panama steamship service was to be withdrawn from Haiti and to be substituted by the Royal Mail Steam Packet Co. For some years that company has maintained a service through the Caribbean, particularly to Jamaica and some of the eastward islands, but more recently they have operated ships from Nova Scotia to Haiti and to Santo Domingo. That service seemed to come about after the establishment in Haiti of the Royal Bank of Canada. I do not know if this is true, but it has been reported to us by our representatives in the island that the English bank offered loans to Haitian merchants on condition that they would buy Canadian goods rather than American goods. It is a fact that the ships from Nova Scotia brought out fish, cotton goods, and supplies of that sort which are used in Haiti, and would take away coffee, cocoa, and logwood. Whether they intend to put on a regular service in the event the Panama service is withdrawn I do not know, but a week ago I was advised by a former employee of the Hamburg-American Line that they soon expected to resume their service to Haiti.

Senator ODDIE. Who is pressing to bring about the withdrawal of the Panama ships?

Mr. FARNHAM. I could not tell you, Senator.

Senator ODDIE. I wondered what interest was dominant in that effort.

Mr. FARNHAM. I do not know. That service is a very good one. It is regular, and I think the rates probably are more favorable to the Haitians than previously the country has enjoyed.

Senator POMERENE. You have spoken of the interest of the National City Bank. What other substantial interests are there in Haiti?

Mr. FARNHAM. There are two only. A group of Americans organized a company about three years ago to undertake to develop a plain located about here [indicating on map] in cotton, and they put into cultivation, I think, some 2,500 or 3,000 acres. Instead of using the Haitian cotton, which is a long staple and very tough sort of cotton, and which the island originally grew, they brought seed from the United States. Whether that was responsible for what happened I do not know, but the whole thing was a failure. The cotton did not grow. It would grow that high [indicating] and then proceed to die. They sprayed it, they did everything, but they could not cultivate it.

Alongside of it they had a small tract of Haitian cotton which grew. I think they gathered about 100 bales from that, but their 2,500 acres of cotton raised from the imported seed, I think, died, and they have practically abandoned for the time being their plants there. I understand they invested altogether nearly \$1,000,000. They acquired a very large tract of land, and they brought tractors and breaking-up plows; they brought a great deal of machinery into Haiti. For the time being they are doing nothing.

There was another company formed, in which the Germans, who originally controlled the entire property, participated. That was called the Haitian-American Sugar Co. That was organized by some Americans, in conjunction with certain Germans in Port au Prince. That company acquired the stock of the electric light company of Port au Prince; also a small, narrow-gauge railroad running from Port au Prince out to this lake, about 30 miles; also a tramway in the city, the wharf at Port au Prince, and they were also to build, and did build, a sugar mill about a mile and half from Port au Prince. They have there a very fine mill. I think it has a capacity of about 200,000 sacks of sugar.

They undertook to get sugar cane from the plains of Cul-de-Sac, which 100 or more years ago under French management was a very productive territory for sugar. They had some difficulties with the natives, and were unable to get a sufficient supply of cane, and their affairs went badly and did not work out. About nine months ago the company went into the hands of receivers, and about eight weeks ago the property was sold at a receiver's sale in New York, and it was bought in by several banks that had loaned money to the enterprise and were interested. I believe they contemplate reorganization when conditions get a little better.

Senator POMERENE. What is the total of the American investment in Haiti?

Mr. FARNHAM. It is rather hard to answer, Senator. As to the bank, I have told you. As to the railroad, the so-called Grace syndicate paid in practically all of its underwriting obligations, \$2,225,000. The cotton enterprise at the north involved about \$1,000,000. What was put into the Haitian-American operation by Americans I do not know. They claimed to have assets altogether of about \$12,000,000, but I rather doubt that.

The CHAIRMAN. What did they sell for at the receiver's sale?

Mr. FARNHAM. \$650,000; but that was a mere nominal figure. It was bought in by the banks, with the understanding on the part of the court which appointed the receiver that a reorganization would be effected and that all subscribers to the original company would be given an opportunity to participate.

Senator POMERENE. What did the German interests amount to, in your judgment?

Mr. FARNHAM. In invested capital I should say a relatively small amount, representing investments only in buildings at the different ports and in lighters and a wharf. The Germans built this wharf at Port au Prince. I think that cost them about \$275,000. Perhaps in the railroad, the tramway, and the electric light company they had invested \$1,000,000.

The CHAIRMAN. They were primarily merchants and middlemen?

Mr. FARNHAM. They were merchants and middlemen. You see, before the American occupation, and before the treaty and the new constitution of Haiti, foreigners could not own any land. That was prohibited. Some of the Germans married Haitian women in order to get land, but the amount of land they acquired was relatively small, and was of no importance. They bought the products of the country and exported them, and they imported cotton goods, eatables, etc. They did their own banking business. They speculated in gourdes, and they made considerable profit out of financing revolutions. They were not landowners, in the proper sense of the word. Through a marriage or some association with a Haitian woman they would own a few houses in one town or another.

Senator POMERENE. They were rather exploiters?

Mr. FARNHAM. Yes.

Senator POMERENE. What have you to say about the British and the amount of their interests there?

Mr. FARNHAM. Nil.

Senator POMERENE. And the Canadians?

Mr. FARNHAM. Nil.

The CHAIRMAN. Outside of the bank.

Mr. FARNHAM. Yes; outside of the Canadian bank. The American-Foreign Banking Corporation opened a bank there and carried it on for a year and a half, but that is closed and discontinued.

Senator ODDIE. Who were the Americans interested with the Haitians in the Haitian-American Corporation?

Mr. FARNHAM. I could not tell you, Senator. A private banking house in Chicago, by the name of Breed, Elliott & Harrison, and some others, were interested in it, and I think the preferred stock of the company was sold generally to the public, more in the Middle States, I think in Illinois and Indiana, than in the East. I think the bulk of the preferred stock of that corporation was sold in those States.

Senator POMERENE. Who was it that first took the initiative which led up to our sending our marines into Haiti?

Mr. FARNHAM. I think we went in there primarily because the French had already stepped in and taken possession. When we went in there the French had sent a warship and troops and had landed at Cape Haitien, on account of the revolutionary conditions, and were in possession, administering the affairs of the city.

The CHAIRMAN. I think the Navy Department has covered that.

Mr. FARNHAM. And on account of that situation we sent Admiral Caperton out there. He displaced the French occupation. Later they landed their troops at Port au Prince at the same time we did, and those troops remained there until a treaty was negotiated six months later.

Senator POMERENE. How many troops have we down there now?

Mr. FARNHAM. I could not tell you.

The CHAIRMAN. That is all in the record. We should like very much to have Mr. Farnham give us his impressions of the occupation and its administration of the country.

Mr. FARNHAM. My impressions on that, Senator, will have to be confined to just what I saw there.

The CHAIRMAN. The occupation has continued now nearly six years. There was a period of what we might call pacification, and there was later a period—I think you might designate it—

Mr. FARNHAM. I would like to mention that before the American occupation there were no roads in Haïti; there was only one way of going about, and that was by horseback, anywhere and everywhere. There were a few automobiles that had been introduced into Port au Prince, but they could not go outside of the town. All travel was either on foot or on horse all over the country. The idea of this railroad was to effect some means of communication between the north and south. Before the roads were built travel was very tiresome and tedious. You had to go over mountains, swim rivers, and it was a very difficult trip, particularly in the rainy season, when it was almost impossible to get through.

After the American occupation, and the country had become quieted down, there was some discussion by Government officials at this end about road building and improvement, but there was no policy, and there was nothing except talk. In the meanwhile the marines started in and built a road so that it was possible to go from Port au Prince through St. Marc to Gonaïves, and overland to Cape Haïtien easily in 12 hours. It was a wonderful road, beautifully done.

Senator POMERENE. How is that done; by what means of locomotion?

Mr. FARNHAM. Automobile.

Senator POMERENE. What is the distance?

Mr. FARNHAM. Well, that road, I would say, is about 140 miles.

Senator POMERENE. Was that done by the Americans, at their expense, or was it charged to the Haïtien Government?

Mr. FARNHAM. That was done under the direction of the marines, with their own engineers, and by Haïtian labor.

Senator POMERENE. Who paid the labor?

Mr. FARNHAM. That labor was handled under a law of Haïti which provides that all men can be conscripted for three days at a time to work upon the roads, and it was under that law that the actual labor was performed. The marine engineers laid out the lines, and did all of the engineering work. It was supervised by marines. The labor was by Haïtians.

Senator POMERENE. Then the only cash outlay would be for overhead expenses, substantially?

Mr. FARNHAM. I was told—whether it is true or not I have no means of knowing—that the entire cash outlay for that road was something under \$250,000, covering the outlay for powder and dynamite, for in some places they had to blast, and for the material necessary to make some small bridges. I am inclined to think that is perhaps true.

Senator POMERENE. It costs \$250,000 to build about 5 miles of road in the United States.

Mr. FARNHAM. Any person who had traveled the country before and subsequently went over that road and saw the sort of road that was built could have nothing but commendation for the marines. It was a great piece of work.

The CHAIRMAN. Have they built other roads?

Mr. FARNHAM. Yes; they have made other roads there, but I am calling this the main road through to the north. They have built something like 100 miles of other roads in different parts of the island, and very good roads. I might add that they are wide enough for two automobiles to pass, and they are over the mountains some 4,000 feet above the sea and down again.

Senator POMERENE. Am I to infer from your statement that while they had this law for conscripting labor for road building they had never operated under it until the marines took hold of it?

Mr. FARNHAM. No; the Haïtians had built no roads. There were no roads, only trails; that is all, bridle paths.

Senator ODDIE. How many miles is the main road?

Mr. FARNHAM. I think about 140. I may be in error, but that is approximately the distance.

Senator ODDIE. In figuring the cost of that road, labor—

Mr. FARNHAM (interposing). The labor was paid nothing. The officers adopted generally the plan which was adopted in the construction of railroads. They fed the men—gave them meals such as they probably never before had had. From my observation in many places it was difficult to drive the men away from the work. They were taken for three days and then told to get out. A large percentage said they wanted to stay in the camp and work. There have been statements made that men were abused and shot, and that may be true—I do not know—but I was up and down that trail quite a bit during the construction at infrequent periods, and I saw nothing of that.

Senator POMERENE. Did you hear of it while you were there?

Mr. FARNHAM. Only in one case. I heard they had a gang of prisoners in one spot that were pretty bad, and that they had had to shoot two or three of them that tried to run away. I rode into one place one afternoon, and I did see some men that were marked off as prisoners. I saw men with handcuffs tucked in their belts working away with the rest. The thing that attracted my attention was the handcuffs hanging to the belts. I think the marines had a very difficult time when they first went in there; there is no doubt about it. The Haitians had all sorts of rifles, good, bad, and indifferent. They were out in the woods. They were bossed by various military chiefs who did not want to lose their positions.

Senator POMERENE. Haitian chiefs?

Mr. FARNHAM. Haitians entirely—in the Haitian Army. And so in the early part of the invasion there was a good deal of sniping and bushwhacking on the part of the natives. Before the American occupation there was never any danger to a white man who traveled in the country. I have been through while the revolutions were on, and a white man was not molested. If he kept out of the mess himself and minded his own business he was perfectly safe.

Senator POMERENE. The white men felt perfectly free to travel across the country?

Mr. FARNHAM. Yes. There were not many white men in the country. Before the American occupation I doubt if there were 75 white men in the whole country—straight whites. There were some mulattoes; but, including the Germans, I doubt if there were over 75 white men in the entire country of Haiti. After the American occupation many of the Haitians seemed to turn against the whites, and all white men looked alike.

Senator POMERENE. After the occupation?

Mr. FARNHAM. Yes, sir.

Senator POMERENE. To what do you attribute that?

Mr. FARNHAM. I think that the natives were aroused by the talk of the chiefs and the military generals to believe that the whites were going to make slaves of them again. That was the usual cry; and that the Haitians would have to resist the marines if they wanted to get rid of them, otherwise they would be made slaves. That is the fear that is uppermost in the minds of all Haitians, as ignorant as they are.

Senator POMERENE. What portion of those people can read and write?

Mr. FARNHAM. I doubt if out of the two and a half million there are 50,000 that can read or write. They speak an unknown patois; I do not know what it is. I remember that on one of my trips through the island I had an Englishman with me who had lived for many years in South Africa, in the Congo country, and spoke Kaffir. He tried it on the natives, and all of the old people seemed to understand it, and could talk with him, and he had never been in Haiti before. He noticed many peculiarities of the people, which he said were the same as those of some tribes on the West Coast of Africa. The Haitians, as you probably know, were brought from Africa to Haiti. As late as 1800 they were bringing them in as slaves.

Senator POMERENE. Who?

Mr. FARNHAM. The French, who occupied the island and controlled it in those days. It was the French who developed the coffee, sugar, and indigo industry in Haiti. They had large plantations there, and Haiti produced in those days great quantities of sugar, but in the revolution of 1804 those were all destroyed.

Senator POMERENE. Are the literate and the educated class pure blacks?

Mr. FARNHAM. Of the educated class the majority of them are. A few of the mulattoes are well educated. There are perhaps 250 or 300 men in the whole

island who have had a very superior education abroad. They are very highly educated, members of the French bar, some of the English bar, some educated at Oxford, and others at educational institutions in France. They have lived abroad and have acquired the polish of the European; they are very well read in literature; they are pretty good diplomats, very cunning, and a considerable number of them are absolutely untrustworthy; I mean they do not stick to what they agree to.

Senator POMERENE. Are they leaders in these revolutionary movements?

Mr. FARNHAM. They are leaders. The country, up to the time of the American occupation, had been at the mercy of that small coterie of intellectuals who had kept themselves in power by means of revolutions, and who had controlled the finances of the country and profited out of the revenues. The bank, which is the treasury of the government, was compelled, of course, to honor the order of the secretary of the treasury, whoever he might be, nor could we question payments directed by him, although we might realize that they were not really payments which should be made. The arrangement, of course, left the treasury at the mercy of the politicians. They did observe their foreign obligations; they always met the interest on the outstanding bonds in France; they usually took care of their budget, until 1912, when they began to run behind and spent money faster than they were taking it in. Their income in normal times should be between \$6,000,000 and \$7,000,000 gold, United States money, just from their customs. There was and is no other income, no method of taxation.

Land titles are without value. In the city of Port au Prince, Cape Hatien, and one or two of the other important points, I think the titles to city property are good, generally speaking, but when you get out in the open country, outside of these cities, there are no points of survey. There evidently has been no survey of the island in 100 years. It is difficult to locate land, as described by the property owners. People will offer for sale land which they claim to own. If you ask if they have a deed, they will say "yes," but when they hand it to you it is usually a letter from some general who has taken their horse or pigs or other valuables, and in substance it says, "You can live where you are as long as you want." That is a literal translation of the paper they call a deed.

The CHAIRMAN. That is from the general d'arrondissement?

Mr. FARNHAM. Yes, sir.

The CHAIRMAN. Mr. Farnham, I wish you would speak of the work of pacification and the policy of development of the occupation.

Mr. FARNHAM. I never knew of any policy, Senator. I think that is the trouble with Haiti.

The CHAIRMAN. When the work of pacification was complete—and that was about when, in your judgment?

Mr. FARNHAM. In 1918 Haiti was as quiet as a churchyard—practically disarmed.

The CHAIRMAN. We had been there three years?

Mr. FARNHAM. And the relations, as far as I could observe, between the occupation and the natives were very good. The people who were educated, one and all, were awaiting the announcement of some plan of development—something which would bring about the construction of roads or bring in American capital to develop the sugar industry or cotton industry under the occupation. No plan seemed to be forthcoming. The men who were in charge of the military occupation all were awaiting it, and they did not know what to do. Many of them had programs which they worked out themselves, or thought out, but they were powerless to put them into effect. I think it was due almost entirely to our failure at that time—and when I say our failure I mean the failure of the United States Government—to present some well-defined plan for the development of that country that led to the renewal of revolutionary conditions. The war came on; they could not export their commodities; there were no ships; they had no money; the best people were really hungry, and they were hard put to it to get enough to eat—people who were theretofore well to do—and they appealed to the American officials for something, but the American officials could do nothing.

The CHAIRMAN. What form did the appeal take, if you know? Was there any formal memorial?

Mr. FARNHAM. No; I do not know of anything of that sort, but I know that individuals and groups did go to the financial adviser at that time, Mr. Ruan, I believe, and to the American minister and others, asking that something be done

to give employment to the people of the country—something which would place the ordinary exports and the funds derived therefrom which stopped. I was informed that representations repeatedly were made to Washington of the whole situation, with the request that some plan of development be given them. Personally I called on the Secretary of State at Washington three times and suggested that something of that sort should be done rather promptly. It was not done, and the fallen Haitian military began to talk to the ignorant countrymen—

The CHAIRMAN. We were pursuing a policy of watchful waiting?

Mr. FARNHAM. Yes. They led the countryman to believe, and rightly, that it was much worse off than before the American occupation; that the occupation had not brought any benefits to him, except perhaps the death of some of his relatives in the early days, and out of that grew conditions which were worse than prevailed when we first went in. Now, the country is again disarmed, and we have conditions to-day in Haiti practically the same as they were in 1918, peaceful, the people being ready for some comprehensive plan of development. I think before that can be carried out, a change will have to be brought about in the Government position. The dual government under the treaty which it seems to me makes impossible progress there. Nothing can be done by the United States officials.

The CHAIRMAN. There is no central, responsible authority to be found?

Mr. FARNHAM. No. The representatives of the United States, the financial adviser, the military commanders, and the American minister can do nothing without the consent of the Haitians, which they do not get, and the Haitians on their part can do nothing without the approval of the financial adviser. It is a deadlock, and has been so ever since the treaty was put into effect. I do not believe the American officials are to blame for the failure to do something.

The CHAIRMAN. Now, if you would care to do so, will you fix responsibility for the failure to develop and to apply a policy in Haiti?

Mr. FARNHAM. I would not to do that, Senator; I do not think I can. I can only say that no policy was forthcoming.

The CHAIRMAN. Was it in Washington or Port au Prince?

Mr. FARNHAM. I think it was in Washington. Port au Prince had no instructions from Washington. I think that the officers at that time were in command—and they were all strangers to me; I never met any of them. I met them in Haiti, men like Gen. Butler and Gen. Cole, who were in command of the military, and some of the engineers—I think they were as far as they dared go to do something in the way of progress and development. I think, in building these roads, they acted on their own initiative. I understood that instructions about that came from Washington. They wanted to have the people occupied at something. Gen. Cole approached the head of the railroad company to see whether a resumption could be had of the construction of the railroad, but that was impossible, due to the financial situation.

Senator ODDIE. Is there any trouble or lack of unity among the Haitians—that is, in regard to supporting their President?

Mr. FARNHAM. In doing what?

Senator ODDIE. In supporting their President.

Mr. FARNHAM. I think there are the usual political difficulties that there are in every country.

Senator ODDIE. Nothing serious now?

Mr. FARNHAM. No. Of course, each man thinks he ought to be president and would give a good administration. It is the usual political situation.

Mr. ODDIE. Well, the present President, then, is as strong as any man could be there?

Mr. FARNHAM. I think so, under the circumstances. I do not see what man could do more than this man has done. There has been for the last several years a well-defined position on the part of the President and the members of his cabinet and the leading politicians against the American occupation. They were aroused to that by the writings and talk of certain people who thought the Haitians were being abused and that the Americans had no business to be in Haiti. Of course, that would be a popular topic with the politicians, because if the Americans got out they would at once control the funds of the country again; but I feel confident that if the Americans do leave, there would be no development of the country by the Haitians. They would be left just where it was before we went there. The people are sufficiently educated yet to take up, of their own initiative, any development.

They have not the money and they have yet to learn agriculture, as we understand it, and the politicians have no interest in doing that sort of thing. (Whereupon, at 12 o'clock noon, a recess was taken until 3 o'clock p. m.)

#### AFTER RECESS.

The committee reassembled at 3 o'clock p. m., pursuant to the taking of recess, Senator McCormick (chairman) presiding.

The CHAIRMAN. You were saying, when the hearing was suspended, Mr. Farnham, that the Haitians knew nothing of agriculture, as we understand it. Has anything been done under the occupation to teach them?

Mr. FARNHAM. Not that I know of. I know of nothing that has been definitely undertaken in Haiti since the occupation commenced to develop with the natives the agricultural resources of the island or to seriously develop schools or educational methods. The only schools that I know of in the island are those maintained (and existing before the occupation) by the Jesuit priests, the French priests in the island. At some points they have schools, and they are undertaking to teach the Haitian children. They receive a very small amount of money annually from the Haitian Government, which they apply to purchasing books and materials for those schools—an exceedingly small amount.

The CHAIRMAN. Is anything being done to encourage the Haitians to work? Is he any more secure in the possession of his property or his savings than he was before?

Mr. FARNHAM. Well, he is not now liable to have what he has taken away from him, as under the old rule. Before the American occupation there was a military government in vogue throughout the island. The generals were divided into the generals d'arrondissement and the generals de la place. In their respective districts they were all powerful. They controlled the people as absolutely as if they were czars. The majority of the people did not know who was president and had no interest in it. They were interested more particularly in who might be, under some revolution, the general de la place or the general d'arrondissement, and how much that general might take away from them of their property. In traveling through the country it was necessary to have a pass, which you presented when you arrived at each place where there was a body of troops.

The CHAIRMAN. Was that true for the Haitian citizen as well as the foreigner?

Mr. FARNHAM. All Haitians had to get a pass to travel. You had to present your pass to the officer at that place, tell him whence you had come, and about how long you would stay, and where you were going. In the majority of cases the officer was unable to read your passport. Frequently they would hold it upside down and pretend to read it and hand it back to you, but if you gave them a little compensation that was all that was necessary. Those generals controlled practically everything in their districts when the construction of the railroad was commenced. During the first year it was quite customary, when the men who worked for the construction company received their pay, for the general of that vicinity to be on hand with troops and seize those men as soon as they were paid, put them in jail and take their money away from them, and on Monday they would bring them back to work, all tied together with ropes, and deliver them here. We appealed to the President to break that practice up, because it was difficult to get men. After they had been robbed in that way two or three times they would not work, and we were all the time having to obtain new men. But the appeals to the President at Port au Prince were without avail. It was some time before the practice was given up, and then it was very largely due to the activities of the people in charge of the construction work.

The market women, in passing these places of residence of the commander in the country districts, usually had to give up some of their coffee and some of their cotton as a toll, and frequently, after selling their produce in the town, they would have what they purchased in part taken away from them when they went out. I have frequently seen one woman driving a whole lot of burros on the return trip, while the other women of the party were making a detour through the woods with what they had purchased, in order to avoid the military posts.

In Port au Prince, up to 1915, if you wanted to go out after 6 o'clock at night and wanted to take dinner with a friend, for example, you had to get a pass to go from your house to his. You were stopped at every street corner by the

military. That was so in every town of the island. There were military posted at the corners always all night. That custom persisted up to of the American occupation.

The CHAIRMAN. Now, let us go back a little, Mr. Farnham. In what did Senator Knox secure the modification of the terms of the bank contract in favor of the Haitians?

Mr. FARNHAM. As I was not present at that time, but was in Europe, I simply state what I was informed. The terms of the loan were rather conservative in favor of the bankers. My understanding is that Senator Knox secured a modification of the terms, so that the bonds brought to the Haitians a return. Also I think he succeeded in having reduced the charges which the contract provided the bank should make for the service rendered to the Government. I was informed by some of my associates who took part in the conferences that he caused modifications to be conceded by the French which were very considerable to the advantage of the Haitian Government.

The CHAIRMAN. I want to turn for a moment again to the question of the *corvée*, to learn if you have anything to say with regard to the policy which was subsequently attempted by the department of taking men away from the neighborhood in which they lived, and to what extent that practice troubled.

Mr. FARNHAM. I can not answer that from personal knowledge, Senator. It is only hearsay. I was told that the practice had obtained to some extent that men from the south were carried to the north, and vice versa, but it was a matter of hearsay only.

The CHAIRMAN. Do you know anything about the charge that the men were being taken under the *corvée*, when they attempted to escape, were shot?

Mr. FARNHAM. That is a matter of hearsay; I do not know of my own knowledge. At the times when I was in Haiti, when I was along that road, I know none of that. I would say, however, in that connection that my observation of the work were during the régime of Gen. Butler. The people in our country in Haiti have informed me that after he left the island to go to France in 1900, a good deal happened under his successor that did not occur under his administration.

The CHAIRMAN. Who was his successor?

Mr. FARNHAM. A naval officer.

The CHAIRMAN. Williams?

Mr. FARNHAM. William, yes; I do not know what his rank was. I think he was a marine officer; I am not sure. I could not tell you about him from my recall, his name was Williams.

The CHAIRMAN. It has been reported that under Alexander Williams there were abuses in the administration of the *corvée* which did not obtain under Butler.

Mr. FARNHAM. That was the report that came to me from our employees in the office.

The CHAIRMAN. Were they specific abuses?

Mr. FARNHAM. No; the shifting of men from one part of the island to another, the abuse of some of the men by the minor officers in immediate charge of them, and I have heard that some of them, trying to get away, were shot. But, as I say, that is not a matter of my personal, direct knowledge.

The CHAIRMAN. In your judgment, were the roads, and especially the principal highway, of commercial as well as military value?

Mr. FARNHAM. That they built?

The CHAIRMAN. Yes.

Mr. FARNHAM. Yes, indeed; they facilitated very greatly the travel between the north and the south, which theretofore was confined to the few people who could make it on horseback and by the rather infrequent passage of steamships around the coast.

The CHAIRMAN. Do the peasants avail themselves of these roads in large numbers?

Mr. FARNHAM. I have always found it so when I have been on the market women traveling to market and coming back, and quite a number of people on foot traveling from one point to another in the interior of the country. One road in particular I think has been of very great advantage to the people in the interior; that is the road from Port au Prince across the plains to the *de-Sac*, over the mountains to a place called Mirebalais, which was almost inaccessible before that road was built. People had to come down the Artibonite River to St. Marc, and then down the coast to Port au Prince, rather than make that journey across there.

The CHAIRMAN. The road, of course, was built out of Haitian funds?

Mr. FARNHAM. That is my understanding; such expenses as were incurred.

The CHAIRMAN. What were the circumstances under which Secretary Bryan suggested that Americans acquire the French shares in the bank; did that suggestion come directly to the National City Bank?

Mr. FARNHAM. Yes; because—well, it came, in the first instance, to Mr. Werhane, who at that time was vice president of the bank, and myself, in a conference which we had one day with Secretary Bryan, in which he expressed the view that it would be rather advantageous to the country if the banking interests of the island were American rather than French, and asked why we did not undertake to acquire control of the bank. There was some discussion of the suggestion, and from time to time thereafter the matter was brought up in conferences which we had with the Secretary on Haitian matters in general. The idea seemed to be to eliminate, so far as possible, European influences in the island.

The CHAIRMAN. As I remember it, you testified that \$1,400,000 was paid for the assets of the bank remaining in the hands of foreign owners?

Mr. FARNHAM. No, sir; if you will pardon me; we paid \$1,400,000 for all the assets of the bank, that purchase price to be distributed to the shareholders.

The CHAIRMAN. What were those assets?

Mr. FARNHAM. The assets were all the property of the bank, including the real estate. The bank owned its building in Port au Prince, and at two or three other places in the island.

The CHAIRMAN. That included the Government note?

Mr. FARNHAM. It included the value of the Government contract.

The CHAIRMAN. No; I meant the sum due the bank from the Government of Haiti, which is now maturing in December?

Mr. FARNHAM. No; the \$1,400,000 included all assets, including the money in bank, receivables, the property of the bank, loans outstanding, which were considered good, reserves in Paris, and the reserve in New York. The bank has very few deposits.

The CHAIRMAN. Did they at that time include the sum due the bank from the Government of Haiti?

Mr. FARNHAM. Yes. I think, perhaps, I may have answered wrongly to your question before. I had it in mind during the recess when Senator Pomerene spoke of it. The amount due the Government was included in the assets.

The CHAIRMAN. I am just trying to make clear to myself the probable value of the assets for which you paid that sum.

Mr. FARNHAM. Well, I think I answered that this morning, \$1,500,000. We paid practically what the bank was worth, Senator.

The CHAIRMAN. Well, the bank was worth \$1,500,000, and the note of the Government of Haiti amounted to \$1,000,000?

Mr. FARNHAM. To-day its assets are worth \$1,500,000.

The CHAIRMAN. You do not include among the assets that note, then, which amounts to \$1,500,000?

Mr. FARNHAM. Yes; including that, and then deducting the liabilities of the bank, we will get a net worth of \$1,500,000. We had to assume practically all the liabilities of the bank in purchasing it. You see, the bank is owing now, and has to pay—in fact, is paying out, \$2,000,000, which it holds for the account of the Germans in Haiti. We had also to pay the cost of creating the new currency of the bank, as provided under the contract.

The CHAIRMAN. When was the interest payment on the foreign debt suspended, in 1914 or 1915?

Mr. FARNHAM. In 1914, on the interest. They defaulted on the payment of the amortization, I think, about 1911.

The CHAIRMAN. On the amortization?

Mr. FARNHAM. Yes, sir; the sinking-fund charges on one of the issues. You see, there are three loans outstanding, the last one being a loan of 1910.

The CHAIRMAN. Did they begin to default on the interest before the occupation?

Mr. FARNHAM. They were actually in default. The bank loaned them the money to complete that payment in 1914.

The CHAIRMAN. They were in arrears?

Mr. FARNHAM. They were in arrears. They had not the money themselves.

The CHAIRMAN. Has any of the interest on the debt been paid since the occupation?

Mr. FARNHAM. Yes, sir; under Mr. McIlhenny, who has applied so income to the payment of the interest. I think, if I recall right, it went up to the 1st of January last. I know we transferred and converted francs \$3,000,000 United States money, which was sent to Paris and the payment of the interest and arrears, and I think some other were transferred for that purpose.

The CHAIRMAN. What about the payment of the interest on the debt?

Mr. FARNHAM. I do not believe that has been taken care of.

The CHAIRMAN. When was the default on that begun?

Mr. FARNHAM. I am inclined to think that on some of that interest on some of those bonds the default took place in 1913 on the first subsequently on the other issues.

The CHAIRMAN. The Government had ceased payment of the interest before the occupation, then?

Mr. FARNHAM. That is my recollection, sir.

The CHAIRMAN. Do you care to say anything of the capacity and actions of the Americans in Haiti, whether in the diplomatic service, office of the financial adviser or the collector?

Mr. FARNHAM. I do not think it is my province to make any Those officers whom I met in Haiti in those capacities were all strong men. I knew none of them until I met them in the positions they were feeling, speaking of them as a group, is that they did the best they view of the conditions with which they were confronted under the the absence of any definite policy to be pursued. They always seemed to be drifting and waiting for some plan to be presented to them, and they should proceed. Their hands practically were tied because of the difficulty of obtaining the approval or consent of the Haitian administration of everything they proposed to be done.

The CHAIRMAN. In connection with the recalcitrancy of the Haitian Government, is there anything you can tell the committee about the dissensions in the Haitian Senate?

Mr. FARNHAM. I could not. I was not there when it occurred, and I know is hearsay statements by people who were there. I think the matter was told fully in the newspapers at the time.

The CHAIRMAN. As you remember those newspaper accounts, were they substantially accurate?

Mr. FARNHAM. Well, generally speaking, I think they were correct and were some extravagances in them.

The CHAIRMAN. If I understood you correctly this afternoon, in your opinion there has been no policy established here in Washington?

Mr. FARNHAM. So far as I ever heard of.

The CHAIRMAN. And nothing has been done for the economic reform of the country?

Mr. FARNHAM. Not that I know of.

The CHAIRMAN. Or the establishment of schools generally?

Mr. FARNHAM. No, sir.

The CHAIRMAN. Nor for the development of agriculture?

Mr. FARNHAM. Not that I know of. I would say that Gen. Cole—who is General, or Col. Cole—who was first in command, and subsequently Russell, now in command of the marines, and Mr. McIlhenny all have been of that sort. My understanding is that they sent them to Washington for suggestions for which they would like to have had approval so that they could proceed to carry such ideas out, but, to the best of my knowledge, none was forthcoming, and certainly nothing has ever been done there.

The CHAIRMAN. The Government has done nothing to develop the education of the Haitian people for self-government, locally or generally?

Mr. FARNHAM. Not so far as I know.

The CHAIRMAN. I wonder if you would not be willing to send to the committee from New York any suggestions which you might care to make for constructive economic and political policy in Haiti?

Mr. FARNHAM. Well, I would be glad to do so.

The CHAIRMAN. I would like you to think over that.

We were talking this morning of the railroad, which is now in the hands of a receiver, is it not?

Mr. FARNHAM. Yes.

The CHAIRMAN. And you are the receiver of the railroad?

Mr. FARNHAM. Yes, sir.

The CHAIRMAN. Are you the president of the railroad, too, Mr. Farnham?

Mr. FARNHAM. I was president of the railroad company; yes, sir. I took that in order to look after the interests of the bank in respect of the loan made to the construction company.

The CHAIRMAN. Were you originally the president of the railroad?

Mr. FARNHAM. No, sir.

The CHAIRMAN. It was only when the financial situation became hazardous?

Mr. FARNHAM. I think at the commencement of 1913, if I recall rightly, I was made president of the railroad.

The CHAIRMAN. Was it in financial difficulties then, as far back as then?

Mr. FARNHAM. Yes, sir; it had been experiencing a good deal of trouble in the construction. The Haitian Government had refused to deliver the definitive bonds on such portion of the work as had been completed. The money provided by the bonds had been exhausted, and the syndicate had been called upon to furnish money through the underwriting which had been undertaken. My position in respect of the railroad is one of a representative character, in so far as being president and director is concerned. I have no personal interest in it. I have no personal investment in Haiti of any kind, in anything, and never have had.

The CHAIRMAN. Is the contract between the Haitian Government and original concessionaire available?

Mr. FARNHAM. Well, you mean the present railroad? The original railroad was commenced, I think, away back in 1905, and—

The CHAIRMAN. You were speaking of the bonds which the—

Mr. FARNHAM. Well, yes; that contract I have in New York.

The CHAIRMAN. Could you send us a copy of that?

Mr. FARNHAM. Yes, sir.

The CHAIRMAN. What was the security which the bank had for this advance to the construction company?

Mr. FARNHAM. The definitive bonds of the railroad company, bearing the guaranty of the Republic of Haiti to pay the interest and sinking-fund charges whenever this railroad was unable to earn the same.

The CHAIRMAN. How much in bonds was the Haitian Government obliged to put up as security for that credit?

Mr. FARNHAM. The construction company deposited bonds of the value of \$878,000, I think. I can give you the exact figure later, Senator.

The CHAIRMAN. For a loan of half a million?

Mr. FARNHAM. Yes, sir.

The CHAIRMAN. And is half a million the sum they advanced?

Mr. FARNHAM. Yes, sir.

The CHAIRMAN. Is the Government in default now on those bonds, or on the interest on those bonds?

Mr. FARNHAM. Yes, sir. They paid two coupons, and after that they were in default.

The CHAIRMAN. In this connection, who is Mr. Lind?

Mr. FARNHAM. He was a telegraph lineman employed by the construction company at the time they were erecting the telephone and telegraph line of the railroad company. Subsequently, he did general work for the construction company, and at the time the construction work and operation of the railroad was suspended he was maintained there, after the forces were dismissed, as a sort of watchman, with headquarters at St. Marc. He was for the time being in charge of the property of the construction company. He was there at the time the American occupation occurred and had general charge of the property at the time the resumption of the railroad service took place. He continued, I do not know how long, Senator, a few months, and then it was advisable to make a change, and he went out of the employ of the company.

The CHAIRMAN. At the time he left the employ of the company what work was he engaged in doing for the company?

Mr. FARNHAM. He was engaged, in general, in looking after the operation of the trains. He was not a railroad man at all, but we could not get anyone to go there at that time to do that work.

The CHAIRMAN. What was he a sort of operating superintendent?

Mr. FARNHAM. Yes; without that title. It seemed advisable to make a change in his position at the time it was done.

The CHAIRMAN. I do not want to press for the reasons for his dismissal.

Mr. FARNHAM. Well, I think the high officials of the American occupation felt that a change in the management would be desirable. I think there was a lack

of cooperation. Mr. Lind and the resident manager in Cape Haitien, Mr. Woolard, both received very explicit instructions. American occupation commenced to cooperate in every way and to facilities for the officers and the troops, and to put themselves at the disposal of the officials of the occupation, and to not haggle over at all but to do what was wanted, and if there was a difference of opinion would be dealt with later on. Mr. Woolard was able to observe the conditions very fully, but Mr. Lind did not seem to be able to comprehend. It was a matter of temperament, I think, more than anything else.

The CHAIRMAN. I want before we adjourn to touch again upon the instances of the landing of the marines. You indicated this morning the landing of American naval forces had been precipitated by the French forces first, prior to the landing of our forces?

Mr. FARNHAM. Yes; the French had landed at Cape Haitien. A French force was on in the north.

The CHAIRMAN. What occasion had they to land? Were they French interests or French interests?

Mr. FARNHAM. There have always been, since I have known the country, more French people and more French capital engaged in commerce in Haiti at and around Cape Haitien than in any other part of the island. There are probably, too, fewer Germans there than at other points on the island, and it was, I think, largely on account of that predominance of French interests and because the revolution at that moment was prevailing in the vicinity, Cape Haitien, that the French landed at that place. The French force of men, and practically took possession of the whole situation, and the result that peace was restored, the revolutionists were driven out of the country, and things were going along in normal fashion in Cape Haitien.

The CHAIRMAN. Prior to the landing of any American force?

Mr. FARNHAM. Yes sir.

The CHAIRMAN. Did American forces land them at Cape Haitien, Port au Prince later on?

Mr. FARNHAM. No; Admiral Caperton was sent to Cape Haitien, and he ranked the French captain or the French officer, whoever it might be. The French withdrew on board their ship, which, my understanding, was away; they simply took their men on board ship.

The CHAIRMAN. After the American forces had landed?

Mr. FARNHAM. Yes, sir.

The CHAIRMAN. Did the French land at Port au Prince later?

Mr. FARNHAM. Yes, sir. My understanding of that is that they landed before the Americans. I was not present at that time in Haiti, so I cannot say you the reports made to me by our railroad and bank people who were present.

The CHAIRMAN. Since we have discussed the landing at that time, will you throw any light upon the landing of the marines from the *Machias* at Port au Prince on December 17, 1914—that would be prior to the occupation—removal of a sum of money from the bank vaults in Port au Prince, New York?

Mr. FARNHAM. Yes, sir. We had in the vaults of the bank at that time a considerable amount of gold. There had been repeated demands upon the Haitian Government for further loans from the bank, which demands had been refused, and there were threats by the various officials of the Haitian Government that they would raid the bank and take that money. Threats or threats had reached Mr. Bryan—how I do not know—who was then Secretary of State, and he requested some of us to come to Washington and discuss the matter with him. Mr. Werhane, the then vice president of the Bank of America and myself came here, and after a long discussion of the whole situation, we arranged that at least half a million dollars should be brought to New York.

The CHAIRMAN. Out of how much?

Mr. FARNHAM. I think we had then about a million dollars there. We retained some in the island. We had thought some of transferring it to New York ourselves, but there was no way of getting it over there at that time.

The CHAIRMAN. Was that the gold reserve of the gourde circulation?

Mr. FARNHAM. Yes, sir; it was a part of that.

The CHAIRMAN. Now, under the terms of the contract with the bank, did the gold reserve the property of the bank or of the Government?

Mr. FARNHAM. It was held by the bank in trust for that particular purpose. The money had been derived from the sale of the bonds issued by the Haitian Government in the loan of 1910, to the specific amount of \$2,000,000, or

ances, which was set aside under the contract for the purpose of retiring the old paper money under a law of retirement to be enacted by the Haitian Congress. Such a law was not enacted promptly. In fact, I think it was about 1913 when it was passed, and the bank was instructed to commence the retirement of the old paper gourdes, and for that purpose, if I recall rightly, of the 2,000,000 we sent \$1,000,000 in gold to Haiti.

The CHAIRMAN. The bonds had been sold in New York?

Mr. FARNHAM. No; in France. No issue had ever been brought out in New York, but all in France. The retirement had proceeded for only a very small amount when a new government came in power, and they stopped the retreat, so it was called.

The CHAIRMAN. The retreat of the money?

Mr. FARNHAM. Yes; and the subsequent Government ordered it commenced gain, and then countermanded its order, and it was in those times when the demands were made upon the bank for further loans, and we refused those after consultation with the State Department here.

The reason the money was brought from Haiti to New York in a warship was because it was impossible to obtain insurance upon it in the small ships of the Dutch Line which were then operating. It was after presenting that situation to the Secretary of State that it was arranged that the *Machias*, I think it was, would bring the money to New York. It was brought up and placed on deposit in New York and held there for the account of the retreat, in which it subsequently was employed. The Haitian officials did carry out their threat finally to raid the bank. The then minister of state, I think it was, the minister of foreign affairs, led a detachment of troops one day to the bank and they broke in. The man in charge managed to close the door of the large vault, but the soldiers obtained \$62,000 in gold from the cash drawers and went away with that.

The CHAIRMAN. What was the attitude of the resident director of the bank, whose name was Desrue?

Mr. FARNHAM. Well, Mr. Desrue had been employed in the bank for quite while. What do you mean by his attitude?

The CHAIRMAN. Well, I see in a report by M. Louis Borno that he attributes to Mr. Desrue the information that the removal of the Treasury to New York was unnecessary.

Mr. FARNHAM. Well, Mr. Desrue, I do not imagine, knew anything about it until he received instructions to deliver the money to the officers of the ship.

The CHAIRMAN. What was his function in the bank there?

Mr. FARNHAM. He was at that time acting manager of the bank. He was in charge of the affairs of the bank at that time.

The CHAIRMAN. Did he remain there in charge for long afterwards?

Mr. FARNHAM. No; he was succeeded by a new manager whom we obtained, a Mr. Scarpa. Mr. Desrue is now acting assistant manager of the bank. He is still in the employ of the bank.

The CHAIRMAN. Subsequently, the bank, acting through Monsieur Casenave and yourself, under date of the 10th of July, 1916, made what agreement relative to the reserve?

Mr. FARNHAM. That was an agreement which was arrived at after about a year's discussion here, participated in by the officials of the Haitian Government, who were sent here for that purpose, in an endeavor to reach a new and final agreement covering the retreat of the old money, the issue of new bills for the bank, and an adjustment as to the amount which had been so far retired, and how much of the money had been used for that purpose. There were some other considerations also.

The CHAIRMAN. You made that agreement?

Mr. FARNHAM. Yes, sir; that was entered into.

The CHAIRMAN. Has it been carried out?

Mr. FARNHAM. Yes, sir.

The CHAIRMAN. Has the money been retired and the new issue made?

Mr. FARNHAM. Practically all of it; yes, sir. There is a relatively small amount of the old money remaining outstanding.

The CHAIRMAN. You agreed at the same time to return the sum carried to New York?

Mr. FARNHAM. It has been done, together with all the accrued interest thereon during the time it was up here, a part of the time 2½ per cent, a part of the time 3 per cent.

The CHAIRMAN. Now, I think before we conclude we ought to touch up the charges which are made in Haiti relative to a monopoly of import and export of gold, and perhaps foreign exchange. Can you throw on that, Mr. Farnham?

Mr. FARNHAM. Well, I personally did not take part in those matters concerning the matter you refer to. That was attended to by Mr. Allen that time one of the vice presidents of the City Bank, and who for that time had been manager of the bank in Haiti. I think there has always been a misunderstanding about that. The paragraph which the Haitian Government objected to in the monetary reform agreement, as it was called, was intended to give the bank any monopoly of the sort described. The bank has had that monopoly, except in so far as you would find it in the fact that it was the only bank in Haiti until the advent of the American-Foreign Banking Corporation, and subsequently the Royal Bank of Canada. No other bank operated during the life of the bank to prevent the German merchants from bringing in gold if they wanted to or shipping gold out, and they could have brought gold into the country, or I could or anybody. So the bank with the bank and others brought in and shipped out their own currency.

In this connection—and, if you please, I am giving my own understanding because at the time I did not participate in the matter—Mr. McElwaine, some of the other officials who were then representing this Government in Haiti felt that it would be advisable to have some sort of a control over the amount—not control, but a means of knowing, if you please, the money coming in or any considerable amount of gold in or out, and in that connection prepared a paragraph, which was inserted in the agreement and subsequently modified. In its changed form it was referred to the Department, and I know quite a number of those merchants and others who had misunderstood the original paragraph and opposed it in its original form did give their approval to the amended form. Under the modified form other banks could have brought in gold, and they could have shipped it out. The Haiti Bank would have purchased bills on responsible banks in the United States at the prevailing rate of exchange plus the ordinary commission of 1 per cent, which was what it had always done, or what the Royal Bank of Canada would do, or what the American-Foreign Banking Corporation would do.

The CHAIRMAN. Mr. Farnham. Mr. Allen is now in New York?

Mr. FARNHAM. Yes, sir. He resigned from the National City Bank in November, I think, to become the president of the American-Foreign Banking Corporation, where he now is.

The CHAIRMAN. What are his initials?

Mr. FARNHAM. John H.

The CHAIRMAN. Is there anything else you have to say to the commission?

Mr. FARNHAM. I think not.

I would, however, like to answer one question you asked me concerning the future of Haiti. I believe that Haiti can be made exceedingly prosperous by developing certain lines—sugar, coffee, cotton, and tobacco. I think that the Haitians should be taught to become a good and efficient laborer. If left alone by the United States, he is as peaceful as a child, and as harmless. In fact, the Haitians are nothing but grown-up children, ignorant of all agricultural methods, and they know nothing of machinery. They must be taught. I think that the United States could be put into effect in Haiti, which would give the people, the young people, particularly, the children, opportunities for education; establish a direct and complete control over the finances of the country under a budget, I think it would be but a few years before Haiti would be able to take care of all her obligations out of her revenues, and have a surplus left, and I think it would become, considering its relative size, a prosperous country as Cuba has proven to be.

The CHAIRMAN. At various times in the past you made suggestions to the State Department for the development of a policy. Were those suggestions very formal, written suggestions, or only in the course of conversation?

Mr. FARNHAM. No; they were made, on two or three occasions, at the request of the President, through Mr. Bryan. They went to Mr. Bryan on his own request.

The CHAIRMAN. In writing?

Mr. FARNHAM. Yes, sir. I do not know whether they are in the files of the State Department or whether they were passed on to President Wilson, but on two or three occasions I was requested to prepare a paper of that sort.

ODDIE. What are the sanitary conditions in Haiti?

FARNHAM. Now, in Port au Prince and in the principal towns they are the buildings and houses lack sanitary appliances, as we understand almost completely, but the streets in Port au Prince, the principal have been paved.

CHAIRMAN. Is that true of St. Marc and Cape Haitien, too?

FARNHAM. Yes, sir; the streets of Port au Prince have been paved, some and some of the principal streets of St. Marc and Cape Haitien and Aux have been macadamized, and all are swept and kept quite clean under revision of the military.

ODDIE. Have the conditions along that line been improved since American occupation?

FARNHAM. There was not any such thing before. The only thing which before anywhere was in Port au Prince, where about a year, I think, the American occupation some contractors had undertaken the paving of some of the streets in Port au Prince. That work was suspended at the beginning of the American occupation and resumed some months later under the direction of Army or Navy engineers, and a considerable amount of work has been done there. The noticeable change, however, is in the small towns, which were very filthy, and with nothing at all approaching sanitation. Now, the situation is different and the streets are clean.

ODDIE. What has been done since the American occupation in reference to the public health?

FARNHAM. Beyond the measures I have just described, I know of nothing more. I do not know just what could be done. The people live all over the country. They live in little shacks which are pretty dirty. The people, the Haitian country people, are very clean. They spend a considerable portion of their time in the rivers and streams washing themselves and their clothes.

ODDIE. I mean in regard to combating disease.

FARNHAM. I think very little. Until this smallpox outbreak of a year ago there has been quite some years since there has been any epidemic in the country. Last time it was yellow fever. I think that was 12 or 14 years ago. The United States marines have charge of the sanitation there, and they employ men in cleaning up the streets and keeping them clean. (Witness was thereupon excused.)

CHAIRMAN. Thereupon presented the following list of witnesses, whom he called to the committee should be called during the course of its hearings:)

1. W. B. Caperton, United States Navy.

2. Josephus Daniels, Raleigh, N. C.

3. Robert Lansing, Washington, D. C.

4. Pilkington, P. W. Chapman & Co., third floor, 115 Broadway, New York

City, 3604 Broadway, apartment 4, New York City, telephone Audubon

5. Tippenhauer, 723 Seventh Avenue, New York City.

6. Luckerman, 110 Crawford Street, care of E. Levy, Roxbury, Mass.

7. Burrows, 253 Belgrade Avenue, Roslindale, Mass.

8. W. Johnson, 70 Fifth Avenue, New York City.

9. J. Seligman, care of James W. Johnson, 70 Fifth Avenue, New York

City. 10. Ton Evans, First Baptist Church, Port Matilda, Pa.

11. George Barnett, United States Marine Corps, headquarters Department of the Pacific, San Francisco, Calif.

12. Medley Butler, United States Marine Corps, Quantico, Va.

13. Admiral Knapp, United States Navy.

14. Middleton W. Waller, United States Marine Corps.

15. L. Farnham, vice president National City Bank, New York City.

16. A. McIlhenny, financial adviser Haitian Government, care of State Department, Washington, D. C.

17. Judge Colby, 1315 F Street, American National Bank Building, Washing-

ton, D. C.; 32 Nassau Street, New York City.

18. L. Allen, president American-Foreign Banking Corporation, New York

City. Thereupon the committee adjourned until 10.30 o'clock a. m. Wednesday, May 2, 1921.)



# REPORT INTO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

WEDNESDAY, OCTOBER 5, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
Washington, D. C.

Committee met at 10.30 o'clock a. m. pursuant to adjournment, Senator McCormick (chairman) presiding.

Present: Senators McCormick, Oddie, King, and Pomerene.

Present: Mr. Ernest Angell, representing the Haiti-Santo Domingo Independence Society, etc.

GELL. I request the privilege of the committee of being allowed to put directly to witnesses called before the committee. In making this I do so because I feel that it is probable that as to many of the witnesses only in this manner that the essential facts can be brought out, have made a detailed study of the situation, and in many cases have had detailed interviews with the witnesses; know what they will say before the committee, and, without any reflection whatever upon the committee, in many of these instances the members of the committee have not had opportunity to talk with the witnesses beforehand, and can have only a general idea as to what the witnesses will testify, so I therefore request that privilege.

POMERENE. In whose behalf do you appear?

GELL. I appear on behalf of the Haiti-Santo Domingo Independence Society, the Union Patriotique d'Haiti, and the National Association for the Advancement of Colored People. I appeared at the first hearing, and have attended the hearings, in fact, and submitted on behalf of these organizations a Memorial, an outline statement of the joint position assumed by the various groups.

CHAIRMAN. I suggest that the committee consider Capt. Angell's request and make its decision.

POMERENE. Yes.

The following papers are copies of memorandum, sworn affidavits, and letters from President Harding, ex-President Woodrow Wilson, ex-President Theodore Roosevelt, Senator Hitchcock (then chairman of Foreign Relations Committee), and letters subsequently written the Hon. Josephus Daniels, Secretary of the United States Navy, by Hon. T. Ch. Moravia, consul general of the Republic of Haiti at Washington, D. C., with replies of Second Assistant Secretary of State, in behalf of then President Wilson, from Josephus Daniels, etc., showing the strenuous and persistent efforts made through official channels of Government of late administration for over two years to right the wrongs of same in the black Republic of Haiti, and the appeals made for interviews and the appointment of a commission to investigate the conduct of American forces in Haiti and by the first official spokesman the Rev. L. Ton Evans until at last brought to an end and scandalous conditions, with the approval of the late Theodore Roosevelt to President Harding and the national Republican council at Washington, D. C., with the result of present Senate committee (commission) appointed President to investigate the occupation and administrations of the Republics of Haiti and Santo Domingo by the forces of the United States.)

CHESTNUT AVENUE, KINGSTON, PA., October

HON. WOODROW WILSON,  
*President of United States.*

DEAR PRESIDENT: May I respectfully request a brief interview affairs, that I hope will lead to the appointment of a commission to investigate conditions there?

The present situation is very bad, and I have faithfully pledged leaders of this little nation, irrespective of creed or politics, that I merely see you but assured them the moment matters are placed before President a commission will be granted to go carefully into these so grave Haitian affairs.

I have just forwarded a memorandum addressed to you, sir, to my friend Dr. T. Jesse Jones, of the Government Bureau of Education, containing brief sketch of self, with relation to Haiti grievances commencing with recommendations.

The names of Dr. Moton, Dr. Dillard, Dr. Brink, Hon. Geo. Foster, Father Curran, Dr. Jesse Jones, and Admiral Caperton, or men of this type are suggested as members of this commission, not merely to make a full and thorough investigation of present wrong but from the evidence at the inquiry, so as to formulate a simple and satisfactory plan for future development of this Negro republic along the lines of treatment in light of "war ideals."

Having come directly to the States, and mainly for this purpose, I profoundly appreciate such an interview at this time, and, if agreeable, Dr. Jesse Jones, and Dr. Brown (president of my own missionary board) will come whenever convenient for you to see us next week or at least return to Haiti this month.

I am most anxious for the sake of our President and our Government that everything shall be satisfactorily adjusted and real constructive work in developing Haiti shall as soon as possible be proceeded with on terms that are understood and explained by our President.

I have purposely refrained from making any public references to the serious and sad conditions in the Black Republic in preaching or addresses, and thus far have kept from Negro convention, and for same reason attend forthcoming race congress (though invited) at Washington this fall for the iteration of the cruel and brutal scenes, as I have personally witnessed them, will immediately "fire" not only an audience of Negroes but Baptists of both North and South and Protestants of America generally. At this critical period we are anxious to avoid, sincerely believing (and repeatedly assured the leaders and Haitians) will be immediately and effectively remedied the moment matters are brought to your personal attention grounds furnished to justify such action on your part.

As I am leaving for Baptist conventions in North Carolina, where I myself shall speak on conditions of Negro womanhood in Haiti, and expect to meet Dr. Brown, a reply addressed to him there will reach you day or Monday. Praying God to spare your valuable life, etc., and I remain, sir, your friend,  
 and Haiti.

NOTE.—As requested, Mr. Tumulty replied in behalf of President. His letter was handed over to Mr. Lansing to be dealt with, directing me to make all further communications re Haiti to Secretary of State. All further correspondence both with Lansing and Tumulty in behalf of poor Haiti proved of no use.  
 L. T. E.

NATIONAL TRAINING SCHOOL, LINCOLN HEIGHTS,  
 Washington, D. C., October 1

HON. GILBERT M. HITCHCOCK,  
*Chairman of Senate Committee on Foreign Relations.*

DEAR SIR: While appreciating the brief interview given me on Wednesday, and the serious conditions in Haiti, and demanding urgent attention of the Government, I wish to state that the following morning Mr. Stabler, an Assistant Secretary at the State office and in charge of Haiti affairs, and after my appeal (and even threat of bringing matters before Senate and Congress) last fixed Monday morning, 11 o'clock, to go carefully with me into the matters.

As I understand that this very official it was who made complaint to the missionary board, absolutely misunderstood my position, and therefore gro

ed my attitude to these Negroes, demand ng of them my being recalled e black Republic on account of my Christian activities (without defining ctivities) has now granted me the opportunity sought (though post- efused me by the Negro committee of the Lott Carey Mission Board), understand I am sure under these circumstances the reasonableness of using my placing these facts before you, with evidence substantiating or consideration of yourself and Senate Foreign Relations Committee ter this interview (official) with above Secretary Stabler.

ed he and the State Department fail to attend at once to this urgent and call the special attention of the President to same, then it will uty as an American citizen, not to say a Christian missionary, to come Senate Committee on Foreign Relations, through you as chairman, with of having this special commission immediately appointed, and see that ut treaty made by our own Government is scrupulously carried out, and e light of our present "war ideals" proclaimed at this moment through- whole civilized world.

ivilized, humane, democratic United States Government, with a Chris- sident, and at a moment we ourselves are champion ng the sanctity of and liberties and rights of small nations in Europe and Asia must itself utely freed from the very insinuation, not to say the open charge now Haiti and by Haitians all over the Republic, of actual insincerity and and attempt to repudiate our solemn treaty obligations at this time in k Republic.

e myself personally and persistently maintained that all mistakes, s, if not something worse (crimes and treachery on the part of officers e both in Haiti, backed by some in Washington), which have caused the reversion of feeling in Haiti's present attitude toward our President, ment, and everything American, and which are back of these insinua- d charges are without the knowledge of President or responsible United Government, and, furthermore, the moment these are directly and offi- brought before them the whole business will receive immediate atten- everything adjusted.

ing you for interview and interest, I have the honor to remain, sin- ours, and for Christ and Haiti.

d at request of Senator Hitchcock, chairman of Committee on Foreign Rela- of the Government; and also Mr. Stabler, of the Latin-American section of ate Department, to latter of whom it was submitted Monday morning, October 18, for presentation through Secretary Lansing to the President.]

NDUM TO THE HON. WOODROW WILSON, PRESIDENT OF THE UNITED STATES, ESENT SITUATION IN HAITI, SHOWING SOME OF THE CAUSES OF DISCON- WITH RECOMMENDATIONS AND REQUEST FOR A COMMISSION TO CAREFULLY IGATE THE MATTERS COMPLAINED OF AND FURTHER FORMULATE A SIMPLE FOR THE DEVELOPMENT OF THE BLACK REPUBLIC ALONG TREATY LINES, E LIGHT OF WAR IDEALS OF OUR GOVERNMENT, PARTICULARLY AS SET BY THE PRESIDENT HIMSELF AT WASHINGTON'S TOMB THE 4TH OF JULY AND SINCE.

#### PREAMBLE.

th as an American citizen and a Christian missionary, naturally moved apathy for Haiti and its over 2,000,000 Negroes at this time of suffer- distress, and looking to the United States for redress of their griev- and while assuring you of the genuine gratitude, shared by every loyal otic Haitian, both educated and uneducated alike, that Admiral Cap- ed his American marines at Port au Prince, thus rescuing their politi- and revolutionary bleeding Republic from the iron grasp and selfish Germans, who for years had financially and murderously exploited aid of Berlin money and ammunition; and expressing our deep appre- of the splendid work already done in Haiti by our "American occupa- and under exceptional (European) war conditions, the Lott Carey Mis- Foreign Baptist Board and myself, as its missionary and superintend- alti, are at the present moment, and just when our Christian President ized, humane, and democratic United States Government are cham- the "sanctity of treaties," liberties, and rights of small nations, still

more anxious, if possible, we shall ourselves be perfectly free from suspicion, not to say insincerity, and charges of a desire to "repudiate our own treaty obligations either in Haiti or any other part of the world."

I have therefore respectfully but resolutely maintained that what takes, blunders, or, indeed, something worse, committed by officers, gendarmes (native police), and other representatives we have in Haiti, causing a version of feeling throughout the whole black Republic against our Government, and everything American, which is positively the cause of mistakes, blunders, etc., have been actually committed without the knowledge therefore without the sanction or authority, of either our President or our visible United States Government; and, indeed, moreover, I added, that what are properly brought to the direct attention of our Government at Washington a fair and thorough investigation will be at once made and matters set for in the expressed language of the treaty itself—

"The United States, as well as the Republic of Haiti, desire to continue and strengthen the amity existing between them by the most cordial co-operation in measures for their common advantages, to maintain tranquillity of the public to carry out plans for the economic development and prosperity of the Republic and its people."

As showing my own position, relation to, and interest in Haiti, the following brief statement regarding myself may be necessary:

#### BIOGRAPHICAL SKETCH.

Born and educated in Wales; graduated in 1887 from Haverfordwest Baptist Seminary, specializing in theology, philosophy, and political economy, as well as securing the London scholarship.

I was ordained the same year at the new and growing Barry District missionary-pastor, and where I also soon became the organizing secretary of the Barry and District Gospel Temperance Council, embracing the social as well as temperance activities; in fact, of all the evangelical and friendly societies of that section.

This brought me into personal touch and active association with the leaders and social reformers of Britain, many of whom, such as Horace Maclean, chairman of committees in the British House of Commons; Lloyd-George, prime minister and secretary of war of Great Britain; and whom I have been privileged to instruct in fights against booze; together with the late Sir Sam T. Evans, president-judge of Britain's prize wars, count as personal friends.

The latter also defended me before Lord Mercy, of *Titanic* and fame, in a libel case, which drew considerable attention at the time, the plaintiff pleaded guilty to prostituting his public position, misapplying public funds, and had to quit all civic and public offices and leave the country (Lord Mercy commended the valuable service rendered by the writer to the community through exposing dishonesty in high public offices.)

In 1891 my Barry church allowed me to travel in the East, visiting Palestine, Asia Minor, Turkey, etc.; and in 1892 I accepted the position of general missionary of the Jamaica Missionary Board in Haiti, but in the following year, owing to serious illness of wife, returned to Wales and settled again in Cardiff Dock.

Early in 1902 resigned to accept First Baptist Church, Edwards, when among other letters of commendation was one from Mr. Lloyd-George. Believing in a republican form of government, I took out citizen papers in Pennsylvania, but in 1908, after resigning this charge, and speaking out the churches of Wales on Haiti and its people, as well as here in the United States, I returned as field secretary to the Black Republic.

While in Jamaica in 1910, in behalf of Haiti, and after personally investigating the religious and social as well as economic conditions there at the abject state of East Indians (coolies), called contract laborers by the planters (and corporations), but better known as "scabs" in this country, how Jamaica was being depleted of its own Negro sons of the soil, who (this species of slavery) were forced in thousands to Cuba, Panama, and elsewhere for work or starve in their island home. I took up the matter with the Government and through the parliamentary secretary of the Labor Department to the House of Commons.

With the aid of the Anti-Slavery Society (London), and after circulating 300 Welsh, Irish, Scotch, as well as English members of the British

cluding Prime Minister Asquith, George, and others of the cabinet, as the King, and setting forth some very startling facts, substantiated by figures (colonial) and documentary evidence, the Government (in spite of so-called findings and recommendations of their recent royal commissions) perpetuate the unjust, immoral, and cruel system in the West Indies) "act in council" very soon compelled the governors of Jamaica and . etc., to pass at once legislation curbing those (British and American) planters and fruit growers who insisted on having cheap coolie labor. The Labor Party further got the Government to prohibit the exploitation of the Indian British subjects as serfs and slaves. (Sir Lewis Harcourt, Secretary for their Colonies, wrote thanking me in Haiti for furnishing the Government with these facts.)

I not only represented Haiti at and took public part in the World's Alliance in Philadelphia but was privileged that same year to bring a letter to the States from Haiti signed by late President Leconte, Hon. J. E. (for years representing Haiti in Washington and at Berlin), with nearly a million Haitians, such as senators and ex-senators, deputies and ex-deputies of all the courts, inspectors, generals, Haitian employers of labor, earnestly praying Messrs. Rockefeller, Carnegie, and others of our American philanthropists to establish in Haiti a "national industrial college" on a basis, such for instance as Hampton and Tuskegee. It was deposited for some time here in Washington at the Carnegie Endowment for International Peace (through victory) Bureau, under the care of the East and North.

President Simon and his Government at the time, who heartily supported the "project" as they called it, promised 300 acres of land for this purpose, also practically all the civic councils in the Republic passed, resolutely and officially wrote thanking me for my deep interest in Haiti and their kind expressing sincere hope that my mission to the States in their behalf would be crowned with success. (Dr. Furniss, our United States minister to Port au Prince, and our American Consul Livingston at the Cape, emphatically indorsed the petition and gave highest commendations.)

In pleading with our Negroes of the South during 1912 to come to the aid of their own race in the black Republic, the present Lott Carey Foreign Baptist Convention partly responded, and to their credit it decided to undertake the evangelization of this field, and for this purpose sent their president, Dr. C. S. and Dr. A. M. Moore to visit the Republic. The white Baptists of the Convention template to cooperate with our board after the war.

At the end of last year Mrs. Evans and myself again left the States to visit superintendents, etc., under our Lott Carey Board in Haiti.

#### SPECIAL GRIEVANCES.

I have appealed repeatedly to our Government for aid and protection to Haiti's people, and as representative of Haiti's Presidents more than once during the reign of President Cleveland, Taft, and the present administration, I therefore not only rejoiced at last come to the rescue of these quiet, kind-hearted, and helpless people from atonic tyranny, but I was determined to assist our "American occupiers" as far as possible (and proper for missionaries) in our work.

I am however delighted at the generous terms of the "treaty" which at its commencement I understood in the light of the official declarations of President Taft. I have during the last seven or eight months in Haiti been shocked and saddened by what I have been an eyewitness of, apart altogether from the evidence of others, as to the deliberate and ruthless violations of the "treaty," both in spirit and letter, to wit:

1. The forcing of a new constitution upon the people, under military pressure of the gendarmes (native police) of the American occupation, on the 12th of June last, and so as to change the land clause in favor of the white and to accomplish this by methods which would be declared in the most advanced and civilized countries as both illegal and fraudulent.

2. The intelligent Haitians connected with the Government, or American occupiers who in fear and trembling were compelled to vote, be dismissed, or imprisoned if they refused, very aptly described these humiliating proceedings as "planting a dagger into the very heart of their own Negro Republic."

3. The closing on two separate occasions of Senate and Chamber of Deputies at Port au Prince and turning out by military force (gendarmes) under the command of the Haiti people's only representative bodies; then locking the

Senate and Chamber doors against them, exactly as the late Czar did to the Russian people's Duma; and while friendly to our United States Government and favorable to our American occupation merely, it is said, because they tested against and opposed (as illegal and unconstitutional) to change the constitution, they felt to be the vital clause in their constitution, namely, the withdrawal of land from the white foreigner and American speculator.

Haitian judges who declared this to be illegal are said to have been driven out of office or imprisoned, or both, and in spite that under the new constitution foreigners (white and colored) could hold real estate on the same terms as in District of Columbia—that is, by becoming Haitian citizens. See "Haiti, Her History and Her Detractors," by the late Hon. J. M. W. McKim, Haitian minister for years in Washington.

3. The taking through force and much brutality, leading frequent disorders by ignorant, immoral, and drunken "armed gendarmes" in the exercise of our "occupation" of innocent men and women; even members of the clergy driven from their simple homes, small habitations, at their work to their business, as well as on the way to divine worship—cruelly and tightly together and marching same as African slave gangs to prison.

The writer and others were eyewitnesses of this Sunday morning, June 1, 1900, and present at the occupation doctor's treatment of the wounded through such brutal handling, unhealed for many weeks and months, which the white American doctor said was very frequently the case.

It is only fair to state, however, that owing to the terrible amount of alcohol and taffia drinking among white and native officers and gendarmes, "occupation," Col. Russell (to whose attention I had called a few cases) has lately and as a protective measure issued a proclamation under heavy penalty the sale of such to their men in uniform. This should now be made to extend to the whole Republic, and applied to white and black.

4. The arresting of natives in large numbers (again by force) at their own little small farms, and making them work on new roads, miles away, "armed gendarmes," and for merely a gourde (20 American cents) a day without food, as affirmed by the natives and corroborated by the general opinion.

The reason given is twofold—the failure of our United States Government to make the necessary "loans" to enable the "occupation" to pay a part of an illegal construction placed by American representatives on the ground (or custom) called *corvée*: requiring natives (farmers) to give so much time a year to repair roads opposite their own habitations.

#### OTHER REASONS GENERALLY ALLEGED.

These serious frictions and cruel treatment of natives which excite passions, leading to resentment and murder, are said also to be the result of frequent changes made by the United States Government as to their representatives in Haiti since Admiral Caperton and his marines landed in the Republic years ago; and that in and for most of such appointments subsequent to the Roman Catholic Church, through the Pope's special delegate, the American Prince, and the American capitalists now in Haiti, are largely responsible.

Entangling alliances of such character and diverse interests only tend to strengthen the position and add to the power and efficiency of our occupation (whose influence and official authority in Haiti should be paramount), nor can they inspire the confidence of either the Haitian people or its people, in fact, in the pure and impartial administration of our own President and Government stand for, and we have official evidence to give Haiti after years of exploitation by European filibusterers, scrupulous and dishonest speculators.

The influence of the Pope's white delegate and the white priests and black Presidents, cabinets, etc., has always been something akin to Rasputin, the monk, on the late Czar and Czarina, plus the corporations have invaded the Black Republic, and one of which boasts of unlimited wealth with stockholders close to the United States Government, and therefore right of way in the Black Republic.

This one claims in Haiti to supply the United States Government with its airplane fleet, etc., and its representative in our Republic, the "Pan-American Magazine" last year, admits "that soldier and

and Santo Domingo switch from soldier to anything from blacksmith to court judge," and in another number of the same magazine he peremptorily demanded "that article 6 of the Haitian constitution, which specifies that a foreigner (which is entirely false, as shown already by the late Hon. Mr. [?]) may own land, must be repealed."

RECOMMENDATIONS SINCERELY URGED.

A very careful observation, frequent consultations with Presidents and other educated and uneducated, Catholics and Protestants alike, white and black, including officers of our American occupation, and those even next door to Dartigueville at this moment—and especially since Haiti, like every country, must in the main, educationally, industrially—as well as religiously—be gradually developed by its own trained Negro sons and daughters under sympathetic, experienced, and efficient American leadership—I have no doubt therefore in suggesting the following to the earnest consideration of the President and Government:

First, in the spiritual interests of the Protestant and Catholic churches, it is indispensable to honest and efficient administration, both should be officially and completely separated from the Haitian Government exactly as in the United States.

Second, the Protestant churches receive a small subvention (appropriation) to pay their missionaries and pastors' salaries of something like \$4,000 annually, while the Catholic Church, altogether and including maintenance of an American Catholic College to train white priests for Haiti in France, draws \$150,000 to \$200,000 yearly from the coffers of the bankrupt Black Republic (now through the hands of the United States general receiver). The constitution of the Haitian Republic strictly stipulates that all religions, whether Protestant or Catholic, in Haiti are equally free. The old constitution is defunct several years ago, and the Pope, a foreign potentate, and has no right to make any contract with the Haitian Government, nor the United States. (See Art. XI, on p. 8 of treaty.)

Third, Articles VIII and IX, on pages 6 and 7 of treaty, not only make no provision for the financing of either Protestant preachers or Catholic missionaries, etc., but emphatically prohibits the diversion by the American general receiver in Haiti, and appointed by our United States Government, of any portion of the revenues collected by him for any such purpose, and more especially in the financial condition the Haitian Government is in at the present time. (See above articles of treaty.)

Fourth, the United States Government shall itself, or jointly with Rockefeller, and other such known foundations, and in accord with the prayer of the treaty referred to deposited at Carnegie Endowment for International Peace, establish in Haiti a "National Industrial School," with such a board of trustees as Mr. Moton or Dr. T. Jesse Jones at the head, and under a joint board of American and Haitians appointed by our President, and for the training of the young manhood and womanhood for educational, industrial, and even readership in their own Republic.

Fifth, that our Government shall also see that when Haiti's new public instruction scheme is introduced, free, compulsory, and under present changed conditions—English made equally as essential with French and the Bible, or portions thereof as agreeable to both Protestant and Catholic—is read in the above industrial college shall become incorporated as an important part of Haiti's educational equipment.

Sixth, that small native ownership of land shall be created by the United States Government and "loans" made on simplest terms, and through a special board of above "industrial school" conferences and exhibitions shall be planned at convenient centers to encourage and teach the small farmer to his habitation along scientific lines and to the best advantage.

Seventh, contemplated by the treaty between the United States and Haiti, that a series of agricultural, and industrial, as well as the educational development of the Black Republic shall be initiated by, financed through, and supervised by the United States Government, and neither delegated to individuals or nations who may have officials of the United States or the Haitian Republics financially interested therein. (See treaty, Art. Q, and p. 4.)

(f) Now that Haiti has declared war, Germans interned, our United States Government shall grant us our full share of all necessities by way of the lowest price; make generous "loans" to enable our occupation with its constructive program, and give all their Haitian laborers not less than a gourde and a half (30 American cents) a day. All forced labor and the case of prisoners and known criminals) to be at once abolished and a quiet and peace-loving people. (Maintenance "by the United States Government in Haiti adequate for the protection of life, property and individual liberty. See treaty, Art. XIV, p. 8.)

(g) Consistent with the sacred principle of "religious liberty" and the interest of sane Christian efforts and efficient missionary work among the Negroes of Haiti, all tendencies to multiply sects should be discouraged. The evangelical churches now in the Republic be encouraged to (voluntarily) cooperate or even unite where this can be done in the interest of good and New Testament life and conduct.

(h) Finally, and with a view of speedily adjusting matters in favor of convincing the people of the sincerity and absolute "good faith" of our United States Government, I respectfully but strongly recommend that a commission be appointed with authority to hear evidence, protect witnesses, whether citizens or employees of the Haitian Government or our own occupation, and to propose to gentlemen who will make a fair and thorough investigation of the present conditions, but will further be able to formulate a satisfactory plan for the future development of the black republic along treaty lines, and in the light of "war ideals" as expressed by both our President and Secretary of State. (This commission is especially demanded by the Haitian people.)

To this end I, therefore, suggest the following names: Hon. M. V. Peabody, Massachusetts; Dr. T. Jesse Jones, Educational Bureau, United States; Hon. G. Moton, Tuskegee, Ala.; Dr. J. Dilliard, Virginia; Dr. Gilbert B. Gambrell, Texas; Father Curran, Pennsylvania; and Admiral C. D. Evans, United States Government, who first landed marines in Haiti.

Our President and Government, as well as any commission of experienced, and highly qualified persons commanding the implicit confidence of both our Government and the American people, can rely not only on the Lott Carey Baptist Foreign Board and myself, as its representative, but all the Protestant and Haitian Catholic leaders alike throughout the Republic will render every assistance possible so as to adjust matters amicably and satisfactorily, maintaining, for instance, our American ideals, prestige and power among the civilized nations of the world, and at the same time developing long-neglected Haiti and its people into a model Republic, public, and cementing them as mentioned in the treaty in the close of amity and brotherhood to us as an United States sister Republic. honor to remain,

Sincerely and loyally, yours, and for Christ and Haiti,

L. TOMLINSON

(A civilian possessed with expert knowledge of the Republic and its people about the same relation to Secretary of State as Col. House does to the President, should prove an invaluable aid to the state office in handling the problem.)

DISTRICT OF COLUMBIA, *to wit*:

On this 30th day of October, 1918, before me, the subscriber, a Notary Public in and for the District aforesaid, personally appeared Reuben C. Evans, an American citizen, residing at St. Mark, Haiti, being superintendent of missions, and made oath in due form of law that facts stated herein, with exception of those under section 2, in the memorandum submitted to me, in re of grievances of Haiti, are true to the best of my knowledge and belief, and those under section 2 of the same will be attested to before a commission to be created by the President, and under the United States Government for the protection and by leading persons in Haiti.

L. TOMLINSON

Subscribed and sworn to before me.

[SEAL.]

CHARLES S. CUMMINGS

Notary Public, District of Columbia

My commission expires June 13, 1923.

PEACE THROUGH VICTORY.

CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE.  
No. 2 Jackson Place, Washington, D. C., October 18, 1918.

s to certify that in the fall of 1912 the (Rev.) Dr. L. Ton Evans, gentleman and educational superintendent of the Baptist Mission in Haiti, in my hands a petition signed by some 3,000 leading and influential of that island, praying for the establishment in Haiti of a "national and industrial college," similar to Tuskegee and Hampton, on a Christian basis. A remarkable petition remained in the hands of the endowment for some time and after consideration by the executive committee of the endowment was returned to Dr. Evans, who, unfortunately, lost it while traveling in the company with Dr. T. Jesse Jones (commissioner of education).

S. N. S. NORTH,  
Assistant Secretary.

Number of copies of the above was ordered to be printed by the executive committee of the "National Race Congress" at its Wednesday meeting, October 23, 1918, as to further inform itself with a view to taking some definite action on this important matter before the President and our Government for the protection of their own people in Haiti.

DEPARTMENT OF STATE,  
Washington, November 2, 1918.

DR. L. TON EVANS,  
Chestrnut Street, Kingston, Pa.

The department has received your memorandum upon conditions in Haiti presented on October 21, addressed to the President of the United States, and wishes to inform you that it is receiving the serious consideration of this department as well as of the various other branches of the Government concerned. The department will be pleased to communicate with you at a later date after a careful study of the matters contained in your memorandum is terminated. I am, sir, your obedient servant, for the Secretary of State.

ALVEY A. ADEE,  
Second Assistant Secretary.

[A letter to Hon. Hitchcock, chairman of Foreign Relations Committee, pleading for him for an interview with President Wilson, and presentation of petition (random) urging the appointment of a commission re Haiti affairs.]

SENATE OFFICE OF FOREIGN RELATIONS,  
November 2, 1918.

CHAIRMAN HITCHCOCK: Accompanying this note is the memorandum submitted at our previous interview, and setting forth the serious conditions in Haiti.

Today, while again at the State Department, I handed a copy of same to the Secretary of Mr. Lansing; he assured me it would be given the Secretary of State the same evening. It was also given Mr. Tumulty, for presentation throughout this morning to the President, and promised to be informed as to whether an interview would be allowed in reference to appointment of a commission for investigation of affairs in the Black Republic. You have undoubtedly seen the statement made through the Associated Press by ex-President Theodore Roosevelt, to the effect that the Haiti Republic is nonexistent to-day, which is true in substance and in fact. I must fully urge your immediate attention to this important matter. I am anxious, if possible, to prevent this from becoming a political party and so can not believe that either our President or our responsible States Government actually know the real facts, which by military or officialism have been persistently withheld from President Wilson and the public, though I sent a registered letter last June direct from Port au Prince, Haiti, to President at the White House, setting forth these things. Another registered letter was forwarded by same mail to ex-President Theodore Roosevelt at Oyster Bay.)

Can you therefore at once and before Monday secure this interview of our President to promise to consider the matter and appointment of a commission to thoroughly and carefully go into Haitian affairs, and—

1. With such promise of commission, to invest same with power to investigate, pay necessary expenses of same, and give these our United States Government adequate protection.

2. Give immediate notification of appointment of commission both in French and English, in the Monitor (Haiti Government's official daily) and in Haitian papers.

3. Finally, that some such person of the legal status of ex-Judge Hughes be counsel or chairman of same, so as to guarantee that even if of and matter referred to shall be impartially and thoroughly gone into, that our President and responsible Government shall be cleared from all suspicion of insincerity, and especially the serious charge (in Haiti) of desire on their part to repudiate in the Black Republic the sacred obligations of their own solemn treaty, made and ratified by the United States Governments, through their representatives, May, 1916.

Sincerely yours,

L. TON EVANS

*General Superintendent of Haiti Baptist Convention*

NOTE.—Though subsequently waited upon by Senator Hitchcock, at his chambers, accompanied by a strong delegation of white and colored representatives representing northern and southern white Baptists; National and Local colored Baptist conventions, chairman of Race Congress, Colored Baptist Church, with chairman of Washington Baptists, etc., pleading for a commission, we failed to move the Senator.

SENATE FOREIGN RELATIONS COMMITTEE  
Washington, D. C., November 1, 1916

HON. THEODORE ROOSEVELT,  
*Ex-President of the United States.*

DEAR COLONEL: Am writing to heartily thank you for your reply to me here, and to my letter sent from Port au Prince (Haiti) to you setting forth the terrible conditions in poor Haiti consequent of the American and criminal blunders of the American occupation.

Your own statement this week, issued through the Associated Press, that Haiti, under the United States treaty, has completely lost her Republic as such, and such an exposure by you, as the black man's reprobation will bring joy and hope to thousands in Haiti who will read this.

As I anticipated in my letter to you from Port au Prince (immediately after my interview with Col. Russell and earnest pleading with him to save poor Haiti's constitution the following week, but to indefinitely postpone the fake voting and allow me to cable President Wilson to at once appoint a committee of investigation here, which reason I gave for inclosing my communication to President Wilson), the latter was intercepted by military officialism and profiteering politicians of the occupation in certain members of the administration who determinedly and wickedly hold the sad conditions in the Black Republic.

As seen in inclosed copy of letter to Senator Hitchcock, it's no use with President Wilson and the administration. If they refuse to appoint a commission and immediately and efficiently act in the matter, then we must see Senator Lodge and insist on bringing it before Foreign Relations Committee and Congress and the great American public.

Sincerely thanking you for your interest, for Christ and Haiti.

L. TON

[Reply and indorsement of suggestion to bring before Senator Lodge and chairman of Foreign Relations declines finally to act and President refuses to appoint the demanded commission of investigation.]

THE KANSAS CITY STAR,  
OFFICE OF THEODORE ROOSEVELT  
347 Madison Avenue, November 2, 1916

L. TON EVANS,  
*New Howard House, 600 Pennsylvania Avenue, Washington, D. C.*

MY DEAR MR. EVANS: I thank you for your letter. After what has already been done, the suggestion you yourself make is certainly as good as

can offer. In fact, in the face of the conditions which exist and you described, I do not really know what else to suggest.

Faithfully, yours,

T. ROOSEVELT.

WYOMING, PA., March 27, 1920.

SECRETARY DANIELS,

*United States Navy, District of Columbia.*

SECRETARY: Inclosed memorandum and sworn affidavit submitted to the Secretary of State, and State Departments, and Senator Hitchcock to the Senate, October, 1918, with present folder will show the serious and deplorable conditions now in vogue in Haiti consequent chiefly to blundering, unskillful, and murderous methods adopted most unfortunately by our military occupation, nullifying and directly repudiating both in spirit and in fact the sacred treaty made between great and powerful United States and the small, weak, and helpless Black Republic on the one hand,

and the Second Assistant Secretary Adey, of State Department, in the name of the United States Government, acknowledged receipt of this memorandum, etc., with its earnest request for the immediate appointment of a special commission to thoroughly investigate the matters, and the Government solemnly assured me in Secretary Adey's letter that prompt measures were actually then being taken by all departments interested in Haiti affairs, and conditions "were at the moment under serious consideration" that were set forth in said memorandum; and that the United States Government would notify me officially of the results of their investigations.

Seven months have elapsed since above assurance, with not a word from the Government.

Meantime, however, conditions have been allowed to grow rapidly worse, as stated in the "folder," and these suffering, oppressed, enraged, and sickened people, as evidenced even by riots between marines and gendarmes, not to say the more frequent and daring raids by so-called bandits, are daily growing in strength and numbers as well, and having the sympathy of the more of the moderate, intelligent, and educated and better class of Haitians who have lost respect for and confidence in our American occupation account.

Our influence, therefore, on the wane, and our prestige and power all gone, and our motive and integrity as a democratic, civilized, not to say a just nation (and as pointed out in memorandum) suspected and undermined (in 1918), it is no wonder that the staff correspondent of the New York Tribune, visiting Haiti a little over a month ago, should state:

"It should be remembered that there are many highly educated and substantial citizens of Port au Prince (and he might add in other towns and cities of Haiti) who are no more Cacos than Henry Cabot Lodge is a Hudson River fisherman, and none the less desire a complete change of administration and the end of the present occupation." (See Literary Digest, Mar. 27, 1920, p. 52.)

Under this brutal, bolshevistic American régime, and owing to this criminal and willful refusal of said departments at Washington to officially function after acknowledging receipt of direct and definite inquiries, under these conditions, and the responsible United States Government's official inaction, they were then (October, 1918) actually dealing with the situation; it is not surprising that consequently the white drinking portion of our officials complained of and their gendarmes should become more and more defiant in their barbaric treatment of the poor natives, and even brutal and inhuman toward the whites (both American and European).

Under these conditions in Haiti, under the complete political domination and control of the United States Government marines, and under the emphatic terms of the treaty, drawn up and ratified in Washington by President Wilson and United States Senate, in May of 1916, guaranteeing the integrity of the Negro Republic as such, and ample protection to its liberty, etc.: on my own return to Haiti in December of 1918 (two months after the official assurance was given me by the State Department, and my assurance I relied), it was not at all surprising to have my private residence immediately and ruthlessly invaded by armed native police without notice, and at the imperative and imperious command of one of these white officers of the American occupation.

After arrest I was paraded under heavy armed Negro guard through public streets, cursed and threatened with being shot, etc., by enraged, intoxicated white American marine officers, then driven to prison; was thoroughly searched and photo of my wife and two boys, photo of Wilson, with Mr. Adey, of the State Department's official letter (and me of the United States Government's investigation into cruel, barbarous and murderous conduct in Haiti, etc.), were all with other articles—money, glasses, etc.—all taken away, thence thrust into a dark, and strictly confined behind a thick door, the heavy bar drawn up behind me, and a constant armed guard kept day and night, and no other person dare visit or see me.

Within this strictly confined and guarded old French small cell, with hard, bare floor, without stool nor chair, half starved and literally for air in a close tropical climate. I thus spent 13 longest and darkest nights of my life, amid the yells and groans of about 180 half-clad men and women, and some babes, prisoners, beaten, bruised, and at times or starved to death by native officials commanded by a stern, drunk officer of the occupation, often away a whole day, with no food for prisoners, most of whom were marched like slaves every morning under guard to do corvée work some miles away.

Every moment amid this hideous surroundings and expecting my pounce upon and beaten to death or violently dragged forth from the dark dungeon before a "firing squad" like the British nurse, Edith Cavell, the Huns at Brussels (for these poor Negro armed officers dared not shoot the white marine captain at the risk of their lives, when enraged like me under the influence of liquor).

After being here 11 days in this condition, physically tortured and agonizing, the St. Marc, Negro high court, feeling that such barbarity and scandalized Haiti, for never did the Haiti Government arrest or even native Christian ministers, not to say white missionaries and citizens, so the high Negro court commanded bringing the prisoner to trial.

I was informed by the Negro judge advocate, the natives unknown (Catholics and Protestants) had employed to defend me at this court, that every charge completely broke down, the high court declared my arrest and imprisonment illegal and unwarrantable; demanded my liberty, with ample protection; further decreeing that I be paid damages in lieu of sufferings caused and torture and agony endured.

Wherefore, Mr. Secretary, and as I understand you to be the supreme command and directly responsible to the Government for affairs in Haiti, I respectfully request an interview in reference—

1. Question of indemnity decreed by judgment of Negro high court at St. Marc for illegal imprisonment, etc., by white marine officer of the United States after notification and warning.

2. The matter of appointment of special commission, as demanded in memorandum presented, and composed of such competent statesmen suggested, with Hon. Charles Hughes or some one of equal status as to thoroughly investigate Haiti affairs and formulate a simple plan for Haiti according to treaty.

Though pressed to bring this matter before Senate in 1919, and landing in New York from Haiti, April of last year, I have persisted in believing in the sincerity of the present Government, in spite of insinuations and bitter criticisms of the administration, but at last must fully insist on approaching the President, through you, re my own imprisonment and the appointment at once of a commission.

In my patient effort to see the President before resorting to the appealing to the American public, I have had the indorsement of educated and intelligent leaders; native and white missionaries of the public; the Hon. T. Ch. Moravia, present minister of the Haiti Government in Washington; and even the late ex-President Roosevelt wrote me before his death that I try every possible means to reach President Wilson direct before bringing this matter before either Senate or Congress. American people, stating, "I can not think of any better plan and more able than the very one you pursue," though previous to this Roosevelt was a real friend of Haiti, whose untimely death, much lamented in the public, issued through the Associated Press, as seen in the Washington Post, October 23, 1918, "That the Haiti-Negro Republic under the Democratic Administration, and in spite of their treaty to the contrary, had become no more than a puppet state, which is perfectly true in substance and in fact."

re, therefore, more cruel sufferings and prevent further ruthless brutal and wanton bloodshed by either white or colored, the restoration of and establishment of peace and good will, which alone can bring prosperity and plenty to Haiti, actually restore the lost influence, prestige, and confidence and power in and of the United States and the American people as humane and a civilized people, if not the greatest civilizing and ennobling nation in the world to-day.

I pray that this final attempt will prove successful, amid other pressures, to interview the President and lead even yet to a satisfactory solution of the two questions mentioned.

As we are, however, denied and finally driven to the Senate, and a Senate committee or commission be appointed, then an exhaustive hearing will be held, when not only Col. Russell, Brig. Gen. Catlin, Gen. Willard of the Haiti Gendarmerie, the two American corporations, with certain administration officials here at Washington, will be summoned and examined with a view at last to right poor Haiti's wrongs and remove the stain and disgrace now upon our own flag.

Haiti in all probability will help finally settle both the fate of the treaty with Europe as well as the fate also of the Democratic administration if I trow not, at the forthcoming general election, and by the Americans settle themselves. To avoid this I sincerely hope you and the President will meet at this interview.

Yours, for Christ and Haiti.

L. TON EVANS.

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THE SECRETARY OF THE NAVY,  
*Washington, May 1, 1920.*

MR. TON EVANS,

*Wyoming, Pa.*

DEAR MR. EVANS: I have received your letter and will be pleased to see such time as you may suggest. The Navy Department has been very interested in the work in Haiti and is doing all it can to secure the best conditions.

Very truly, yours,

JOSEPHUS DANIELS.

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THE SECRETARY OF THE NAVY,  
*Washington, September 1, 1920.*

MR. TON EVANS,

*Wyoming, Pa.*

DEAR MR. EVANS: I am in receipt of your favor of August 27, and write you that I am having a study made of the situation in Haiti, and when this is completed I will let you hear from me.

Sincerely, yours,

JOSEPHUS DANIELS.

My letter of August 27 expressed the missionary's plan to come at once to Washington for the interview as per Secretary of Navy's letter of May 1, 1920, and conditions in Haiti were growing worse, and that delay meant not only loss of time and brutality but more murder of innocent Haitians. Since his letter the Navy Secretary hurriedly dispatched Gen. John A. Lejeune to Haiti to inquire and immediately report up to date. Mr. Daniels, according to his wish, sent copy of Lejeune's report to writer, but put off the personal interview.—L. T. E.

Report of Gen. Lejeune was officially forwarded to Mr. Ton Evans, and follows:

HEADQUARTERS UNITED STATES MARINE CORPS,  
*Washington, October 4, 1920.*

The Major General Commandant.

Secretary of the Navy.

Report of the military situation in Haiti during the period July 1, 1920 to date and report of my inspection of the First Brigade, United States Marines, stationed in the Republic of Haiti.

In accordance with your verbal instructions, I am submitting for your information and consideration a report covering the period that I have held the office of

Major General Commandant United States Marine Corps, concerning conditions affecting the military situation in Haiti.

2. The area of Haiti is approximately 10,000 square miles. The country is very mountainous. Between the great mountain ranges lie densely populated river valleys of extraordinary fertility. Haiti is, therefore, exceptionally well adapted for the activities of bandit bands. In fact, throughout the country banditry has been prevalent, the bands being recruited from runaway and escaped criminals and from the class of men who prefer to live by robbery rather than by their own labor. Banditry has been one of the greatest evils in Haiti. Haitian people have had to contend with, not only because of the action done the people by the depredations of the bandits but also for the reason that the bandit bands have formed the nuclei of the so-called revolutionaries, which have so frequently devastated Haiti and drenched its soil in blood. One of the main missions of the marines stationed in Haiti is the suppression of banditry and the maintenance of peace and tranquillity.

3. All reports received at headquarters United States Marine Corps have been on duty as Major General Commandant have indicated that the bandit situation was steadily improving, and that conditions from the Marine Corps point of view were very satisfactory. However, in order that I might be fully informed in regard to Marine Corps affairs, it was deemed advisable for me to visit Haiti and make a personal inspection of the marines on duty. I accordingly proceeded to Haiti early in the month of September in company with Brig. Gen. Smedley D. Butler, who assisted me in my inspection.

4. The marines in Haiti are commanded by Col. John H. Russell, a just, and humane officer. I found, during my inspection, that not only had he handled the bandit situation in a masterly manner, but that he had issued the most comprehensive instructions requiring a kindly treatment of the inhabitants by our own men, and that his subordinate officers were enforcing these instructions in a loyal and conscientious manner.

#### DIARY OF EVENTS.

*September 4, 1920.*—6.15 p. m., arrived at Port au Prince, Haiti, and immediately disembarked.

*September 5, 1920.*—9 a. m., conferred with brigade commander and members of his staff at brigade headquarters. 11 a. m., received all officers stationed at Port au Prince. In the afternoon, conferred with the financial adviser of the Government of Haiti and other officials of the Marine Corps concerning conditions in Haiti.

*September 6, 1920.*—Forenoon, reviewed and inspected the battalion of Haitian gendarmes stationed in Port au Prince; inspected the battalions of marines also stationed in Port au Prince, the marine barracks, the headquarters of the gendarmerie of Haiti, the gendarmerie headquarters, the national headquarters of the gendarmes, the Marine Corps depot of supplies, radio station, and the naval field hospital. Called on the American minister.

12 noon, called officially on the President of Haiti, and was received by him and his entire cabinet. The President made an address in which he expressed his appreciation of the work of the marines and of the gendarmerie in Haiti, and expressed his gratitude to the Marine Corps for having maintained peace and tranquillity in the Republic of Haiti. I replied to the address. The President decorated Brig. Gen. Butler with the Medaille Militaire of Haiti on account of his distinguished service to Haiti in organizing, equipping, training, and commanding the gendarmerie.

Afternoon, the American minister returned my call and I conferred with him and the officers of the first brigade of marines and the gendarmerie concerning conditions in Haiti.

*September 7, 1920.*—6 a. m., left Port au Prince and proceeded by automobile to Mirebalais and Las Cahobas, at which places I inspected the Marine garrisons and camps and the detachments of gendarmes and their barracks.

At both places we were received by large delegations of Haitians headed by the local officials, who made addresses expressing their gratitude for the splendid work done by the marines in maintaining peace and order, thereby permitting the industrious and peaceful people of Haiti to cultivate their farms and conduct their business without molestation. I replied to each of these addresses, and greeted personally each member of the delegations.

6.15 p. m., returned to Port au Prince.

ember 8, 1920.—Continued conferences with officers, the financial advisor, American minister, and with Haitian citizens.

ember 9, 1920.—5 a. m., left Port au Prince by automobile for San Michel, Marc, Gonaives, and Ennery; inspected all gendarme posts at towns en route. 6.30 p. m., arrived at San Michel.

ember 10, 1920.—7 a. m., left San Michel for Maissade and Hinche. I was met at each place by large delegations of Haitian citizens headed by local chiefs and French priests. Inspected Marine Corps and gendarme posts at Hinche and Hinche and the small detachments of marines en route. The delegations of citizens above referred to expressed their appreciation of the work that was being done by the Marine Corps and the Haitian gendarmes in maintaining peace and good order. 5.30 p. m., returned to San Michel. 7 to 10 p. m., conducted investigation of affairs in Haiti, conferring with former officers of the gendarmerie.

ember 11, 1920.—7.30 a. m., inspected marine detachment and camp at San Michel. 11 a. m., left San Michel for Cape Haitien via Ennery, Plaisance, and Ennery, inspecting gendarmes and the gendarm posts en route. At 4 p. m., arrived at Cape Haitien.

ember 12, 1920.—9 a. m., inspected marine detachment, camp, depot of mail, radio station, naval field hospital, detachment of gendarmes, their barracks, and the Haitian prison. 11.30 a. m., received a delegation of promissaries of Cape Haitien and conferred with them concerning the condition of the section.

In the afternoon, received all Marine Corps officers stationed at Cape Haitien.

ember 13, 1920.—4 a. m., left Cape Haitien for Ouanaminthe via Quartier Limonade, and Le Trou. Inspected all detachments of gendarmes en route, the prison farms at Poste Chaubert, and the marine and gendarme detachments at Ouanaminthe.

10 a. m., having completed my inspection of the First Brigade United Marines, we left Haiti, crossed the Massacre River (boundary between Haiti and Santo Domingo), and began the inspection of the Second Brigade United States Marines and the Guardia Nacional of Santo Domingo.

#### DISTRIBUTION OF FIRST BRIGADE.

The force of marines in Haiti, consisting of about 1,350 men, is organized in three brigades of two small regiments, the Second and Eighth. The Eighth Regiment is stationed in southern Haiti and the Second Regiment in the north. The headquarters of the Eighth Regiment is quartered in Port au Prince, the headquarters of the regiment is near Mirebalais, and the remainder of the regiment is stationed at Mirebalais and Las Cahobas, with small posts along the road to Port au Prince. The headquarters and one battalion of the Second Regiment are stationed at Cape Haitien and the remainder of the regiment is stationed at San Michel, Hinche, and Maissade, with small detachments at Thomonde, Ouanaminthe, and at points along the roads from Hinche and Maissade to Port au Prince. Brigade headquarters and the aviation squadron are located at Port au Prince.

For tactical purposes the forces of both regiments in the interior of Haiti are commanded by the commanding officer of the Eighth Regiment. This arrangement is necessary in order to secure coordination in putting down bandits. The Second Regiment is commanded by Col. Randolph C. Berkeley and the Eighth Regiment by Lieut. Col. Louis McC. Little. Naval field hospitals are located at Port au Prince and Cape Haitien.

#### SUPPLY.

Troops in the field are supplied by means of railroads, motor trucks, and mules, motor trucks being utilized wherever the roads are passable, and mules over trails. In spite of great difficulties, due to almost impassable high mountain ranges, and rivers swollen by tropical rains, the troops are supplied, and the rations and other supplies to be up to the standard. There were no complaints, except at Hinche, where there was a temporary scarcity of beef in the country.

#### THE MILITARY SITUATION.

The military situation to be in excellent condition and a state of peace and tranquillity prevailing throughout Haiti. We traveled through the

country without a guard and found no evidences of hostility on the part of natives.

The marines and gendarmes stationed in the interior of Haiti send out patrols in command of officers. The patrols visit all sections of the country, not only to prevent banditry but also in order to assure the natives they will be protected from depredations by bandits. This has had a beneficial effect, and throughout Haiti we found the natives busily at cultivating their farms and carrying their produce to market.

There are now no large bandit bands in existence, the only menace to security being a number of small bands who hide in the mountains and live by stealth. These bands are being gradually dispersed. One of the most encouraging circumstances connected with the bandit situation is the fact that former bandits have voluntarily quit the mountains and gone to work.

A short while ago a small patrol of gendarmes engaged in a skirmish with one of these bands and dispersed it, and Louisnord, the last important band leader in Haiti, was killed.

Until banditry has been completely stamped out, however, it is essential for the welfare of Haiti that the present disposition of Marine Corps forces in the interior should not be changed.

#### RELATIONS BETWEEN THE MARINE CORPS AND THE CIVIL POPULATION OF HAITI

In my inspection of marines I conferred with large numbers of Haitian officials, including the President and his cabinet, with Haitians not holding any official positions, and with French priests. I found that there was throughout Haiti a strong sentiment of gratitude to the marines for the fact that they were doing for the welfare of the industrious, peaceful, and abiding Haitian people, and that, on the whole, very friendly feelings existed on the part of the inhabitants toward the marines. There have been, of course, some cases of ill feeling between individuals. For instance, while I was at Port au Prince two marines, while walking along a city street at night, were severely stabbed from behind by Haitians, who succeeded in making their escape, and I found in the guardhouse there several marines who had been tried by court martial for engaging in brawls with Haitians. Affairs of this kind are, of course, very regrettable, but are, nevertheless, unavoidable, and are liable to occur at any place at home or abroad where troops are stationed.

The French priest at Hinche, with whom I had a long conference, told me that he had been stationed there for 13 years, and that conditions at Hinche, which had been a center of bandit activity, were better than they had been during his ministry in Haiti, and that the officers and marines stationed there were doing all in their power to cultivate good feeling and to gain the confidence of the Haitian people.

In visiting the various posts I invariably made inquiry concerning the relations between the marines and the population, and found at each place that the commanding officer, acting under the instructions of Col. John H. Russell, the brigade commander, was insistent that the men under his command should treat the inhabitants in a just and kindly manner. It was easy to see from the manner and actions of the thousands of people we met in the towns and on the roads in the interior that a very kind and friendly feeling exists toward the marines wearing the uniform of the United States Marine Corps.

#### GENDARMERIE D'HAITI.

The Gendarmerie d'Haiti is a force of 2,500 Haitians, officered chiefly by commissioned officers and enlisted men of the Marine Corps. This force is the sole police and military force authorized by Haitian laws. It polices the towns and country districts, and is therefore a combination of municipal police and rural constabulary. It also has charge of all Haitian prisons and jails. I made careful inspection of the detachments of gendarmes, their barracks, and Haitian prisons, and at all places visited found the Gendarmerie d'Haiti in a highly efficient condition. It was most gratifying to see the soldierly bearing, neatness, and efficient performance of duty on the part of the gendarmes; also the immaculate cleanliness of their barracks and the prisons of which they have charge. The condition of the national penitentiary at Port au Prince was

Cape Haitien is especially deserving of the highest commendation. Officers and men of the Marine Corps, who command the gendarmerie, insure that there had not been a single case of disloyalty to their officers. No part of any member of the gendarmerie since this organization had been created, and that they felt perfect confidence in the courage and loyalty of the men serving in its ranks.

DISCIPLINE, CONDUCT, HEALTH, AND MORALE OF MARINE CORPS FORCES.

On my tour of inspection in Haiti I found the marines to be in a highly efficient condition. Their health, except for some cases of malaria, was excellent. Their discipline was superb and their morale high. As I inspected the posts located at isolated points far in the interior of Haiti, I was filled with admiration of their fine appearance and efficient condition. My heart went out with pride to see these splendid men giving to their country and to the people of Haiti such intelligent, zealous, efficient, and courageous service. That the American people have every right to be proud of their representatives who are now wearing the uniform of the Marine Corps in Haiti.

JOHN A. LEJEUNE.

SAYS HAITIANS APPROVE OUR ACTION.

WAR SECRETARY DANIELS: When about to mail you my letter to-day I was across in this morning's New York Times what purports to be a reply from Mr. Harding, as to conditions and cruelties in Haiti, etc.

After a careful reading of quotations from official statements or report of Mr. John A. Lejeune's hurried visit made after my first letter to you in which they fail to touch the vital points.

Nevertheless if a report of the administration's own official, specially appointed by yourself (since, if not directly through my own letter to the Navy Department six months ago) as the new directing head of the Marine Corps since June 30, 1920, in Haiti, and as having so recently assumed official duties, relied upon, I am certainly glad to learn that at last our officials here may be the attitude of the gendarmerie) are beginning not only to understand the Haitians, but the actual meaning of their own mission and the United States Government's real purpose in the Black Republic.

I readily state that had I not been anxious from the commencement (three months ago) to keep entirely out of party politics in missionary and Haitian affairs, that I still, in spite of the strong criticism and severe condemnation of the President, Secretary of the Navy, etc., firmly believed that you both sincerely sought to right all the past and present wrongs committed under this administration in a poor Haiti, I would certainly, after reading this morning's statement, have immediately wired a most startling reply through the Associated Press. I am disappointedly convinced that further efforts on the part of Haiti and the United States are utterly futile and a mere waste of time.

Before Secretary Daniels means to have this interview at once, and the President are prepared to act, as suggested in my previous letter and the appeal herein attached, will you then please send prompt reply by letter.

I remain, sincerely, yours, etc.

L. TON EVANS.

LYNN, WYOMING COUNTY, PA., October 6, 1920.

BWTHYN, WYOMING COUNTY, PA., October 2, 1920.

EPHUS DANIELS,  
Secretary of the Navy, Washington, D. C.

WAR SECRETARY: After what has just transpired through the public press here, as well as from Washington, I must respectfully insist on the necessity of an official interview with you (and the President) not later than this week, and as stated in letter of March 27 last in reference to—substantial reparation from the United States Government as decreed by the court of Saint Marc high court (Haiti) in January of 1918 (an

abstract official copy of which is in my possession) and as previous to my illegal arrest and imprisonment with malicious intent, such physical torture, mental agony, moral and financial damages I have suffered since, as borne out by the four medical certificates from my annuity board, of the Baptist Union of Great Britain and Ireland, and which board has recognized my claim (as member thereof) for services rendered as Baptist missionary in and under the treatment of the foreign mission field of Haiti, under my own American flag, strictly confined, deprived of nourishment, etc., for 13 days and 13 nights in a small, narrow dungeon, momentarily expecting (like the Negro) to be either set upon and clubbed to death, or violently dragged off to a firing squad like Edith Cavell, the British nurse, only in my case, under the command of an American white officer, in collusion and conspiracy with the drinking and drunken officials of my own United States Government, representatives of our President Wilson, under what can be termed a savage, and murderous régime pursued by the American occupiers of the black republic.

It should be pointed out that previous to this, a proclamation signed by Daniels (of the United States Navy) faithfully signed, and officially issued, both in English and French, by Col. John H. Russell, United States Marine Corps, commanding United States forces ashore in Haiti, has been scattered throughout the republic, supposed to be observed and enforced in the interest of the morale of our own boys; all officials, general officers and members of gendarmerie (native armed forces), as well as essential to official discipline, the military authorities, and the moral efficiency of our United States Government's American occupation in Haiti; but forsooth this was spurned, and flouted by many of the officials, members of Marine Corps, and especially (if not followed by all of their superior officers) the gendarmes.

Seeing therefore that the Haiti rum (if not the Haiti brand of rum) has demoralized, stupefied, and brutalized the supposed better elements of the superiorly civilized white American soldier and civilian exactly through tropical heat, and other climatic conditions to which the Negro (unaccustomed) the same as they did their less fortunate Negro brethren, respectfully, and most earnestly pleaded with Col. Russell at the time of the issuance of this proclamation (owing to the degrading, and demoralizing effects of alcohol upon white and black in our midst) to apply its ban all throughout the Haiti Republic, and forbid the manufacture, and sale of rum, as well as the sale of liquors of all kinds.

Above proclamation reads as follows:

"The sale of intoxicants to persons of military and naval forces of the United States in uniform is forbidden throughout the Republic of Haiti, before and after July 20, 1918. A violation of this order will be considered as an offense to the interests of the United States, and the offender will be tried before a United States military tribunal.

"Done at Port au Prince, Republic of Haiti, this 16th day of July, 1918.

This official interview (or confidential if preferred) is immediately requested, furthermore—

2. For the purpose of a guarantee from our own President of the United States, at once by him of a special commission of some such Christian statesmen, educational experts, military, legal, and religious representatives as H. Dillard, Virginia; Maj. Moton, principal of Tuskegee, Ala.; Dr. W. E. B. DuBois, president of southern Baptists, whose convention of 3,000 members decided to evangelize Haiti through breakdown of small, incompetent negro committee (Texas); Hon. George Peabody, Philadelphia, Pa.; Dr. Gilbert N. Brink, education secretary of Latin American Institute, Philadelphia, Pa.; Dr. Thomas Jesse Jones, author of standard work on institutions for colored and negro industrial schools, officially of the United States Government, Washington, D. C.; Rev. J. J. Curran, Roman Catholic social and temperance reformer, Pennsylvania; I. M. Speer, president of Latin American cooperative missionary committee, New York; Admiral Caperton, United States Government's officer of administration, who first landed the marines in Haiti, July, 1915; with, and legal adviser of same, Charles E. Hughes, ex-Justice of the United States Supreme Court; and so as to carefully and thoroughly investigate the affairs and formulate a simple plan whereby to develop the negro people according to the treaty made and signed by President W.

representative on the one part and representative of the Haitian Republic on the other in Washington, D. C., May, 1916.

As exactly as requested by Haiti, as far as this little nation has been able to express itself through me as its representative, and demanded in a memorandum presented the President through Mr. Tumulty and Mr. Robert Taft through his confidential clerk, two years ago, and expressly prepared and rewritten and printed form setting forth the grievances of Haiti, with recommendations, at request of Senator Hitchcock and one Stabler, secretary of the Latin-American section of the State Department, in charge of Haitian affairs as well as the request of the executive committee of the American negro congress at its duly convened meeting in the city of Washington, D. C., May 23, 1918.

Above secretary of the Latin-American section of the State Department, I thought it a part of his Government official duties and as a diplomat in charge of Haitian affairs, and while Mrs. Evans and myself were in the Haiti mission field, with no knowledge of what was going on nor opportunity to defend ourselves, to enter with others into collusion with members of our Haiti committee in North Carolina, Richmond, and Baltimore seems, not only to deliberately and falsely misrepresent us and our Haiti, but to take further mean advantage of our morally weak and racially incompetent negro brethren of above missionary committee by intrigue and political, if not also by financial, influence to abruptly, without knowledge or consent of the Lott Carey Colored Baptist Convention or of the national foreign missionary board, and without absolutely any chance of opposition, to cut off our small, irregularly paid salaries at the moment I was lying on the hard, bare floor of an old French negro slave prison cell in Haiti, literally gasping for a breath of air.

Learning that my typewritten copy of memorandum and petition in behalf of Haiti, in spite of urgency and the personal promise of secretary of Latin-American section, etc., to present it immediately to the Secretary of State and the President, still remained in his own office or pigeonholed 12 days after, I handed another and a printed copy of memorandum, including a duly sworn affidavit to facts contained therein, through Mr. Tumulty at the White House to the President, with another printed copy, etc., on same day through his confidential clerk to Mr. Lansing at the State Department, and also furnished copies to Senator Hitchcock, for members of Senate Foreign Relations Committee, of which he was chairman, on the day I interviewed him at the Senate chambers, with a delegation of some 12 Christian ministers (white and colored) and representing national negro Baptist conventions, Lott Carey convention; colored Methodists; white Baptists (North and South); Christian ministers and Baptist associations (white) of District of Columbia, Federal Council of the Churches of Christ in America, as well as the president of the negro race congress, pleading with him to arrange an interview with the President.

Mr. A. A. Adey, on November 2, 1918, wrote acknowledging receipt of memorandum directed to President, as stated in previous letters, and in which I fully informed me that the grave conditions set forth therein "were actual at that moment" (of his writing) "receiving the most serious consideration of the Department of State, as well as all the other branches of the Government directly concerned in Haiti."

He further assured me that the department would communicate with me by a later date, "after the careful study of the matters contained in memorandum." Though now two years have passed not a single word has been received from either Mr. Tumulty or Second Assistant Secretary of State as a result of the Government's own so-called private and official investigation. Indeed such an "investigation" was ever seriously contemplated, not undertaken.

This deliberate and criminal neglect in a matter of vital and urgent importance in a close island of the Caribbean Sea, and touching our honor as a nation, and directly affecting the life and death of thousands of helpless people, pointed out at the time in memorandum, and this flat refusal of the Government to appoint commission to thoroughly investigate, or the responsible members of the administration themselves to take action after giving assurance to do so, thus allowing things to take their own course and to grow from bad to worse is directly responsible not simply for the continuance of drunken and brutal white and colored officials of the "American occupation," referred to in the said memorandum, in their immoral and hard-conduct unchecked.

But this deliberate and criminal neglect is responsible for their ment, and their growing more daring and defiant in their brutality, with consequently more murders among whites as well as blacks, last culminating in the infamous "official conspiracy" of illegally private study, without summons, arresting, street parading under arms, imprisoning, inhumanly treating with malicious and murderous intent white civilian American citizen and a Protestant and Baptist missionary.

Such indeed was the disgrace and scandal at this high-handed, brutal attack of "American occupation" officials, unheard of and before in the history of the Negro Republic, even in the bloodiest rebellion period, and such the moral shock, profound indignation, and bitter of the natives that the Negro high court of St. Marc felt compelled for humanity's sake, to at last interfere, call a session extraordinary, and (though in so doing they risked their jobs, and even their own "occupation" officials being supreme) that the white American of the United States citizen and Baptist missionary at once from his case so as to be legally tried, with the result stated, that on examining trumperty charge completely broke down, the officers of the "American occupation" implicated commanded to immediately set free the missionary, what remained of the little raped and robbed Negro Republic call protect him and his Christian work, the court adding that for the justice done and cruel suffering inflicted the Haiti law decreed that a substantial indemnity be paid.

I have sincerely believed and stoutly maintained, Mr. Secretary, on three years, as you may see from the memorandum in your possession.

(1) That our President and administration at Washington would state real facts and correct and true statement as to exact conditions in Haiti; that you would not hesitate to move for an impartial investigation. I told Senator Hitchcock when pleading with him to see the President more than two years ago, by a competent commission, and that the very numerous unjustifiable blunders, wrongs, crimes, political frauds, military slammings of senate and chamber's doors in face of people's repression, late Czar to his sorrow did with the Russian people's duma, not mention the further infamous rape of the Negro constitution and of a figurehead and a puppet Negro president by the responsible "American occupation" as a bluff and blind, but immediately seen through and as an insult by rank and file, as well as intelligent and educated Haitians, proven and shown beyond a doubt to have been the real causes of the reversion of feeling toward the "American occupation," hatred for the United States Government, and actual contempt for our American flag have instantly acted.

Is it not sad indeed to have to state that after nearly five years of "American occupation" operations in Haiti, under our Democratic administration, the people of the little black republic sincerely and firmly believe that the mission of the United States Government and the American people is to reestablish slavery in their midst once more; abrogate and annul the Toussaint Louverture (their Washington and Lincoln), just exactly as the nineteenth century Napoleon, then the terror, tyrant, and blood, of Europe, which France, treacherously tried, but ignominiously failed, waste of millions of dollars, and a loss of 40,000 of their proud soldiers, who were as much killed by the negroes' rum, the negro fever, as by the negroes' sword, and which apparently Almighty God named as powerful allies to assist these despised, and inferiorly equipped in their gallant, righteous, and then successful struggles for personal and national independence over 100 years ago; and just as America, George Washington a few years before had successfully fought to free the colonies from the conservative oppression and the Tory tyranny of old England, then proud and Prussian King.

(2) It was my own firm belief furthermore, based upon President Wilson's own address at Washington's tomb July 4, 1918, a careful study of the points, and his courageous and unflinching stand against Germany's powers; with the principles he and our Representatives in Congress declared, echoed by the whole American Nation, on our entrance into the war, as well as throughout the World War, which, by the way, with his Philadelphia Ledger, with Washington on one side, and immortal on the other, I had prominently hanging up in my study down in Philadelphia, mention his present attitude on the European treaty and League of Nations.

the whole Democratic Party is committed and morally our whole American people, in fact, and in some form or another—the President and administration would therefore seize on the first opportunity “to indignantly repudiate” all such acts, not merely in behalf and the Government, but in behalf of the whole American people, immediately proceed in a statesmanlike manner to carry out the recommendations of said commission, appointed by himself, and in this black republic, bound to us by a sacred treaty—he would without hesitation *apply these principles*, he rightly insisted that Germany and all Europe, and indeed Italy, should be made to adopt by her himself establishing at the close of a civil occupation in Haiti, through at once reopening of senate and of deputies, and by also the complete restoration of the raped consti-

tution, that he would in the spirit, and according to the wording of the treaty, have initiated with indorsement (after due explanation) by the senate and chambers, such industrial, economical, fiscal, and educational reforms as would at once win the implicit confidence of the natives, and fully convince these Negroes, whom we must not forget have been perpetually and systematically deceived, betrayed, exploited, and plundered for 100 years by Europeans, and so-called white friends, under religious, social, and philanthropic pleas, and pretenses, consisting of priests, profiteers, if not a few Protestants, unfortunately, but invariably some-ack of their revolutions, for which Negroes themselves are blamed.

That our United States Government would show as stipulated in our covenant, that we are in Haiti first, last, and all the time to protect the republic as much indeed from the horde of American land grabbers, and colored, as from German, French, Dutch, or even British and Irish rascals and dishonest speculators, thus proving beyond the shadow of a doubt that Haiti, America, and the whole world—that *our mission in the small republic is none other than humane and benevolent, as a great civilizing, christianizing, Nation to honorably carry out the terms of our generous treaty meant treaty.*

However, I am seriously mistaken in my estimate of our President and his sincerity of his administration, and that after two years of persistent shown by the silence of Hitchcock, Tumulty, and Adee, the Navy Department, in complete charge of Marines in Haiti, as well as gendarmerie, and you as Secretary, will further delay or decline to listen to present appeal in behalf of Haiti, and now also for myself, then as a duty to my family, and more especially to these nearly 3,000,000 Negroes, whose leaders, are absolutely gagged while their country is pillaged, their people raped, and people butchered by hyphenated Americans who as foreigners represent our own Government and liberty-loving nation, who on a square deal, I shall now have to comply with the personal advice of my dear and sincere friend of Haiti, the late ex-President Theodore Roosevelt, revered and never more lamented in the black republic than at this time of their dire distress, and given me in his last letter from his New York office in Madison Avenue November 2, 1918, on the eve of my own last visit to be forgotten visit from the States to my old missionary field of Haiti. This advice was, that after failing in my efforts with President Wilson's administration, whose duty was to right their own Democratic wrongs, I then to immediately approach the Republican Party, who with such men as Root, Hughes, Taft, Lodge, Knox, Johnson, and, say, Harding, would have me and the Negroes of Haiti the moment they were given the oppor-

portunity. I now therefore, be compelled to direct my Haiti appeal to Marion I doubt be welcomed by Senator Harding, Republican nominee for the presidency, and also the Republican leaders if it were only as an eyewitness of the senseless, criminal, and scandalous rape committed upon this small, helpless Republic by her big neighbor and wealthy, strong sister Republic of the United States, officially bound by a sacred treaty, signed and ratified in 1916 during this World War May, 1916, and in which treaty the present administration solemnly pledged, if necessary, to use the United States powerful whole Army of Uncle Sam to jealously protect and safely defend her against all nations, etc.

I will be also glad to greet me as the only one American citizen doing any work there, and privileged on the spot, and therefore before the Senate, committed, to strongly protest in my own behalf, and even in behalf of the French white protestant Christian missionaries of Haiti, not to

mention the broken-hearted ex-senators, ex-deputies, weeping judges of a failed can occupation," with ex-judges, lawyers, doctors, Negro preachers, and in general, and with whom I came in contact everywhere throughout the Republic as a missionary superintendent.

All my endeavors to reach the President at Washington and so as to  
as Americans from this great humiliation and prevent us from being  
Government of hypocrites and termed a Nation of traitors, classee  
with Germany and her now ex-Kaiser in that nefarious rape of Bel  
other small country, and under so-called military necessity, viewing t  
treaty as a mere "scrap of paper," were all at that time, as they h  
since intercepted, before the censorship was applied to Haiti, and purp  
most deliberately and determinedly frustrated by either incompet  
profiteering officials, or both, in Haiti and at Washington, with the s  
tions and disgrace herein described as the logical and inevitable resul  
truthfully set forth by Senator Harding in his Marion address.

As being the oldest white missionary, as well as then the only citizen laboring in the black Republic, and who for years had used influence with our United States Government and in behalf of Haiti president the Republic's leaders during Roosevelt's, Taft's, and the present administration, and visited Mr. Ade at our State Department more than once beseech Uncle Sam to come to Haiti's rescue and act the part of a big man as the late President Theodore Roosevelt and Gen. Wood, under the Roosevelt administration, for instance, did in Cuba. I therefore felt not only prior to 1916 treaty, but had unflinching faith in the integrity of our President Wilson, and sincerity of our responsible Democratic administration that it would be lived up to. Hence, the first intimation, followed by an announcement in the Monitor, Haiti's official paper, that the "American occupation" was to radically change the constitution of the Negro Republic personally to me and of course caused a moral shock throughout Haiti and declared a national immoral, and dishonest everywhere.

At first I thought it a foolish, though senseless, hoax, but when as intelligent, excited, and half-frenzied natives of its truth, then I decided any such document proposing to take negro lands and give to whites, could have been inspired at some German headquarters in New York or Chicago by hyphenated Americans with Berlin money at the back of it. It was, I thought, the work of persons jealous of our "American occupation," who determined not merely to kill our (then) American growing influence in the black republic, but, in fact, intriguing with the enemy (the United States) by this time joined Britain and the Allies in the war), the overthrow of President Wilson, and the downfall of his administration.

I immediately, therefore, as a loyal American, left St. Marc, our Haiti, for Port-au-Prince, from where on the 5th of June, 1918, and have first officially denied the opportunity of cabling the White House, Washington, D. C. I sent a registered letter to President Wilson, explaining the consternation in Haiti, respectfully demanding postponement of so-called "voting" on the constitution, with an appointment by him of a committee to at once in matters so as to avoid this public and national scandal, but this registered letter was intercepted by the President's own private secretary, or at the State Department.

Anticipating this, however, from reliable information to hand, as to between officials in Haiti and at Washington, with certain financial pro the island, I sent also another registered letter the very same day to dent Theodore Roosevelt at Oyster Bay, N. Y., inclosing therein a copy written our President, with my special reason for adopting this unusual The latter was safely received at Sagamore Bay, and a courteous re arrived.

Definite information conveyed in this, with additional evidence, though it failed to move Senator Hitchcock, etc., enabled ex-President to vent in his criticism of the 14 points, etc., to emphatically declare the Associated Press, as appeared in Washington papers October 23, 1918.

"That the Negro Republic of Haiti was nonexistent under the De laudation, in spite of their treaty," and which the Government a fington dared not then nor since his death to deny.

All these letters and copies of other communications in Haiti and w ernment I have in my possession, including photograph of President, and two little lads, with Hon. Adée's official acknowledgment of memo and assurance of the Government's investigation, "serious considera

tions in Haiti, etc., which were on me when arrested, paraded through streets, under armed guard, but taken from me in prison when searched, and put into my cell at the stern command of United States' white captain of patrol."

also the photograph of the negro judge advocate, the poor natives whom I myself had engaged to assist in my defense at the aforesaid high court, whom like the rest was too terrified to attempt to visit my strictly prison cell for fear of being shot.

In addition to these, a photograph of myself surrounded by native soldiers, which was taken in the far interior, and four days after my removal with my prison-grown beard. I was en route for the cape (extreme west) at midnight of same day the high court set me free (and by same means, under threats of using military force, and in a small boat), to the Caribbean Sea, for another trial, with probable imprisonment before me, if not certain death.

The capital of the north, Cape Haiti, was at last reached, having been never to preach in that section, threatened to be shot by a white, and intoxicated American officer who, ignoring and sneering at Secretary's official letter, and another of an American captain of that section, behaved like a maniac, and before the terrorized native Christians, who led me to his American headquarters, openly cursed God, Christianity, Christian ministers and missionaries to be imposters and hypocrites. That the "malicious conspiracy" of our American official drunken I suddenly collapsed.

For Negro judge, forced, like others, by the officials, assured me and promises there was absolutely no legal charge brought against me, and that must have been communicated with to drop everything. My own presence, English, French (white), and native witnesses, and the St. Marc's high court must have evidently filled the conspirators with consternation, and fear, if not shame.

this reproach upon the honesty, veracity, not to say honor, of our people, which I sincerely sought to prevent, but through American treachery absolutely so far failed, is now immediately and irrevocably eradicated. Wiped out forever, such treacherous conduct can not fail to recoil upon the whole nation, as, for instance, the betrayal of those negroes of the Cape State, Africa, recently was revisited upon Belgium; and even the banishment of Napoleon to St. Helena by the British swiftly and followed his own treacherous treatment of Toussaint, "the Moses and Savior of the Blacks," for in the inspiring words of this great chief and noble as well as gallant general, to Brunet, his French captor and him in chains on transferring him from the frigate *Creole* to the man-of-war, the *Hero*, off Cape Haiti, the beginning of last century, to his cruel and shameful torture and death in the south of France), said:

"I may indeed to-day cut down the tree of the negro's liberty and independence but the roots are so deep and profound that the trunk will soon sprout again in Haiti."

In making this statement and further reiteration of present sad conditions, and my last appeal in spite of the startling published admission and most confession of your late Assistant Secretary of the Navy, Hon. Frank-velt (cause of my suspicion June 5, 1918, and justifying my own ex-President Theodore Roosevelt, as well as President Wilson), and the fact that our President and the administration's present term of exercise of power are about to expire, to be followed, possibly by a new Government, I still confidently believe that if the President and will only respond to poor Haiti's cry, immediately act and seriously and generously undertake to right the Republic's wrongs along such lines as herein and as pointed out two years ago in the memorandum previously submitted, only law and order will be at once established, but real peace and abundance will also follow throughout Haiti; yes, including the mountain regions where the supposed Cacos are said to dwell, etc.

It could not fail to secure for President, yourself, and administration (the whole American Nation) the undying gratitude of these misunderstood, maligned but kind-hearted negroes, and even the sincere admiration of the civilized and Christian world.

It is to add that as a pioneer missionary with over 25 years of unique experience in Haiti: with an intimate acquaintance of these negroes of every re-

ligious creed and political persuasion throughout the Republic (wh again and again traveled through by day and by night, even in time of revolutions, without either a revolver or a knife) and as an American and missionary lecturer on "Haiti's past, present, and future," given of times in churches, ministers' conferences, colleges, associations, conventions in States (North and South), England, Wales, Jamaica, and internationally known among Baptists and leading evangelicals, to beseech you to heed Haiti's imperative demand for justice at the hands of the United States.

I have sincerely desired and earnestly prayed you might give me opportunity, pleasure, and delight, not only to defend, but applaud, first to the Pacific and from Dakotas to Gulf, as well as in other lands (first and press), President Wilson and his administration's sound, constant, not regenerative work and creation in fact of a peaceful, prosperous model negro republic in land of Loveture, superstitious, priest-ridden, distracted, politically exploited, revolutionary torn, financially bankrupt only a few years ago, thus showing the world the potentialities of the whole Negro race.

Yes; if, by your present prompt action I am indeed now permitted, a pleasure in describing Haiti as the unfortunate man referred to in the parable, waylaid, robbed, and bleeding from every pore, Jerusalem and Jericho, to express also my joy, that while others pass the other side, in the Providence of a merciful God who created of all nations, it was our own wealthy, strong, and powerful United States and great American Nation under Christian leadership of a brave and competent statesman, President Wilson, which came along and played the rôle of good Samaritan.

Whether my prayer will be answered, and desire gratified now, and bleeding wounds shall be healed, or this waylaid black republic shall be plundered and butchered, is, therefore, now up to you and President.

Sincerely, yours, for Christ, Haiti, and humanity,

L. TON

THE SECRETARY OF THE NA  
Washington, October .

MY DEAR SIR: In the absence of Secretary Daniels, I wish to acknowledge receipt of your letter of October 5. Upon the Secretary's return to me I will bring the matter to his attention.

Very truly, yours,

EDWARD E. BRITTON, *Private Secretary*

Mr. L. TON EVANS,  
Burthyn, Wyoming, Pa.

# STATEMENT OF REV. L. TON EVANS, WYOMING, PA. (A OF HAITI).

The CHAIRMAN. Mr. Evans, will you give your name and address?

Mr. EVANS. My name is L. Ton Evans.

The CHAIRMAN. Your address?

Mr. EVANS. Since returning from Haiti my residence is at Wyoming.

The CHAIRMAN. Your purpose of vocation in Haiti?

Mr. EVANS. I have been pioneer missionary and field secretary of the United States.

The CHAIRMAN. In Haiti?

Mr. EVANS. Yes; in Haiti, and for, altogether, 28 years either in speaking and pleading in behalf of Haiti and the Haitian people throughout the United States and in England and Wales.

The CHAIRMAN. Were you in Haiti during the years immediately preceding the occupation?

Mr. EVANS. Yes; many years before.

The CHAIRMAN. During the years immediately preceding the occupation?

Mr. EVANS. I left at the beginning of 1912, and again returned with me in 1917.

The CHAIRMAN. And from 1917 until when were you in Haiti?

Mr. EVANS. From 1917 to April of 1919, when I returned to the States.

The CHAIRMAN. Then your knowledge of conditions prior to the occupation terminated in 1912, or three years before the occupation took place?

Mr. EVANS. Personally, yes; but early in 1912 I had a long private interview with the late President Leconte at the palace in Port au Prince, and brought several requests from him to our State Department here at Washington, but the department failed to act.

The CHAIRMAN. Let us go back to the period prior to your departure in 1912. How long were you in the Republic of Haiti consecutively before you left in 1912?

Mr. EVANS. I was there from 1908, though I made a short visit to Jamaica and officially as delegate to Baptist World Alliance in Philadelphia in the meantime.

The CHAIRMAN. Until the year 1912?

Mr. EVANS. Until 1912; but as superintendent missionary I frequently visited the States and other countries, churches, and societies, returning again to Jacmel, in the southeast, where I resided, though as field secretary and superintendent my work took me all over the Republic.

The CHAIRMAN. How many missionaries were under your direction as superintendent, or how many missions, let me say?

Mr. EVANS. Well, altogether, we had over 1,000 members at that time in something like 16 churches, 12 mission stations with 8 missionaries and 20 native preachers or assistants, and in addition 15 or more teachers in our day schools.

The CHAIRMAN. How many American missionaries were under your supervision in Haiti?

Mr. EVANS. Eight. I was the only American citizen, however, among all Protestant ministers at that time in Haiti. Several of these native missionaries and one white French citizen were educated here in the States.

*Haiti Baptist Mission (operated by both Lott Cary Foreign Board and the Jamaica Baptist Missionary Society)—Statistics re churches, missions, pastors, native preachers, members, baptisms, with Sunday and evangelical day schools, offerings, etc., for year ending June, 1918.*

(By L. Ton Evans, general superintendent.)

Church.	Mission.	Pastor.	Native preachers.	Sunday school teachers.	Baptisms.	Converts taught.	Candidates.	Died.	Members.	Sunday School scholars.	New missions.	Marriages.	Total offerings.	Haitian gourdes.	Day schools.	Church buildings.	Walled buildings.	Homes and huts.
Cape Haiti.		C. Jean Jacques	4	3	3	14			40	59			47	235		1		†1
Du Nord.		V. Eustache																
Fort Liberty.		C. Jean Jacques	2	3	3	35	2	2	52	77	1	1	41	205	1	1	1	
Grand Riviere.		Elie Mark.				15	1											†1
Du Nord Zebing.																		
Jacmel (Tabernacle).		N. P. Lherisson.	15	3	95	2,000	30	3	692	100	1	40	580	2,900	2	1	1	
	Bethlehem.			3						30					1		1	
	Carnel.			1						34						*		
	Jericho.			2						40						1		
	Morian.			2						45						1		
	Oliviere.			2						50						1		
	Banet.			2						39						1		
	Bethesda.			2						55						1		
	Central.			2						32						1		
	Bethel.			2						36						*	1	
	Gebson.			1						37						1		
		Dumay Alexis.	1	2	1	27	2		12				9	45				
Massade.									37				15	75				
Pignon.									20									
Port au Prince (Capital).		L. Hypolite.	1	1	2	4			25									
Port de Paix (Mission).		J. Thomas.	1	1	2	3		1	9									†1
St. Marc (Ebenezer).		L. Ton Evans.	5	3	17	65	8	3	58	12	1	3	214	1,070	1	*		
	Pisgah.			2	9	27	12		14	36								
St. Michel (Isle Gonave).		V. Eustache.	2	1	9				15		1	2	10	50				†1
	Bethania.			1					20									†1
St. Raphael (Habitation Ballo).		Dumay Alexis.	2	5		6		4	33	26		2	45	225		1		†1
St. Louis (Mission).			1	1				1	5									†1
Trou (Du Nord).		Elie Mark.	4	1	2	12	6		35	51	2	1	155	775		1		†1

"The 15 church buildings are of stone, or in Spanish walls, comfortable, and free of debt, but the two marked \* not finished. St. Marc, the largest Protestant church on island, has \$200 debt, with \$200 more added in purchasing a valuable lot adjoining for parsonage and woman's training school. This, with \$100 to complete church (now 25 years in building), makes total indebtedness \$500, or 2,500 gourdes.

"The 6 wattling-built and covered with brush roof have sides covered with mud, whitewashed within and without, constructed by the voluntary labor of the people of the immediate section, anxious for a place of worship and the preaching of the evangel in their midst. They are in all country places, and mark the first stage of the cause, and as such serve their purpose well; they are replaced by substantial churches as the mission progresses, and funds come in.

"Of the 9 with mark † 7 are merely wattled-made houses, or huts, small and inconvenient, and simply meant for temporary use, and as yet really preaching stations.

"Since the burning down of our substantial and comfortable churches at the important towns of Port-de-Paix and Cape Haiti, with a population of 7,000 and 30,000 or more, respectively, the few believers now in the former worship at the native preacher's own home, while the latter hold divine worship and their preaching service in a house whose rent is paid for by the Haiti Government.

"To command the respect of all classes of Haitians, and Government representatives and other Americans coming here just Baptists must have substantial churches and comfortable Christian homes in the cities and towns along the coast. These and a parsonage are essential for a missionary so as to be independent and devote himself whole-heartedly to aggressive evangelism, and making it absolutely unnecessary to compromise the board, denomination, as well as church and himself, by accepting Government aid of any kind."

Senator POMERENE. Black were they?

The CHAIRMAN. Were they native Haitians?

Mr. EVANS. Native Haitians; yes.

The CHAIRMAN. Negro citizens of the Republic?

Mr. EVANS. Yes; of the Republic, but educated some of them at the Baptist Theological Seminary, Newton Center, Mass.—New England.

The CHAIRMAN. Will you tell the committee, in your own way, briefly, your estimate of the Government of Haiti during the years from 1908 to 1912; the condition of public order, the security of the Haitian citizen in his person and in his property. The administration of justice and, in short, the various aspects of the Haitian Government state?

Mr. EVANS. I am sorry to say that conditions were far from satisfactory. In fact there were periodical political disturbances, which at times culminated in bloody fights, and followed by devastation of the country, discouraging the people, all but crushing their native aspirations, and hope of ever becoming fit to take their place among surrounding nations. It is but fair to add, however, that I found the people of Haiti, a simple, innocent, peace-loving, if not the most kind-hearted I ever met with. During all the years spent there, and I frequently traveled night and day all over the country, even the most outlandish, alone and without a guide, and never carried any weapon, even during the exciting periods of revolutions. Once only did the natives make an attempt to attack me, and then it was through my own aggressiveness in penetrating into the mysteries of devil worship—voodooism and the demon dance; the voodoo priest, known as papa-loi, who actually led in what appeared to be a ferocious attack, has been long converted, and many of his followers, while the papa-loi has been one of our faithful assistant preachers in that section for years.

Back of these revolutions to my own knowledge, and commonly known throughout Haiti, has always been the white man, and the white man's money, and among whom have been at times British, American, French, and other European, but chief among these the last 20 years has been a strong German element, I regret to say. I brought these conditions, with main causes of the political disturbances, during 1902, by means of a letter before President Theodore Roosevelt—which I shall put in the record—and came to Washington again during President Taft's and the beginning of President Wilson's administrations, specially pointing out this fact, and urging our Government to come to Haiti, and Haiti's defense.

Merchants throughout Haiti, the majority of whom are Germans, have been all along acting either as consuls, or vice consuls of their European Govern-

ment, hence are in Haiti unfortunately in this dual capacity. These are the invisible but potent political forces back of the Haitian revolution.

#### HAITIAN CIVIL WAR.

MOUNT VERNON, EDWARDSVILLE, PA., August 1, 1891.

President ROOSEVELT.

SIR: I beg very respectfully to call your special attention to a political and humanitarian point of view is of urgent importance in the present revolutionary war that is now being waged in north and south America and causing such misery and suffering not to mention cruel bloodshed and assassination and murder.

The barbaric methods adopted to establish certain political parties and which are such frequent occurrence both in Haiti and Santo Domingo and among peoples of the same race, religion, and language are means initiated by the masses, but are simply the work of a few greedy seekers who subordinate and sacrifice the public welfare to their own and sordid interests.

For many years past these revolutionary movements, bring desolation to the country in general and people in particular, morally, by denying necessary security for life and property, thwarting personal enterprise and legitimate developments along commercial lines, completely crushing national aspirations to rise in the march of progress and civilization, although as a race they have now been politically free for more than 100 years.

These constant upheavals, fraught with so much ruin and loss of life, which the island seems utterly unable to resist, are the work as already of a few natives, mostly refugees, residing in Jamaica and France, and by European and American money lenders, who financially support and wise fomented them. Ammunition for such purpose is smuggled in from two places, where these plots are planned and hatched by Europeans and Germans.

While rejoicing at your Government's prompt action in dispatching troops to aid American citizens in the north (Cape Haitian), yet from high as well as humanitarian reasons, may I strongly urge upon you the advisability of extending the same protection at least for life to the natives themselves here, and in other cities along the coast, where they are left at the mercy of these unscrupulous, unprincipled avaricious and lawless marauders whose one desire is to get a firm grip hold of the small purse strings so as to enrich themselves and few following at the expense of robbing the whole community, and keeping the country in abject poverty.

Should you be able to offer this protection and to safeguard the country from this policy of rapine and plunder long pursued by dishonest plunderers, I can assure you, sir, that hundreds of thousands of the suffering throughout that region would feel forever grateful to the United States for such benevolent interposition as nothing less than a godsend, and of long looked and much prayed for day of deliverance and the inauguration of a new era; after many years in a state of political and moral degradation, worse, if possible, than that of slavery in olden days.

In advising and urging this immediate interference I am by no means insensible to the delicate nature of the task, and certainly some of the risks which such a procedure involves.

Yet is it not immoral, cruel, yes criminal, that poor Haiti, like the old who fell among thieves on the highway to Jericho, robbed, wounded, bleeding from every pore, should be severely left alone in her blood to die, simply for fear of being misunderstood or of arousing the suspicion or jealousy of some other nation? Such risks are certainly more imaginary than real.

If this great commonwealth that without a single moment's delay to the aid of Fort De France recently, showed its practical sympathy and gave its generous help to the sorrow-stricken inhabitants of Martinique, St. Vincent, were again, and in this case, to play the part of the Good Samaritan, and with or without the cooperation of England act as guarantor for order and good government, and see that the laws and elections, as stipulated by the Constitution, were rigidly enforced, further merit the unstinted praise and unbounded admiration of the world.

It is quite patent to all that those who now pretend to rule Haiti are politically as well as morally utterly unfit; and that the sad and heart-rending state of affairs in that island constitutes a serious menace to the best interests of England and the States, which, if continued, must reflect discreditably upon these two great powers so immediately concerned in the Caribbean Sea.

The practice of appointing storekeepers and merchants who do business with the natives, and who so often benefit financially by these internal troubles as official and semiofficial representatives of foreign Governments, is neither calculated to inspire confidence in the inhabitants nor likely to add to official efficiency in the discharge of their duties to their respective governments.

The cost of supervising the island, as suggested, if thought practical, might be easily borne by Haiti itself, seeing the advantages derived from such a course. The expenses would be more than saved by disbanding the present army (for should the States safeguard the shores from invasions by foreign powers and political filibusters) so that the men can go home to cultivate their grounds and otherwise develop their country—a small number only retained merely to police the interior and preserve law and order in cities along the coasts.

In addition to the immense benefits bestowed upon these Republics, such as placing the race in a position to work out its political and social salvation, this great Commonwealth would once more demonstrate to the world at large her position in the forefront of governments, which seeks to use her great power and mighty influence not to add territorial possessions and increase her wealth, but for something higher and nobler, viz, to protect the weak against the strong, to establish law and order where now chaos and terror reign supreme, to encourage honest industry, to further national progress, yea, to develop and advance the truest and best form of civilization.

An expression of sympathy with above object and appeal, and especially of hearty willingness, with or without the cooperation of England, to take immediate steps in this matter so as to save further suffering and prevent bloodshed, will be esteemed a great favor.

In behalf of hundreds of thousands of neglected and downtrodden negroes of Haiti.

Yours, very sincerely,

L. TON EVANS,

*Field Secretary and Baptist Pioneer Missionary in Haiti.*

MR. EVANS. While dealing with this phase of the question in fixing responsibility I should point to the committee, how intelligent, educated Haitians, and there are quite a number of smart and bright persons among the better class, with a touch of French politeness and some refinement after years of training in the schools, colleges, and universities of Paris, return to their island home with changed ideas and altogether different, and in many respects higher aspirations. Their education and classical training in Europe makes them dissatisfied with conditions in Haiti, and properly so.

THE CHAIRMAN. Now, if you will not go too far afield, Mr. Evans, what is the bearing of the education of these Haitians on the machinations of the foreigners when incited to revolution?

MR. EVANS. The direct bearing of it is this, that being discontented with conditions in Haiti, and moved with a strong desire and newly enkindled patriotism as the result of their training in Paris and contact with Europeans, and having nothing special to do in poor Haiti they become an easy prey to foreigners, and the white man with political intentions and profiteering desires, to be used and exploited by them under the pretence that an overthrow of the president and change of government will result, and, indeed, is inevitable to the bettering of conditions and development of the Black Republic.

SENATOR POMERENE. Do I understand you to mean that they become the prey of these foreign elements?

MR. EVANS. Exactly so, through their dissatisfaction with Haiti's very low and backward condition, and often a burning love for their country, with desire for the betterment of Haiti, mostly inexperienced, unsuspecting the white foreigner's motive, and that they merely meant to exploit them and their country and get a firm grip of the Republic's purse strings—customs.

SENATOR POMERENE. I take it that your thought is that these foreigners are there for the purpose of exploiting rather than for the improvement of the country?

MR. EVANS. I would not like to put it in that way in reference to all foreigners. There might have been other motives at first, but seeing a fine op-

portunity for exploitation among these good natured, innocent, im- yet unskilled, though somewhat educated people, these foreigners, and Germans, have been eager to take full advantage of it, also opposing means and actually stultifying Haiti's efforts to disentangle itself from the Germans, and their intrigues when discovered, so as to ally itself with the United States and seek our Government's closer friendship and good will and encouragement and protection to develop their own rich resources graphically their closest neighbor, in fact.

The CHAIRMAN. Mr. Evans, are these foreigners who foment revolution accustomed to make monetary advances to revolutionary generals and to pay rates?

Mr. EVANS. Yes, sir; most decidedly.

The CHAIRMAN. Selling arms?

Mr. EVANS. That is so.

The CHAIRMAN. In short, they have a direct profit in inciting revolution.

Mr. EVANS. Absolutely so, and in constantly fomenting political dissension. For instance, in August of 1911, when returning from the World Peace Conference at Philadelphia, a German banker from Haiti sat next me on the boat. In conversing about the recent revolutions of 1910 which I had seen and gone through, and describing to him the terrible sufferings, and bloodshed, this German banker answered, though not in Haiti, that he actually knew more about them than I did. He then added: "I financed them from Berlin, as well as the previous revolutions. I furnished ammunition, and have been staying in Germany several months arranging these matters." Remembering the devastation and murder committed by the friend the Rev. George Angus, a British subject and missionary from Haiti, through stray shots of revolutionists fomented and financed from Germany, I jumped to my feet, denounced his cowardly, cruel, and murderous suggestion, adding, he should have been made to face the Haitian cannon fire, to smell his own German powder from the barrel of the Haitian gun, to be ashamed of his mean, despicable, and, indeed, devilish acts, then he turned on himself and his crowd, while the poor, helpless, and deluded Haitians bore the whole blame and were called "assassins" and "cutthroats."

There is also jealousy and a growing hatred against the United States, increasing interest and influence in Haiti and the Caribbean Sea, which the United States and its influence are always recognized and backed up by England, to the chagrin of Germans and their supporters in Haiti the last decade.

The CHAIRMAN. Mr. Evans, I do not think we need to go so far as that.

Mr. EVANS. But is it not too bad that these Negroes should be made to bear the whole blame and painted everywhere as brutes and savages, if not as cannibals, through the cowardly and greedy exploitation of the whites and his money?

The CHAIRMAN. Well, Mr. Evans, we want all the facts rather than mere opinions. During those four years preceding your departure in 1912 what was the condition of the Haitian peasant, his relation to the general de la place, the general d'arrondissement; did he get justice in the courts?

Mr. EVANS. I believe they did. I heard very little complaint. When I had an occasion to go to court the Haitian judge showed ability and impartiality. Officials of the court and other Government departments, in occasional delays, were invariably polite. Being privileged as a missionary and an American citizen, I was given a free pass, hence I was not bothered with ordinary officials about "permits" to travel, and of what was somewhat strict on account of the said revolutions. I put in to the secretary a copy of one of these free permits, signed by the secretary of the interior, a member of Haitian cabinet.

[Liberte. Egalite. Fraternite.]

REPUBLIQUE D'HAITI.

PORT AU PRINCE le 23 Décembre, 1911, au 10 8me De l'Indépendance.

LE SECRÉTAIRE D'ÉTAT,  
au Département de l'Intérieur:

Accorde, par les présente, permis au Révérend I. Ton Evans, Secrétaire Général de la Mission Baptiste pour Haiti de voyage Librement dans toute la République.

Les autorités civile et militaires sont invités à lui prêter aide et protection au besoin.

Fait à Port au Prince le 23 Décembre, 1911 au 10 8° de l'Indépendance.

Emigista à le Secrétaire d'Etat de l'Intérieur et de la Police Générale, le 23 Décembre, 1911, au 10 8° de l'Indépendance, au No. 461.

LE CHEF DE DIVISION.

THE CHAIRMAN. Tell us the lot of the peasant. What is his relation to the general d'arrondissement and general-da-la-place? Is he free to go where he will? Are his taxes justly levied, and so on?

MR. EVANS. Taxes? There are not many taxable things in Haiti.

THE CHAIRMAN. Yes.

MR. EVANS. There are not many articles taxed in Haiti. Imports are the chief source of revenue. These financial arrangements of the Government did not come within my purview. As I have said, the political conditions obligated them to be strict as to permits for traveling within or for leaving the Republic. Though discouraged by revolutions to raise crops, I found the peasants often thrifty, and certain sections of the Republic showed labor and skill with some good crops. As a whole, however, and considering the richness of the soil, instability of government, and no market, Haiti is in a very backward condition industrially. To prevent revolutions and encourage the cultivation of this rich land, I came again and again to our State Department at Washington urging our Government to protect Haiti and act the big brother to this weak and defenceless little nation.

For this reason the petition signed by nearly 3,000 Haitians, including Presidents Simon and Laconte and all leading Haitians of the Republic, was gotten up and presented to secretary of Carnegie's international peace bureau and of the Rockefeller Foundation praying for a normal and industrial college for Haiti and on Christian basis like Tuskegee. A copy of this will be placed in record.

The granting of large concessions by way of plantations and the land for railroads to the American contractor Macdonald by President Simon was an honest endeavor to open up the country for industrial cultivation of the land on a large scale by Haitians and for Haiti's benefit, but under leadership of the white man with modern implements.

This was defeated through the German propaganda in starting a revolution and the overthrow of President Simon and his government in 1911. The Germans persisted that Simon had "sold Haiti to the United States."

Senator POMERENE. Who was this railroad contractor?

MR. EVANS. Mr. Macdonald, of New York. It was freely said in Haiti that in addition to subsequently fomenting and financing this revolution which finally ousted President Simon, a sum of not less than \$350,000 of German money was actually spent in bribing senate or house members or both, at Port au Prince so as not to ratify the said contracts. In his heroic endeavor to put down this rebellion and emphatically contradicting the Germans' propaganda, I saw the aged President in actual tears and all but broken hearted, as he told me if the United States Government had come to his aid the Government and so the railroad and plantations would have been saved, if not thousands of Haitian lives.

Senator POMERENE. As I understood you, you used the expression "sold to the United States." What did you mean by that?

MR. EVANS. That the Haiti Republic had been handed over to the United States Government and people for a consideration, and that President Simon had betrayed the Haitians.

Senator POMERENE. That the President did?

MR. EVANS. Yes; that Antoine Simon, the then President of the black Republic, had done it. This, of course, was revolution propaganda of the German element—to arouse the natives to rebel against and overthrow their President—and it succeeded, whereas he had done the best possible thing under the circumstances to open up industries, and, as he said, to secure labor, with fair pay to the natives. These contracts and land to Macdonald were to revert to the Haitian Government after a number of years.

Senator POMERENE. I think I misunderstood you at first. You mean they said he had sold Haiti; is that it?

MR. EVANS. Yes; it was a willful misrepresentation of the actual truth by these German propagandists, playing on the sentiment of these quiet, ignorant people, who have a burning passion, however, for their own Negro republic.

The CHAIRMAN. You started to tell a while ago of a message which Leconte gave you. What message was that?

Mr. EVANS. It was that if he was to have a stable Government, a continued in the executive office to carry out the urgent reforms he had commenced, and those he contemplated, "he must have the close practical help, protection, and encouragement of the United States Government, whose interests were paramount in Haiti and Central America."

Cincinnatus Leconte had spent some years at Washington as Haitian consul, could speak English fluently, and, in my opinion, was the best and cultured Haitian, with a practical turn of mind, that ever sat in the presidential palace at Port au Prince.

I put in a quotation in the record, from one of my circulars, written in 1912, and referring to Leconte's election as President and consequent prospects at last for Haiti politically, educationally, and religiously.

#### THE RADICAL CHANGE IN THE HAITI GOVERNMENT.

"America and the outside world, and even 90 per cent of the Haitians themselves, are at present ignorant as to the magnitude of the change in transformation, which has recently taken place with the coming in of a new Government, and that in the most unexpected and providential manner. The second revolution of last year was started by the savage Caicos, or rather by the shippers and devil devotees near the Dominican frontier in the north of the way part of the Republic. In reality it was a case of Satan driving out Satan.

"President Leconte and his ministry represent the intelligence and the future of the country. There is to be found to-day in palace and cabinet not only a new type of civilization but an atmosphere of refinement, which, if wisely directed, backed up by a fearless policy and sympathetic and efficient administration, our United States Government, and the blessing of God, must ere long bring about a beneficent change throughout the country, long neglected, with 3,000,000 poverty-stricken but withal kind-hearted people.

"It is really Haiti's first civil government. The next few years, if wisely directed, are fraught with tremendous consequences to this land.

"Yes; the psychological moment has come, and which many have long awaited, fully and anxiously forward to, and some of us even fervently prayed for the last 10, 15, and 20 years. There must now be no time lost in waiting for our help and rescue; for the uplift of Haiti means actually the uplift of the whole Negro race. For reasons partly geographical, political, and socially providential, the true character and capacity of the African race, its government, etc., will be judged by what the black man is really capable of in an independent Republic of Haiti."

Senator POMERENE. Without going into details, and the chairman's opinions rather than facts, and I do not care to pursue that further, I stated that this German banker in Haiti told you that he financed the revolution?

Mr. EVANS. Yes, sir; I did.

Senator POMERENE. Have you any other evidential facts which would support your conclusion that he or other Germans were financing that revolution?

Mr. EVANS. It was common knowledge in 1910 or 1911, perhaps 1912, something like \$350,000 of German money had been spent to prevent the confirmation or ratification of the Macdonalds' contracts and land contracts. Ex-President Simon, who still lives in Haiti and can be called before the committee, was in consequence compelled to threaten the use of force to bring the senate or house together for the purpose of ratification.

Senator POMERENE. You regard him as entirely loyal to Haiti's interests, etc.?

Mr. EVANS. I believe so; many—in fact all the Presidents who succeeded him in reforms are powerless because of the German influence in the past.

Senator POMERENE. Is that true of President Leconte?

Mr. EVANS. Indeed, even more so than in President Simon's case, he was better educated, had filled important offices, and knew the United States and American people, if not also Germany and Germans, better than did President Simon before or after him at Port au Prince.

Senator POMERENE. Were any of these Presidents that they have had there since your own acquaintance with Haiti under the domination of these German propagandists?

Mr. EVANS. I would like to explain here, so that the committee may really understand the difficulty and impossibility for any Haitian President alone and unaided by the United States, England, or France to withstand the powerful, ruthless, and murderous German propaganda at Port-au-Prince and Cape-Haitien in the past. Leconte at one time was absolutely dominated by these Germans, and was put up by them for the Presidency, and made a strong candidate, and was all but elected several years ago. He was again their candidate in 1911 against Simon, but, having at last seen through the German intrigue, refused to head the revolution and become candidate, and only reluctantly consented at the last moment, seeing the serious peril to himself of blank refusal, being under, no doubt, special obligation to this controlling and financing German power.

During our interview at the presidential palace, alone, discussing, in view of the backward condition of the country, his—Leconte—responsibility as Haiti's newly elected President, how we in the United States, with Britain, looked for a real change in the conduct of Haiti affairs, and, indeed, that the time had arrived, unless we saw a decided improvement—the United States Government had for years felt a grave responsibility re Haiti and could not put off much longer the demand for a stable Government with, indeed, a higher civilization and a more humane conduct of political and public affairs—we would be compelled to act. I assured him, however, that there was absolutely no truth, as I had assured Simon and Haiti's responsible leaders, in the statements made by Germans and others, namely, "That we coveted an acre of Haitian territory," which, if we did, we could have had the two Republics, in fact, 20 years ago with Britain and France's unanimous consent and hearty benediction, but his was not American policy.

He believed implicitly what I said, expressed his strong desire and determination to proceed with improvements, but stated he would be helpless against the influence mentioned, and then his last wish was that I immediately return to Washington to urge the Government to assist and stand behind him.

The CHAIRMAN. Is this President Leconte to whom you refer, or is it Simon?

Mr. EVANS. I am now referring to the late President Leconte. At his special request, I came to Washington and had an interview with Second Assistant State Secretary Adee, but nothing was done, I deeply regret to say.

The CHAIRMAN. What year was this?

Mr. EVANS. The beginning of 1912. In requesting that a capable person be once sent to Haiti in an unofficial capacity, altogether apart from our American minister or United States consul in the black Republic, yet close to the Secretary of State and United States President, and one that would have a freer access to Haiti's President than any diplomat, Mr. Adee termed what I suggested as new diplomacy and expressed a doubt as to whether the black President would really be willing to receive such. I replied that President Leconte had expressed a very similar doubt as to the United States President and our State Department, adding that unfortunately we forgot that white as well as colored were not free from suspicion. Though no one was sent from Washington, Leconte started to reform—made voodoo dances and orgies illegal; reduced the army to one-third or one-half; and raised the type standard; built the present fine barracks occupied now by our marines at Port-au-Prince. As anticipated, he was assassinated with others, and palace blown up. The leaders in Haiti have but one opinion as to how it was done. In 1912, not long after that, I left for Washington.

The CHAIRMAN. Now, Mr. Evans, after your departure in 1912 you did not return again until 1917. Tell us of your impressions as to conditions in Haiti on your arrival in 1917 and give us any facts regarding the occupation which you think might be useful to the committee.

Mr. EVANS. Before answering this question, may I briefly explain?

The CHAIRMAN. Certainly.

Mr. EVANS. Between 1912 and 1917, though away from Haiti, I was in constant correspondence with the churches and our missionary brethren there without any censor, which, however, I have had since my coming from Haiti in 1919 to date, and in my position as honorary field secretary. Thus, for instance, I was kept in close touch with affairs in Haiti by this means and what appeared in our American press. For instance, finding that our Government had armed the marines in Haiti, and preparing a treaty with the Negro Republic, I wrote to President Wilson, inclosing a number of my references—one from right Hon. David Lloyd-George—offering to resign my church at Lansford, Pa., and as an American citizen and Christian missionary with long experience for

the purpose of rendering assistance to our Government by explaining to the Haitians the meaning of apparent "invasion" so as to avoid serious misunderstandings, bloody conflicts, if not open rebellion, and prove equally helpful to officers of American marines as to the Haitians themselves. A copy of this letter is handed here for the record and is as follows:

[Copy of letter to President Woodrow Wilson, United States.]

LANSFORD, PA., September 1, 1918.

HON. WOODROW WILSON,

*President of the United States.*

DEAR PRESIDENT: I propose next week to visit Washington, D. C., so as to see the two native young women I brought a few years ago from Haiti, and have just graduated at the National Missionary Training School for Colored Young Women on Lincoln Heights, D. C.

I am very anxious to have the honor of a brief interview on this occasion, with reference to Haiti, either Monday, Wednesday, Thursday, or Friday of next week, and at a time most convenient to the President, especially seeing that the present is the most momentous period in the history of the black Republic (the discovery of the island by Columbus) and the people, under the general leadership of the brave, noble, and immortal Touissant L'Overture (Haiti's Lincoln, George Washington in one), secured for them both emancipation from slavery and political independence from France and Napoleon.

Hundreds of thousands of Haitians, if not indeed the rank and file of the Republic, when the high motives and benevolent intentions of our United States Government and the true meaning of the present step become clearly and thoroughly understood, will sincerely thank God and the present administration, through you, sir, for establishing a protectorate, thus actually coming to Haiti's rescue and saving her from cruel and savage bloodshed, etc., perpetrated by a few selfish, professional, and corrupted politicians exclusively by certain Europeans and "hyphenated" Americans residing in Haiti (ostensibly German bankers, merchants, etc., but filled with wicked jealous and bitter hatred (unfortunately) against our Government, and the natural and inevitable growing influence of this Christian and humane nation in the Caribbean Sea and throughout Central America, if not, indeed, the whole of the world at the present moment.

Inclosed<sup>1</sup> will show the President my own present and past relations with the black Republic and its people, as well as the "raison d'être" in asking the honor of a short interview at this important juncture.

For Christ and Haiti,

Yours, sincerely,

L. TON EVANS

*Honorary Foreign Secretary, etc., to Haiti Missionary Committee.*

P. S.—Though a native of Wales, and claim among my personal friends and associates in social, moral, and religious work there the Right Hon. Lloyd-George, M. P., Sir Sam. T. Evans, president-judge of Great Britain's war prize court, etc., yet I am a full-fledged American citizen, without either "if" or a "hyphen."

Mr. Tumulty replied in behalf of the President, requested me to write a letter rather than have an interview with Mr. Wilson at that time, and which I immediately did, though it amounted to nothing. In fact, my candid opinion was that neither my first nor second letter went further than Secretary Tumulty.

With the committee's permission, I shall read a page of my report sent to Haiti in 1918 to my missionary committee in the States, showing, on the spot, and looking around, both my surprise and deep appreciation of some of the good work of our American marines.

The CHAIRMAN. I wonder if you might not give that to the stenographer for incorporation in the record.

Mr. EVANS. Yes.

The CHAIRMAN. It will be unnecessary to read it. Just give it to me when you will?

Mr. EVANS. May I read a few paragraphs before I hand it over to the record?

The CHAIRMAN. Yes.

<sup>1</sup> These meant references as to character and work in Haiti, etc.

(Mr. Evans thereupon read certain portions of report referred to, which is here printed, as follows:)

#### HAITI BAPTIST MISSION REPORT FOR 1918.

After an enjoyable voyage from New York, and in spite of war, submarines, etc., we landed safely in Haiti Thanksgiving Day, November 29, last year, and were welcomed back by all the churches and friends, and none more heartily than by late Judge Orius and family (whom we mourn and miss). Letters and wires of welcome also came from pastors and friends from all over the Republic.

#### POLITICAL AND SANITARY REFORMS, WITH PEACE AT LAST.

The first thing which struck me as soon as we landed and looked around was the complete change wrought through the coming of our American occupation.

The general appearance in this little filthy town and all towns and cities in Haiti, though from nestling between the hills and shaded by the broad banana leaves and stately palm and coconut trees have a beautiful tropical appearance from aboard of steamers, away at sea, are on closer acquaintance proverbially dirty, yet since our marines have been here things have greatly improved by way of well-swept roads, free of decayed vegetation and mosquito-breeding stagnant pools, etc.

What, however, surprised and pleased me most was the order and quiet, with pleasant and placid faces of natives, instead of suppressed feelings, anxious fears, and sad countenances, with exciting looks; the running here and there; then the sound of doors and shutters (there are no glass windows in Haiti) suddenly banged and bolted, followed by shots and bullets, no one seemed to know from where, in fact; then cries and wild shrieks of women and small children rending the midday as well as the midnight air—I well remember in old revolutionary days. As the result, such a calm and growing confidence among the natives themselves as the result of the occupation compels me to thank God, and I am sure tens of thousands of others here all over the Republic do so in silent gratitude, both to the Almighty as well as the United States Government, that at last (at the earnest bidding of the British consul general and French minister in Haiti) Admiral Caperton landed our American marines that day at Port-au-Prince, and thus rescue poor, politically and revolutionary torn and bleeding Haiti from the selfish and sordid greed and iron grasp of Germans, who financially and murderously exploited this country and people for many years with Berlin money and ammunition.

Great, indeed, as above reforms have been, I saw actual transformation in prisons and hospitals (called hospices by the Catholics), and so your superintendent will quote from his recent letter to chief of hygiene department of the occupation:

"Mrs. Evans and myself take quite an interest in our little St. Marc Hospital, as we do in our local calabash (prison), and often go around the sick of the one and conduct religious services on Sunday afternoons in the other.

"We can not but notice the contrast between things to-day and years ago due to your efficient work.

"This is particularly true of the Jacmel prison and hospital which on my recent tour south as superintendent I had the privilege of visiting in company with our marine captain and doctor.

"These reforms alone, in interest of health and humanity, proved what a goldsend has been the friendly intervention of our Government (so far) along these lines in Haiti.

"May I respectfully ask whether you contemplate changing the name of hospice into city or general hospital, so as to make them equally as accessible, pleasant, and agreeable to Protestants and Catholics alike, and seeing they are maintained by the Government, aided by local and general public?"

Sickly Protestants could not be persuaded to go to the hospice. There was a fundamental objection which I desired to remove, if possible, now that the United States Government operated them.

SENATOR POMERENE. This was a report made by you to whom?

MR. EVANS. To my Negro missionary committee in the States, and show them some of the blessings brought to Haiti through our friendly intervention as an United States Government, and for all of which there was then a profound feeling of gratitude.

Senator POMERENE. Do you discuss the following conditions there and the revolutionary conditions?

Mr. EVANS. No; but there seemed to be such misunderstanding, if representations, in the States, and even a bitter feeling among American Baptists, absolutely ignorant of real conditions in Haiti, through the fomented and financial revolutions—to any kind of United States intervention that I felt it my duty as an American and a friend of Haiti, as a Christian missionary, and by way of an introduction to my first annual report to correct these misunderstandings and, if possible, remove certain prejudices which colored as well as white folks sometimes are afflicted with.

My criticism of the United States Government and the Democratic Administration is not that they intervened in Haiti when they landed marine Admiral Caperton, neither to the treaty our Government negotiated with the Haitian Republic, which guaranteed the Negro republic's protection, the liberties of the Haitians, and undertook to develop Haiti nationally and industrially by constitutional means and civilized and humane methods. My criticism and personal protest has been that the United States Government, either through its responsible departments at Washington or American occupation in Haiti, or both, and under the late administration closed the Haiti Senate and House of Representatives through United States armed force, and as if this was not sufficient, again by threats, military force, and "fraud," "raped" the Haiti constitution in absolute violation of the treaty, and, as stated in my memorandum presented to President Wilson, exact repudiation of our own treaty obligations.

This latter and most fraudulent act clinched the nail in the coffin of our American reputation and influence in the Black Republic and among the Haitian people, as well as aroused and embittered the feeling of intelligent loyal Negroes, and even white Americans, throughout the country against American occupation.

According to Haiti's request, as expressed through Laconte and others, under the generous terms of our treaty, we assumed a friendly mandate and undertook to act the big brother.

Senator POMERENE. That is, they wanted us to be the guardian of the Republic; that is?

Mr. EVANS. No; something more than mere protection of life and property, important as that is. They expected, and as stipulated in our treaty, that we should have the full benefit of the United States money, the best American brains, as well as that of our experience in civilized government, if we were to have steady and strong Christian statesmanship; but our conduct in Haiti, as I have described, has largely verified German predictions concerning us, namely:

"The moment the American Government puts its foot down in Haiti, under the plea of having land at Mole St. Nicholas for a coaling station, and the pretense of an invasion by its marines at Port-au-Prince, to save ruthlessness during a revolution, and in spite of any treaty they may negotiate, their one purpose is to conquer Haiti, take away the island, and bring them back to slavery."

Haitians have no means of judging motives, only by methods, and the purpose of the United States Government and the American people is to oppress or 95 per cent illiterate Negroes of Haiti—judging by the slamming of senate and chamber's doors, the putting out by military force their political leaders, the rape of their constitution, and robbing and driving of their husbands, and brothers to prisons and marched about as slaves, and then down and shot without due process of law—absolutely believed to be what the Germans and others had told them. We can not help believe that by our official representatives whom we send to the Black Republic we are there where.

To correct this impression and expose and refute the base falsehoods of American policy, I have for years carried an old copy of the New York Times with me all over Haiti, containing an article by late ex-President Theodore Roosevelt, beloved and now mourned in Haiti, on the United States policy in Haiti, explaining it in English, French, and patois, and pointed to the Cuban Revolution as verification of Mr. Roosevelt's reassuring message to Haiti and Latin America.

The following declaration of ex-President Wilson to Congress on our intervention in the World War on the side of the Allies I had also hanging in my study place in my study, and read and explained repeatedly to leading Haitians, who bitterly complained, and even wept, saying, "We have lost our Republic."

sionary," when I counseled them to be patient and wait until we brought the facts before the responsible United States Government and they were known to the great American people. It is as follows:

"WE HAVE NO SELFISH ENDS TO SERVE, WE DESIRE NO CONQUEST, NO DOMINION.

"We are, let me say again, the sincere friends of the German people, and shall desire nothing so much as the early reestablishment of intimate relations of mutual advantage between us, however hard it may be for them for the time being to believe that this is spoken from our hearts.

"We have borne with their present Government through all these bitter months, because of their friendship, that friendship exercising a patience and forbearance which would otherwise have been impossible. We shall happily still have an opportunity to prove that friendship in our daily attitude and action toward the millions of men and women of German birth, and native sympathy, who live among us and share our life, and we shall be proud to prove toward all who are in fact loyal to their neighbors and to the Government in the hour of test.

"It is a distressing thing and an oppressive duty, gentlemen of the Congress, which I have performed in thus addressing you. There are it may be many months of fiery trial and sacrifice ahead of us. It is a fearful thing to lead this great, peaceful people into war—into the most terrible and disastrous of all wars—civilization itself seeming to be in the balance.

"But the right is more precious than peace, and we shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own government, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free." (United States Congress on Apr. 2, 1917.)

From my reading and study of the treaty we entered Haiti solemnly pledged to help place her and her people eventually on such a civilized basis as to enable her to enter the circle of surrounding civilized and progressive nations, and nothing should be permitted to cause us to deviate from this purpose and play into the hands of Haiti's foes if not also the enemies of the United States.

The CHAIRMAN. Mr. Evans, I do not believe the committee can go so far afield. We have got to hold to the facts you observed there, and not to the expression of opinion or the history of your efforts in defense of the United States.

Mr. EVANS. The purpose of our Government going to Haiti is one thing while the violation of the treaty and the conduct of the American marines and gendarmes in the island is another. These should not be confused, so I felt justified in explaining this in the report to my missionary board.

The CHAIRMAN. I understand this part of your report to your board has been given for the record. Now, let us come back to what you saw on your return to the island.

Senator POMERENE. At what time?

The CHAIRMAN. In 1917 and thereafter. For example, if you care to speak of the amendment to the constitution; the dissolution of the Parliament or the corvée, any one of them, the committee will be glad to hear you.

Mr. EVANS. I will say that the corvée business was brought to my attention not long after I returned. It was an old custom in Haiti, but never I think a law. It is customary in backward countries for farmers, or those who have their small habitations or small holdings in Haiti, once or twice a year to devote two or three days or so to help repair roads opposite their own farms.

The occupation in Haiti, however, intentionally or ignorantly put a new and altogether an erroneous meaning to it by actually turning it into an instrument for oppressing and torturing the Haitian people, and exciting their passions, and apparently some times for no other purpose than to provide them with an excuse to beat, if not shoot them down. Excitable gendarmes in the United States marines' employ and often, under influence of liquor, when arresting, roving, then driving along roads, and mountains as gangs of African slaves rather than as citizens of the Haiti Republic, whom the great American Government by a sacred treaty, had officially pledged to protect, were very often roughly and brutally handled, for no native could be expected to voluntarily submit to such humiliation. From what I have seen and heard I verily believe that more have met their deaths through the corvée thus illegally

practiced, willfully or ignorantly, by marines and gendarmes and accused by those in supreme command and at Washington than were killed in conflict with Cacos, if it was not indeed the chief cause and mainstay of the occupation.

Senator KING. Who did this?

Mr. EVANS. The American occupation.

Senator KING. Who?

Mr. EVANS. There was a captain or lieutenant at every town throughout Haiti in official charge of these gendarmes (Negro soldiers) and chosen by these white marines of the American occupation. Many of the marines, and probably most of the gendarmes, were fond of drink. Under official orders of the marines would catch, arrest, and rope up and drive them to prison, and from prison to work on the roads. Under such conditions often cruelly deal with them.

The last Sunday of June, 1918, going on Sunday afternoon from Gonaïves toward Jacmel, in the far southeastern part of the Republic, I saw several gangs, altogether perhaps 60 or 80 or more, and in charge of white officers who rode along side and well armed. On inquiry from the officers, I was informed that these were paid 1 gourde or, in American money, 20 cents a week; without any food. It is therefore to imagine how the unpaid, ill-fed native driven to work like these, many miles away from home and families as there were, become uneasy, irritated, and even rebellious invariably means death.

The CHAIRMAN. Will you give specific instances of ill treatment of the natives that you saw yourself?

Mr. EVANS. I have repeatedly seen ill treatment. Both in and around St. Marc, perhaps 2 or 3 miles on the way to Gonaïves, I have seen it at work men, for merely turning the head and without the slightest provocation as far as I could see struck until actually stunned. Prisoners of St. Marc working around the gendarme barracks, almost opposite where I have seen on week days and on Sunday unmercifully striking the prisoners and I have walked on and intervened at times on my way to church.

The CHAIRMAN. Struck by whom?

Mr. EVANS. By gendarmes, and at times a boss, the marine officer appointed as overseer over the natives, who would be a robust Negro.

The CHAIRMAN. Who dealt the blow, a marine or a gendarme?

Mr. EVANS. By the gendarme or the native boss. The marine officer would seldom be seen with the corvée gangs. The marine captain or lieutenant would generally be at his headquarters. The marine chief at St. Marc would be either Capt. Kenny or Capt. Brown. They have several of these gangs in two, three, or more places along the roads in the charge of armed gendarmes.

The CHAIRMAN. The man who dealt the blow was a member of the gendarmerie organized by the marines; is that right?

Mr. EVANS. Yes; exactly so. He would be under him and receive orders from him as chief of the occupation for that district.

Senator POMERENE. But a black?

Mr. EVANS. Yes; they would be natives.

Senator POMERENE. You do not mean to say that our marines use violence?

Mr. EVANS. Yes; though I myself never actually saw this. One would not expect our marines and white officers of the American occupation to use any violence in my presence or that of any other Christian. They give the orders and see they are carried out. They supervise the reports, and are responsible. It is quite possible that gendarmes, unless deterred from utter fear of being shot, do certain things on their own initiative.

Senator KING. Mr. Evans, we will devote our attention to fixing responsibility, and if you will limit yourself to that and answer the question will get along.

Mr. EVANS. I have already stated that marines are seldom with corvée gangs and would not personally if they were guilty of violence in the presence of a missionary. They mostly are at headquarters and give orders. I am here to assist the committee to ascertain real facts.

Senator POMERENE. You said these workmen would get 20 cents a week for American money?

Mr. EVANS. No; but that the natives received an equivalent to our money. They would be paid in Haitian money, which would be then

Senator POMERENE. Paid by whom?

Mr. EVANS. By the United States general receiver, through the American occupation's marine officers.

Senator POMERENE. Well, I know, but did that money come from the Haiti Government, or from the United States forces?

Mr. EVANS. I understand that all moneys in Haiti come through the hands of the United States general receiver, who pays everybody through the occupation, or the American marine officers, and even the Catholic archbishop, bishops, priests, etc.

Senator POMERENE. Well, it was stated here yesterday that most of these men were called in for a few days, and stayed voluntarily because of the good food they got.

Mr. EVANS. That is absolutely wrong, speaking generally. This might be so with a very few who act as bosses, or overseers under the gendarmes on the roads, or in gaol, but false as to the majority of corvée men and roped gangs referred to.

Senator POMERENE. Let me ask you a further question, because we do not want any misunderstanding as to the facts. Is the committee to understand that the money which was paid these men for their work was money raised by the Haitian Government by taxation?

Mr. EVANS. I can only reply that I understand that every dollar in Haiti, whether American loans, imports, or local taxes, come directly through the hands of America's general receiver.

Senator POMERENE. But they were Haitian funds, were they, raised by the Haitian taxpayers or by the Haitian importers?

Mr. EVANS. I do not think this is so. Referring to the food question, I saw while in the prison at St. Marc these men, working under the corvée, lined up in front of my cell and driven out about 6 o'clock in the morning, often with nothing but a little coffee, marched under armed guard to work miles away, then brought back to prison, carefully searched, and compelled to wait from about 4 until nearly 6 without being fed; a few times when the captain was said to have gone drinking, with keys, if not money, there was not a scrap for any.

The CHAIRMAN. Was this at St. Marc?

Mr. EVANS. Yes; at St. Marc. I have seen these men here struck with such force by the gendarme officer, and for the merest trifle, until they would fall like logs. Many for want of food fainting and at times falling their full length on the hard floor of the prison yard. Whether once members of the corvée gang or not I can not say, but I have actually seen dead bodies covered with vermin exposed and naked for days—one would be obliged to pass, with men and women, and some of latter with babies—lying around.

Senator POMERENE. Let me ask you, because I want to get the facts just as they are, and I have no interest in this matter at all. You speak of these men being struck, and you said they were struck by Haitian gendarmes.

Mr. EVANS. Yes.

Senator POMERENE. Are we to understand that this method of discipline was encouraged or fostered or directed by the American marines, or was that a general method of attempting to enforce discipline?

Mr. EVANS. Certainly, I am sorry to say. It was owing to the low type of gendarmes so often employed by the marines, and again through the want of proper discipline, if not in some cases the immoral and drunken habits, inexperience, and ignorance of the native language by the American captain or lieutenant in charge, though probably there are improvements since the various inquiries recently made and publicity and exposure through the press.

Senator POMERENE. Well, can we infer from what you say that the marines, or the American occupation, has been in any wise responsible for this condition?

Mr. EVANS. Positively. There has been a sad neglect, even recklessness, in the choice of these gendarmes by marine officers, in view of the great authority and power of "life and death" given them in various sections of Haiti; and again there has been a criminal laxity on the part of the general and chief of gendarmerie d'Haiti at Port au Prince and his subordinate officer at Cap-Haïtien in not demanding regular reports of all activities and strictly supervising same. Where there has been care taken, proper discipline exercised by an intelligent, experienced, right-living marine officer, there has been no trouble with gendarmes and no friction between these native officers and the people. Whisky (taffia) and women have been large factors in the

demoralization of many marines, but most so of the type of gendarmerie marines employed.

Senator POMERENE. Mr. Evans, we all agree that such a condition to exist, but suppose the marines were withdrawn now; if gendarmes were using these brutal methods with our marines likely would happen if there were no marines there in the way of these workmen?

Mr. EVANS. I think my statement at the opening and in my message to President Wilson in October, 1918, and how I came to Washington to ask the United States Government to assume a friendly mandate over Haiti is a proof that I am not in agreement with the witnesses from Haiti and some of our own American people, that should be taken out and our Government be prepared to withdraw from the Black Republic. This would be an admission of failure to carry out a treaty and a certainty that it would not be to the real interest of Haiti for years to come. My firm belief is, now that there is no danger to Haiti, and as one of the results of this Senate committee inquiry that the marines should be reduced to about 220 and their personnel of other departments, a civil occupation replace the military occupation, which the marines and a higher type and best natives as gendarmes under its strict supervision.

Senator POMERENE. Mr. Evans, that does not directly answer my question. I am trying to get your idea as to what would happen.

Mr. EVANS. I do not exactly know—

Senator POMERENE. In the treatment of these men—

Mr. EVANS. I can only express an opinion—

Senator POMERENE. By the Haitian gendarmes, in the event that the marines were not there.

Mr. EVANS. I can only express an opinion; and my opinion is that it is under responsible Haitian authority, who would exercise fairly good control in the choice of their gendarmes, supervise their conduct, and their language, that it could not, indeed, be much worse than what I have seen in some cases under many American marines.

Senator POMERENE. Now, let me ask you another question. How do the circumstances of this brutal treatment have you seen?

Mr. EVANS. In the discharge of my work as superintendent mission, I was visiting our mission church on Gros Morne and on the way to the southeast of the Republic in company with our native pastor and other ant preachers Sunday morning the last of June, 1918, I saw, a group of women decently dressed on their way to the Baptist mission church (a Protestant church near by in that section) actually stopped at the entrance of the native gendarmes. Immediately after and going the opposite way, I saw two groups of natives, and including native members and natives who had been caught, roped tightly and cruelly together, and driven toward the same calabash. Then I saw our native missionary tending them, and galloping toward me, shouting, "Missionary, missionary, come here!"

I at once hastened to see what was the matter, that he and other natives were excited, and at once liberated the women, who came along to church. I was told by the native (excited, if not intoxicated) corporal they had committed no crime and there was no charge brought against them, I determined they should be freed and permitted to come back with us to the Houffoules. This he sternly refused to do and forcibly drove them along like cattle. How they were put and what became of them, I do not know.

From the common talk of these mountain people, and what I believe that many are caught, arrested, and roped thus on Sunday and during the week, not merely for the "corvee," but for the sake of extortion of money, when some would be let free again on paying 3 gourdes.

As soon as we reached Jacmel, about perhaps 40 miles or so away, I made a visit of inspection to see the prison and hospital, with our American doctor, the chief officer and white doctor (of the occupation). I was standing by two or more prisoners with their arms like jelly or raw beef and being tended by our American doctor.

As he was putting the salve on their arms, while I stood watching, the captain by my side, and unable to understand what this meant, finding what I saw the previous Sunday on Gros Morne, I turned around and said, "Why, Captain, have you some kind of an epidemic here in Jacmel?"

no," answered the captain, "it is the roping business connected with the corvée." While walking with the said doctor to see the new hospital, I asked, "How often do these cases occur such as you treated just now at the prison?" "They constantly occur," replied American marine doctor, adding, "I am heartily ashamed of them. It is a disgrace to the United States, and to us all as American people." Such was the appreciation of these poor, suffering natives, and the comfort and ease ministered by this sympathetic, humane, medical officer, that they were ready to drop on their knees and actually kiss the feet of the doctor.

I mentioned to the marine captain of gendarmes at Jacmel what Rev. Nosirel Lherisson, the native missionary, and myself witnessed the previous Sunday on going to our mission church on Gros Morne.

Senator KING. Who was the captain?

Mr. EVANS. It was something like Capt. Williams, or Williamson, if I remember well. A well-built officer, genial, and, I should take, a high type of a marine officer, and well spoken of by the Baptist native pastor and others. The captain voluntarily informed me, though a nominal Catholic in the States, he regularly attended the Protestant church, and much enjoyed the preaching of this native Haitian, whom he praised as a good man, doing excellent Christian and educational work in that town and section, only somewhat hampered for lack of proper means adding that he became so interested in his efforts that he had written requesting the Government to present its unused plot of land for Rev. Lherisson to build and enlarge his boys' school.

In reply to my question, "Gros Morne is in the Leogane district, and not that of Jacmel, so you should see Lieut. Kulp, who when he gets the facts will no doubt take steps to remedy the matter." I thanked him for this information and after a few more days busily inspecting our rural public schools for the native children in the far interior many miles from Jacmel, I returned to Port Au Prince, on my way back to St. Marc.

Meantime, however, Sunday came, while still at Jacmel (first Sunday of July, 1918), when as an ex-pastor and missionary I presided with this native whom I had ordained some 25 years before. As the result of the faithful work done, and growth of church, and missions all around, something like 700 and even more attend the communion service the first Lord's day each month. These come the Saturday for Saturday evening conference, 20, 30, 40, and even from 50 miles away, report converts, candidates for baptism, sickness, death, or any misconduct among members, which are all carefully attended to before they partake of the sacred rite of Lord's Supper the following Sunday.

The native pastor pointed out the fewness of the men present, less than one-half the usual number, and when I asked the reason why, "Oh, the 'corvée' of our American marines," was the answer, as he shook his head. "Missionary," he added, "it grieves me to see the present condition of my country under the occupation." These men, husbands, fathers, and brothers are mortally afraid to leave their little homes, even on Sundays, to attend their church. For if seen, they are in peril of being caught, arrested, roped, roughly handled, and driven as described like slaves to prison, to work many miles from home, and for two and three weeks and more without their families knowing anything about them, whether dead or living.

I saw a number of letters written on old scraps of paper in the native patois, asking their pastor to excuse them, and telling him their distress and why compelled to hide from the gendarmes as if they were ravaging wolves or a pack of blood-thirsty bloodhounds haunting every hill and valley, chosen by and in the employ and officered by American marines of my own United States Government, solemnly pledged by treaty to protect the liberty, limb, and life of the natives of Haiti.

I insert in the record a copy of one of these notes to the Jacmel missionary pastor, penned, no doubt, with a trembling hand and in native-made ink by this negro assistant preacher, and so faint that it can not all be deciphered, hence an only quote a part, expressing sadness of being thus deprived of the means of grace and begging dear pastor to pray that this reign of terror and death may soon come to an end:

"LA VALLEE DE JACMEL.

Le cher Pasteur P. N. LHERISSON.

"MON CHER PASTEUR: Je vous prie votre bonte s'il y'a possible en vous de me dire trouve un permil entre les mains les autorites. Car je trouve des miserables gens le travo," etc.; here it becomes too indistinct to continue.

While in Haiti I expect the committee's permission to call Pastor with some of these native preachers, as well as those from Gros Morne, to testify in reference to the groups roped and driven as slaves, and this committee asks our President to issue a proclamation, to be in English and French, in the Monitor and all other Haitian papers inviting the natives to testify freely before this committee investigating in the Black Republic, and guaranteeing ample protection of the United States Government to same, with heavy penalty for intimidation and threats, prisals, whether made by American occupation corporation or private Roman Catholic Church (in pay of American marines).

The CHAIRMAN. Give us what other matters you may have to record. Is there anything more you would like to say?

Mr. EVANS. Yes; I wish to add that crossing rivers and high mountains (Gros Morne), and as directed by the marine captain of Jacmel, I came to the town of Leogane, on the plain, to see Lieut. Kulp, and stayed that night at the partook of this genial marine's hospitality. On being informed of the conduct of his Gros Morne gendarmes, and names of our witnesses, he promised to immediately attend to this serious matter.

I am prepared, however, to show this committee that Gen. Alexandre, chief of the whole gendarmerie of Haiti (and said marine officer Kulp's command), deliberately interfered and prevented the lieutenant of the district from discharging his official duty of investigating these criminal charges brought against the Gros Morne gendarmes, who should be demanded to appear before you gentlemen.

Not finding Gen. Williams at the headquarters of Gendarmerie at Port-au-Prince after my leaving Leogane next day, I returned by train to St. Marc, after my missionary tour of inspection of church, mission schools throughout the southeast section of Haiti and, owing to a preference in reference to a national normal and industrial college I was going to be held at the Haiti bureau of public instruction, with our superintendent of public instruction, the Haitian inspector, to which I was accompanied by Col. Russell (in supreme command of United States marines, etc.), Mr. Williams, Dr. Maclean, Dr. Laroche (Haiti National Council), Dr. (United States consul), Cape Haiti, etc., and my planning to leave Haiti and children on a visit to see my missionary committee in the States, as seek an interview with President Wilson and Secretary Lansing in London, I wrote the following letter to Gen. Williams:

ST. MARC, HAITI, July

Gen. WILLIAMS,  
*Chief of the Gendarmerie d'Haiti.*

DEAR GENERAL: I have already called the special attention of Lieut. Kulp, of Leogane, to what must be termed not only an undue interference with the rights of the Haitian people, and especially the quiet and order of our Baptist Mission Church on Gros Morne, while on their way to worship and to particularly attend holy communion service, but the cruel and brutal if not savage conduct of his gendarmes (in the Gros Morne as witnessed by myself, our missionary pastor, Rev. Nosirel Lherisson, and many others on the Sunday morning of June 30, ultimo).

For fear, therefore, that Lieut. Kulp has not been able to see to it and act in a definite way with a view to at least the dismissal of the gendarmes as totally unfit to serve "our occupation" in any capacity whose conduct actually and naturally filled the Haitians generally with dread, and righteously inflamed them and engendered hatred against the gendarmes themselves, and moreover against our American occupation of Haiti and even indeed against our United States Government, which must not be permitted to go on.

What I personally saw this early morning, not only the stopping of the brethren and two quietly and decently dressed native sisters at the hands of the gendarmes' corporal, while going to the house of God, but the dragging, arresting, and roping in a cruel manner, if not barbaric, groups of people who were made to march like a pack of slaves, brigands, or murderers (whom were some of our native preachers), and whose arms I have found loaded with cartridges (and under treatment of our own white medical men of the United States a whole mass of jelly, etc., which reminded me of brutal slavery and the treatment practiced by unfortunate Belgium a few years ago in Africa).

And this, forsooth, though we are in Haiti, and where to-day these people are supposed to be under the civilized, humane, if not Christian Government of the United States and the protection of our American flag.

It is generally believed and openly said by the inhabitants of Gros Morne and Jacmel sections that many of these drinking and lowest type of gendarmes of our occupation continually arrest, rope brutally, and treat these poor innocent people for the sake of dishonestly extorting money from them, who when they pay 2 or 3 gourds may be set free.

I made a careful inquiry on Gros Morne this Sunday morning (June 30) and, so as to make sure as to whether the so-called prisoners had committed any crime or there were serious charges of wrongdoing brought against them, and being assured by the native corporal there was absolutely nothing, I dismounted from my horse and demanded they should be set free and allowed to accompany me and Lherisson to our mission church that morning. This was peremptorily refused by this excited and apparently intoxicated corporal, though his fellow gendarme tried to persuade him to do so.

For this reason, therefore, may I ask you to see if Lieut. Kulp has been able to take any action, and if not will you call his attention to it and dismiss them, especially the corporal (right away) as irresponsible savages, unworthy and unfit for their important positions.

\* \* \* \* \*

It is believed and stated that the gendarmes of the sections mentioned are heavy taffia drinkers (native liquor), most immoral, ruffians, etc. From their conduct that day, and more especially that of the corporal (Desselus), his wild gestures, excitement, etc., from influence of alcohol or other evil spirits, I am personally confirmed of the truth of all they say.

On my return to the States (if possible within a few weeks) in order to report the religious, moral, and social conditions to my missionary Baptist boards, practically representing 3,000,000 Negroes, morally backed by 5,000,000 more white Baptists of the North and South land of the United States, and particularly interested in our Haiti mission just now, I shall therefore be indeed glad to be assured by you as chief of our gendarmerie that Lieut. Kulp, on whom I called last week, and who faithfully promised, has acted, and that these men have been dismissed even as unworthy of such important positions and authority under our marines.

As chief of gendarmerie over Haiti (knowing of the sufferings caused by gendarmes through drink and abuse of power), I shall be glad if you impress upon these gendarmes through your marine officers that on no account they should deliberately inflame these poor people and prejudice them against our occupation, and at this time create hatred and wrath toward our United States Government.

No doubt our (American) folks there celebrated the Fourth in a manner worthy of our noble traditions and the flag, which to-day flies over our brave boys fighting at this moment in the trenches of Europe with British, French, etc., for the sanctity of treaties, liberties, and rights of small nations like Belgium, Servia, and even this little Black Republic of Haiti.

Yours, very sincerely,

L. TON EVANS,  
*Baptist Missionary Superintendent.*

Returning to Haiti on the 18th or 19th of December, 1918, after said visit to the United States and Washington, when I presented the memorandum to President Wilson, Secretary of State Lansing, and Chairman Hitchcock, of the Senate Foreign Relations Committee, setting forth conditions in Haiti, and praying for a special commission of inquiry, and found my Negro missionary committee intimidated if not threatened by certain officials of State Department, in collusion with Marine officers in Haiti, who intercepted if not confiscated my private and official letters, demanding, it seems, my immediate recall on account of my Christian and educational activities in behalf of these poor Haitians, I called that very day at our American occupation's headquarters to say my respects to Brig. Gen. Catlin, who had succeeded Col. John H. Russell as the United States Government's chief in supreme command of all marine and land forces in the Black Republic, giving him a copy of said memorandum, showing him Hon. A. A. Ade's official reply in behalf of the President and Secretary of State, assuring me after the strict investigation the Government was supposed to be then carrying on (through Gen. Catlin, Gen. Williams,

Maj. Welles, etc.) in the Black Republic, Mr. Adey would immediately communicate with me.

At the close of this interview with Chief Catlin, a very amiable gentleman who thanked me for calling, and information and explanation given, he told me that Gen. Williams (who was seated with Brig. Gen. Catlin when I was in the office that morning) wished to see me at gendarmerie headquarters. I left for St. Marc.

The following letters to Gen. Williams and Brig. Gen. Catlin refer to the interview, the Gros Mornne scandal, and Gen. Williams's special intervention activities through Haitian courts to uphold and vindicate a drunken Marine officer who had been disciplined by Col. Russell and in the interest of military discipline and United States occupation efficiency in Haiti.

BUREAU OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION  
*Port au Prince, Haiti, December 2*

Gen. WILLIAMS,  
*Chief of Gendarmerie d'Haiti.*

DEAR SIR: Referring to yesterday's conversation (at your request through Brig. Gen. Catlin), I herein inclose quotation from letter I wrote Judge Obas, Cape Haiti, on July 19:

"I received mandate requesting me to appear to be questioned about something purported to have been uttered by me about somebody. I shall be glad to give for definite information as to person and specific (exact) nature of my remarks or alleged remarks.

"As United States citizen, and general secretary of American Board of Education in Haiti, I am entitled to this definite information from you and your staff. I must say, however, that as I plan to leave with my wife and family in a steamer on the Panama boat the end of this month on official business with the President and interview our President at Washington, it will be impossible for me to appear at the cape the time you mention."

(Here is reference to proposed Dillard's conference with superintendent of public instruction, etc.)

"After this definite information requested has been received, I may be able to say what steps to take, and when I return, sometime in October this year, you can expect me at the cape."

(The Cape Haiti and court are in the north under direct control of Maj. Welles, marine officer next in command to Gen. Williams, under whose command a drunken marine disciplined by the colonel was still employed by the occupation and which major is officially held for insubordination and directly responsible for the wholesale murders in the north and perpetuation of corvée, etc.)

Having therefore learned for the first time through you yesterday, as requested in July from Judge Obas, in my letter, that the supposed corvée officer is the late occupation's marine officer at St. Raphael, and seeing (as I stated to you at your office) that Col. John H. Russell, supreme commander of United States Marine Corps and land forces ashore in Haiti, has left the United States, my own judgment is that in the absence of said Col. Russell that the matter can not be properly and legally entered into at the present time.

Again, inasmuch as Col. Russell and myself alone were present at the personal and private official interview, and therefore the only two persons who can testify as to what exactly passed and was thereat said, entirely in the interest of the United States service in Haiti, as well as in the interest of the welfare of the said officer of St. Raphael, himself, for which the colonel is responsible, and with all respect for you and Judge Obas (Cape), it is still my own and firm judgment that this matter does not come within the jurisdiction of our Haitian court.

Of course, if you yourself (personally and officially) wish to insist on the said judge to take up the matter in spite of the facts pointed out, and under protest, I shall go cheerfully and submit to attending the court order to arrange for my witnesses from St. Raphael, Dondon, Grand Trou, and may be from the Cape, and so as to prove beyond a doubt, given date, etc., said officer was under the influence of liquor, and justify an American citizen and a Christian missionary laboring in the social, moral, and religious welfare of both white and native, together the course I felt it my duty to take in my personal and private interview with the supreme head of our American occupation in Haiti at the time, and my view to save both our United States service as well as the said marine

himself, if possible (thus vindicating Col. Russell's action and subsequent sending forth the proclamation prohibiting all liquors to be sold marines and gendarmes of the United States Government), hence must ask Judge Obas and the court to grant reasonable time, with name and definite complaint given in meantime, say until the middle of February, if not the last week of that month (being expected the arrival of Dr. Dillard by any boat).

I am responsible only for what transpired between me and the colonel, for which service he thanked me. Though as a Christian missionary I advised moral suasion, I know not the military method Col. Russell (who naturally knew more about his marine officers, and may be their drinking habits than anyone else) felt compelled to take in this particular case or the military discipline he imposed. It would be presumption on the part of a Christian missionary therefore to criticize him.

This drinking habit among marines and gendarmes is well known in Haiti, and so increased as to jeopardize in fact the work of the occupation and become such a menace to the United States service in Haiti that Col. Russell himself on the 16th day of July, 1918 (exactly three days after my writing Judge Obas), felt it necessary as officer in supreme command of all marines and land forces operating in the black Republic to issue a proclamation absolutely forbidding the sale of intoxicants to all men in uniform, under a very heavy penalty.

On seeing this proclamation, I wrote to immediately thank the colonel, and praying in the interest of all he would extend the same to include both white and native civilians throughout Haiti.

Under these significant and serious circumstances, therefore. I can hardly believe that such an important officer of our United States Government, as the chief of the whole gendarmerie of Haiti, through personal forcing and display of official activities of such matter as upholding and actually vindicating the drinking and drunken habits of a marine officer under you and Maj. Welles of the Cape, thus permitting yourself to go on record as sympathizing with those whose conduct is termed by said proclamation as directly inimical to the interests of the United States, thus in so doing contradict, oppose, and condemn Col. Russell's discipline, and officially do what you can to defeat the efforts of four superior officers and in supreme command, as well as Secretary Daniels of the United States Navy, to save the morale of the boys and secure military efficiency of the American occupation.

You have no doubt received word from Mr. Stabler (Latin American department of our Government) as to presentation of recent petition (of which inclosed memorandum is copy). I may add that the State Department has replied not only of receipt of same but that the United States Government, through a department interested in Haiti, are seriously considering matters set forth therein. An official request may soon be made for leading Haitians to visit Washington, therefore, and previous to appointment of commission.

Dr. Dillard of the Rockefeller Foundation is expected in January or beginning of February to survey Haiti and confer with Haitian leaders and our Government officers refounding of an industrial school, such as referred to in memorandum.

I deeply regret the attitude you thought fit to assume yesterday toward the very serious affair on Gros Morne last June, brought to your attention and marine officer Kulp. When informed that my presence is required at Cape, and as American citizen will claim the presence at court of our United States consul, Dr. Livingston, to whom I have an official letter from Secretary of State Robert Lansing, etc.

Yours,

L. TON EVANS.

A copy of above, with following explanatory note, was also sent Brig. Gen. Catlin:

BUREAU OF SUPERINTENDENT OF PUBLIC INSTRUCTION,  
Port au Prince, Haiti, December 20, 1918.

Gen. CATLIN,

*Chief of the American Occupation in Haiti.*

DEAR GENERAL: As officer in supreme command of our United States Marines and military forces and successor of Col. John H. Russell, I feel that I ought to send you inclosed copy of my letter to Gen. Alexander E. Williams, whose attitude, of course, and language as an officer of our occupation when I called Thursday at your request entirely took me by surprise.

I naturally put this down to some grave misunderstanding on his my own standing, and long and close relation with Haiti, our United States Government, as well as to our own occupation, but unfortunately that this should happen in a person holding such responsible and honorable a function.

The inclosed letter makes reference to your worthy predecessor, and explains itself, and again calls attention to the arresting and ro native members, etc., on morning of last Sunday, June, this year. I called the attention of Lieut. Kulp and the general to this. Unless into and given the satisfaction demanded, it may have to be investigated by another committee or commission and when witnesses shall have a opportunity to testify.

I sincerely thank you for the interview Thursday morning and in and earnestly hope that such a gallant officer, who has seen dis service at the front and helped in bringing about the glorious v sanctity of treaties, liberties, and rights of small nations like Haiti be spared many years to serve our flag with same ability and r loyalty in the trying climate of this black republic.

For Christ, Haiti, and humanity.

L. To

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PROCLAMATION ISSUED BY COL. JOHN H. RUSSELL.

The sale of intoxicants to persons of military and naval forces of States in uniform is forbidden throughout the Republic of Haiti, after July 20, 1918. A violation of this order will be considered i the interests of the United States, and the offenders will be liab before a United States military tribunal.

Done at Port au Prince, Republic of Haiti, this 16th day of July, 1918.

JOHN H. RUSSELL,

*Colonel, United States Marine Co*

*Commanding United States Forces ashore*

Senator POMERENE. Is he in charge of the marines there?

Mr. EVANS. No; Gen. Alexander Williams was the chief of the wh merie of Haiti (the native armed police), seeing the great authority placed in the hands of the gendarmes all over the Republic, this was of the very most responsible positions in Haiti, hence he is rightly l the low, drunken, and ferocious type of gendarmes under his Mar all over Haiti, and for the lack of discipline, brutality, resulting in t both of prisoners and Cacos in the calabash (jail) and in the bu officers as Maj. Welles (Cape), Capt. Brown (St. Marc), Capt. Ke sade), Lieut. Haug (St. Raphael), etc., were under him, if not ap him, and chief of the American occupation would in most cases be act through this Gen. Williams in the event of punishing drunk officers.

Senator POMERENE. Let me ask you just one question. You can generally, I think. You said you have been there for many years.

Mr. EVANS. Yes.

Senator POMERENE. Twenty-eight years, did you say?

Mr. EVANS. Altogether; laboring in and for Haiti.

Senator POMERENE. And, of course, you were there for many years American marines entered?

Mr. EVANS. Exactly so.

Senator POMERENE. And you had the opportunity of observing the of the Haitians by their Haitian officers, superiors, etc.?

Mr. EVANS. Yes, sir.

Senator POMERENE. Just as you had the opportunity of observing ment since 1917 in the way that you have described here. Now, people treated more cruelly while we were there than they were b there any difference in their treatment? What have you to say tively?

Mr. EVANS. I readily admit that a certain type of Haitians, unless watched and cautioned, when elevated to certain position, may authority, and in many cases overzeal and devotion for his white suffers somewhat from a swollen head, and overrides his duty and g

his authority, and especially this is done when they think it pleases the white man.

This is a special reason for a higher type of Marine officers, sober, intelligent, sympathetic, yet firm, strong in moral fiber, with knowledge of men and faith in the black race, and his ability and readiness to respond when treated "with a little of the milk of human kindness." During all the years spent in Haiti, and with all my traveling and mingling with these folks, I have seen little of real barbarity and cruelty among them and have never seen women actually fighting or two men stripped and pounding one another. There has often been yelling and wild demonstrations and terrible threats.

Marines have told me through Haiti that when properly treated and firm discipline exercised, and they come to understand the language of the natives and, moreover, show them a little of the higher educational and Christian civilization of the United States, and true American homes—there is seldom if ever a friction. We need more of our Marine officers—generals and colonels—sent to Haiti, imbued with a true missionary spirit and a real Christian optimism.

Senator POMERENE. Well, am I right in drawing this inference from your statement here, that your thought is that the American marines should stay there and control the situation, but they should have men in control who would use more humane methods in controlling these men; is that your idea?

Mr. EVANS. No; not exactly. It is that our United States Government should stay in Haiti, but not the marines as such. My demand is for a civil occupation composed of some of the most intelligent, broadminded, experienced jurists and Christian statesmen we have in the United States, in cooperation with and supervision of the Haiti Government, can freely function; and something like 200 of high type marines, and a gendarmerie composed of the most intelligent, cleanest, and best Haitians, subject to the civil authority, will suffice for protection.

Senator POMERENE. Well, I used the expression "United States marines" inadvertently; I meant really the United States Government or its representatives. Is that your idea?

Mr. EVANS. Emphatically so. For instance, President Laconte and President SIMMONS (who immediately preceded him), and for reasons already given this committee the latter and his government were ruthlessly overthrown; and the former, after only being in office a year, with brightest prospects and just started most important reforms, when behold he is fatally struck down by the hidden hand assassin (soon after my own return in 1912), as well as such intelligent, educated natives, if not Christian statesmen, as Gen. Firmin (who wrote a French life of late President Theodore Roosevelt, much admired and greatly mourned in Haiti); ex-Senator Dutreville Lamour, ex-attorney general of the Republic; Voltaire Dommond; ex-deputy Dr. Nerva (Ghouse, Hon. J. N. Leger, for years in Haiti legation at Washington (author of Haiti, Her History, Her Traducers), as well as leaders, if not rank and file, of Haiti to-day, sick and tired and even heartily ashamed of these political disturbances and devastating revolutions, moreover have for years sincerely felt (because of these insidious and powerful influences and political and profiteering intrigues invariably operating through the financial and officially allied (with the Haiti Government) Roman Catholic Church and her European French-speaking priests as agency and shield) that their only hope was in a close alliance and real union with the United States, and that their political, industrial, educational, as well indeed as their spiritual, salvation can only be realized through their strong government's protection and their generous Christian philanthropists' practical support and efficient leadership for many years to come.

This conviction was universally and most sincerely and enthusiastically expressed in their following prayer and petition to the Rockefeller, Carnegie, and other believers in and lovers of the race in America early in the year 1911, and reads thus in French:

NECESSITÉ URGENTE D'UN COLLEGE NORMAL ET INDUSTRIAL A HAITI. APPEL DIRECT DES PRINCIPAUX HAITIENS, AUX PHILANTHROPES, AUX AMIS DE LA RACE NOIRE, ET A TOUS CEUX QUI, EN AMERIQUE, CROIENT A SON DEVELOPPEMENT INTELLECTUEL, MORAL, ET INDUSTRIEL.

Nous soussignes, natifs d'Haiti, sans distinction de croyances religieuses ou de partis politiques, en vue de considerations patriotiques les plus elevees et dans le but d'assurer l'avancement moral et religieux ainsi le progress industriels et sociaux de notre chere patrie.

Par ces presentes nous invitons et sollicitons respectueusement les ceres et genereux de l'instruction et de notre race, tels que l'honorable Rockefeller, l'honorable Andrew Carnegie et autres—soit separement jointement—d'etablir dans cette ile un college normale et industriel dans l'Institut de Tuskegee aux Etats-Unis, preside par le distingue ami de la race—Dr. Booker T. Washington.

Nous sommes convaincus que si Haiti, doit s'elever parmi les Republiques du Nouveau-Monde et remplir dignement sa destinee, ce sera par le moyen de nobles institutions telles que le college normal, et industriel donnee a nous jeunes et intelligents compatriotes une education saine et effective que leur permettra de remplir avec distinction les plus hautes fonctions que confere le droit de citoyen de cette Republique.

Ce sera nonseulement un des plus puissants facteurs dans le developpement de la race—le garanti d'une paix durable, et d'une prosperite permanente, mais comme nous le souhaitons ardemment, ce sera aussi la mise en pratique de la theorie, la realisation du haut ideal de l'immortel empereur Touissant l'Ouverture, le George Washington de la Republique noire.

Nous, donnons l'assurance formelle aux donateurs ci-dessus designes qu'a tous ceux repondront au coeu des petitionnaires en etendant leur bienfaisance a Haiti, qui ce serait grand honneur pour notre gouvernement (Pouvoirs publics) d'avoir le privilege d'accorder une portion de terrain precieusement, au centre de l'ile, pour l'etablissement du college, comme un monument de notre appreciation des efforts, faits pour l'education des fils et de l'avenir d'Haiti.

L'etablissement d'une telle institution dans notre pays placera notre nation dans une eternelle obligation envers ses bienfaiteurs, mais nous attachera beaucoup plus par les liens de sympathie et de bonne amitie notre soeur-la grantee republique etoilee.

Cette petition en faveur de notre pays, dont nous voulons servir les interets, est fait par l'intermediare du Rev. L. Ton Evans, missionnaire de la religion des Etats-Unis, actuellement au milieu de nous, qui pendant son sejour a montre un reel et profound interet dans le developpement et le progres de la republique et qui a beaucoup voyage sur terre et sur mer plaidant pour la cause religieuse de ce pays parmi plusieurs nations.

18 Janvier, 1911, et 108 eme de l'Independance Cap-Haitien, Haiti.

The English rendering of above petition and prayer of nearly 3,000 natives or practically the leaders of the whole little black republic (as one voice) presented to trustees of Rockefeller and Carnegie Foundations and the International Peace, in New York, and at Washington by the United Baptist missionary in 1911.

#### TRANSLATION.

Haiti's urgent need of a normal and industrial college. A national appeal by native leaders to America's philanthropists and friends of the Negro, and believers in his intellectual, moral, as well as industrial development.

We, the undersigned natives of Haiti, irrespective of religious or political parties, and simply from the highest patriotic consideration for the interest of the mental, moral, and religious improvement of our men and the industrial and social progress of our beloved island home, invite and respectfully solicit the generous and sincere friends of the Negro race, such as Hon. John D. Rockefeller and Hon. Andrew Carnegie and others, either separately or jointly, to establish in our land a normal and industrial school something on the line of Tuskegee Institute in the United States, presided over by our distinguished friend and member of the race, Dr. Booker T. Washington.

If Haiti is to rise among the Republics of the West and to fulfill its destiny in a manner, each and all of us whose names are below are convinced that this can only be achieved through such noble institutions as a normal and industrial school which shall give a sound, practical, and efficient training to our youth, and hands, as well as of heart, to our most promising young men and women, so as to prepare them for the noble and responsible functions of citizenship and Christian citizenship in this Republic.

This will prove a most potent agency in the development of our nation, and materially help in securing a lasting peace, which must precede

which we most devoutly desire at this moment,<sup>1</sup> and thus enable us some day o fulfill in practice and by deeds the splendid theories and noble and inspiring deals of Haiti's immortal emancipator, Touissant L'ouverture, the George Washington of the Black Republic.

We furthermore assure the generous donors herein named, or whosoever hall respond to this sincere prayer of the petitioners and extend their beneactions to Haiti, that our Government will deem it the greatest honor to be privileged to make an adequate grant of suitable land in the most central part of the island for the express purpose of such an industrial school and as a practical proof of our profound appreciation of the efforts of Americans and rue friends of our race for the uplift of our own sons and daughters.

The establishment of such an institution in Haiti will place this small, a once heroic little nation, under a lasting obligation to the benefactors, actually ink us together in a close bond of unity, sympathy, and good will to our rich, strong, big sister Republic of America more than anything else could.

This sincere request and the petition of practically our whole little nation, which we seek to serve in various capacities, is made through and brought to the United States in our behalf by our friend the Rev. L. Ton Evans, Evangelical Baptist missionary of the United States, laboring here in our midst, and who for years has shown deep and profound interest in the welfare of our Republic and people and has traveled much over sea and land pleading the religious and educational claims of this country in different lands and among different surrounding Christian nations.

The original and copper plate like petition was written (French) at Dondon n extreme north by a young native craving for education. It was started at he cape, and following official letter, with official seal, and written and signed n behalf of council by the mayor of that little town of Saint Raphael (all three n the so-called north Haiti-Cacos district), and a specimen of such official ndorsement from practically all the towns and mayors through Haiti, expressing delight at the step taken, and sincerely praying for the success of the noble project and safety of missionary voyage and speedy return to them:

Liberte, Egalite, fraternite. Republique d'Haiti.

Saint-Raphael, le 8 Avril. 1911 an 108me de l'Independance. No. 69 Saint Pierre Millien Jn. Francois. (Magistrat Communal de cette commune.)

Rev. L. TON EVANS,

*Missionnaire Evangelique des Etats-Unis, en Ville.*

MONSIEUR LE MISSIONNAIRE: Votre petition que j'ai lue avec beaucoup d'attention, et que j'ai fait lire par tous mes administrés, a produit un reel effet sur l'esprit des uns et des autres se sont empresses de la signer avec moi.

L'idee de fonder une ecole normale, industrielle a l'instant de l'institution de Booker Washington en Haiti, est de plus louables etant donne que cette institution fera un bien immense au triple developpement—moral, industriel et intellectuel d'Haiti, et de la race noire.

Combien cher missionnaire serions-nous heureux si cette idee pourrait etre applandie par le Rockefeller, et Carnegie philanthropes qui alment tant le race noire.

A ces deux grands hommes, nous vous prions de presenter nos respectueuse hommages.

Puisse dieu benir vos efforts et faire reussir votre vaste et philanthropique project.

Puisse dieu vous accompagner dans votre route et vous ramener en bien aux Etats-Unis. Bon voyage cher missionnaire, et recevez je vous en prie.

Mes respectueuses salutations,

LeMagistrat Communal,

S. P. M. JN. FRANCOIS.-

NOTE.—Strange this man to-day, if alive, was termed a rabid so-called Cacos, brutally treated by marines and cast without trial into Cape Prison.

Letters of hearty indorsement from American minister, United States consul, and white European employee of Haitian native labor in the Black Republic ive years before American occupation, etc.:

<sup>1</sup>At the time this petition was written, carried around all over the Republic, mostly on horseback, wading through rivers, and mud saddle deep, climbing rocky mountains, and lescending deep ravines (a most daring adventure), while poor Haiti was plunged into the bloody revolution (through Germans) of 1910 and 1911.

AMERICAN LEGATION  
Port au Prince, Haiti, April 2.

Rev. L. TON EVANS,  
General Missionary in Haiti.

MY DEAR REV. EVANS: I am indeed very pleased to learn that your American Baptist missionary are endeavoring to establish a normal and industrial college, a long felt want I can assure you, in Haiti.

I have carefully looked over all your documents and am agreeably to note the apparent interest so generally, if not enthusiastically, manifested toward your plan by leading Haitian officials. I sincerely trust your efforts will succeed.

Yours, truly,

H. W. FURNISS,  
American Missionary

AMERICAN CONSULAR SERVICE,  
Cape Haitien, Haiti, May

The undersigned has great pleasure in heartily commending the work being undertaken by Pastor L. Ton Evans for the establishment of an industrial school in the Republic of Haiti. There is probably no place in the country where such an establishment would be of greater utility or where it could produce greater results.

The extraordinary energy and indefatigability of Mr. Ton Evans, and his good faith and philanthropic abnegation, eminently qualify him to lead in such an enterprise.

C. M. WASHINGTON,  
American Missionary

COMPAGNIE HAITIENNE  
Port de Paix, Haiti, February 1.

Rev. L. TON EVANS,  
General Secretary of Haiti Missions, Port de Paix.

DEAR MR. TON EVANS: As directors of the Compagnie Haitienne we, as employer of a large number of Haitians on our railroad and in the logging business since many years, allow me to express my very deep interest in the normal and industrial college you seek to establish in the island.

From my intimate knowledge of this country, I believe that the school you propose is a most excellent one, and can not but produce the best results in the social and industrial development of both country and people.

Such an institution will further help materially to change the present social and unsatisfactory social conditions and insure real permanent progress and good will throughout Haiti.

I therefore most sincerely, Mr. Evans, wish you every success in this effort of yours in the uplift of Haiti.

Yours, very truly,

J.

A Haitian graduate of a theological seminary at Newton, Mass., who was a member of the Baptist World Alliance at Philadelphia, Pa., in 1911, with his superior missionary, and interviewed at the time by a Pennsylvania paper, as follows to the benefits of an industrial school, effects of such on race and cacaoism, and eagerness of native young people for training, and to "What do you know about Superintendent Ton Evans in Haiti, and what the natives look upon his proposal of a normal and industrial school?"

"We look at him as Haiti's best friend, and no man ever was more esteemed and enjoyed the confidence of the people than Missionary Evans. In fact, we look at his coming as God's answer to our prayers. The more we heard of his project of a normal and industrial school to teach my countrymen the value and dignity of honest labor, and divert the Haitian mind away from revolutions and politics to the cultivation of their rich soil, we at once fell in love with the idea, and though in the midst of a terrible revolution few others inspired by his undaunted courage and incessant efforts at self-improvement ourselves with him and gave him what support we could.

"Yes, I am certain that a large number of the best young men are all over the Republic now eager for an education and practical training as given at an institution of this kind would immediately enter. In addition to the benefit to us in the way of training for useful vocations in life, and in our industries, a gift of such an institution by the United States

ment, or the Messrs. Rockefeller and Carnegie trustees, would be a standing reminder to us of your Christian generosity and practical good will and cement Haiti forever to the United States Government and people, and for these reasons Haiti is praying for brother Ton Evans' success in this undertaking."

This pastor and professor who has taught young men successfully for years at the Cape is one of those whose appropriations has been withheld by the American occupation nearly three years ago.

[Pittsburgh Dispatch Apr. 1, 1913.]

#### HAITIANS ASK SCHOOL FROM FUND.

REV. L. TON EVANS PRESENTS PETITION TO CARNEGIE ENDOWMENT FOR PEACE—HIS GRAPHIC RECITAL—SPENT YEARS AMONG DEVIL WORSHIPPERS AND BELIEVES IN THEIR FUTURE.

Rev. L. Ton Evans, pastor of the Welsh Baptist Church in Chatham Street, has just returned from Washington, D. C., where he presented to the Carnegie Endowment for International Peace a petition signed by 3,000 natives of the black Republic of Haiti, urging the great advantages which would accrue by founding at Port au Prince a normal and industrial college, modeled somewhat after the famous Booker T. Washington Institute at Tuskegee, Ala.

The money involved in realizing such a project is about \$3,000,000, and the direct result announced by its promoters would be the stoppage of the interminable series of revolutions by diverting the native mind from the military system of government and intrigue into industrial grooves. It is argued that Haiti is the richest field for development of the republican ideas in the world. Though occupying only one-half as much of the island as Dominica, its population is twice as great. The natives own their own soil, have most fertile fields for sugar and cotton production, and the fiscal affairs and State debt are solely demoralized by chronic grafting of military officials taught in a long, persistent military system, and for which German propaganda, aided by other influences, were largely and directly responsible.

#### BELIEVES IN HIS PLAN.

Comparatively a modicum of Pittsburgh people know of the notably energetic work of Rev. Mr. L. Ton Evans here in recent months since his return from Haiti, though he is known internationally among Baptist organizations. His absorbing enthusiasm, his nervous and unflagging recital of the situation there, his thorough conviction of the feasibility of his plan and his elucidation of it by speech and tireless gesture, hold the listener like the ancient mariner did the wedding guest, but with no tale of the Flying Dutchman and the albatross. He is now 50 years old, born in Barry, Wales. His folk were rich brewery people, but he gave up his large patrimony to become a Baptist missionary. He first went to Haiti as a field secretary 18 years ago. Then he came to Wilkes-Barre and was pastor of a Welsh church at Edwardsville near by. There six years ago the Negro Baptist Missionary Society found him and sent him back to Haiti.

Seldom is one encountered more ebullient with his theme and scheme. In his sacred calling he is a promoter unrivaled, but his facts and experiences leave no suggestion of doubt. At Washington he saw Alva A. Adee, the real diplomat of the State Department, and outlined to him his plan of transforming Haiti from a Republic of turmoil into a stable government. When nearly the whole of Port-au-Prince en masse turned out to pay honor to the highest official of the United States Government—next only to their President—his official speech and encouraging words, with his special visit, removed much of the deep-seated prejudice against Americans, the result of the United States traders and this Government's seeming aloofness from these people. He has fears of President Wilson changing for the worse the attitude toward the American Republics to the south. He asserts that the system of conducting Dominican finances has been a great success and something like it should be proposed to the Haitian officials, but not with any notion of coercion or territorial aggrandizement.

## SEND CIVILIAN TO HAITI.

Talking on this latter branch in his rapid-fire style, he unfolded striking thought of this Government sending some civilian to Haiti for a time and to convince the authorities and the people that the U. has no ulterior aims against it, that the concessionaires, who obtain there and stir up trouble, are not the American Government. Rev. belongs to that amiable class who would fight for peace. During years he labored all over Haiti he learned the perversion of the natives by the military control. He alluded to the expenditure of thousands by the natives to give Secretary Knox only a two days' entertainment vouched for the vast benefit accomplished by that brief visit some months.

It was through this so-called purchase, but really a gift, said the missionary, that the United States previously with only 800,000 square miles of territory, without an outlet to the Pacific Slope, and Pacific emerged from comparative obscurity right into the forefront of the world, or, in the words of our own United States Minister, Livy, Paris, immediately after closing this astonishing deal (the black man compelled Napoleon to make for fear Britain might sweep down through and immediately annex it) written to President Thomas Jefferson: "The day the United States becomes a first-class power, and this without a gun and the clashing of swords. There will be no tears and sorrow of happiness to countless human beings."

The donation, therefore, of this normal and industrial school to the great wealthy American Government as a recognition of what L'Overture in the providence of God did to more than double our stroke of the pen is urged by Rev. Evans as a matter of honor and duty at this time to poor Haiti.

He says the Haitians are the kindest people in the world. About half have some book education, largely in the classics through the French. But "education," as its derivation implies, is the bringing out from useless and inserting the practical. Nearly all the people are illiterate and speak a French patois. The State religion is Catholic, but the utmost is permitted to other sects. But underneath the outward pretension of Christianity or some faith higher than savagery is the proneness to deicide. Therein lay his own chief physical danger, for the natives were full of superstitions and often could be incited to waylay him in his journey.

## LIVE SACRIFICES MADE.

He told many instances where only his self-reliance saved him. But all this wild dancing and sacrificing, even of a little child to an angry devil god, is now giving way to the longing of the people for the of the Christian faith. Teaching the gospel was the dire necessity. They called him "negre blanc," the black white man, and revered him as a bodyguard of pompously uniformed generals. The vineyard cultivation.

Rev. Mr. Evans some years ago took back with him to Wales a little girl and had her with him as he talked about the Haiti mission. He finds the United States more sympathetic and its people fuller of sympathy for a girl and another one he has now in a school in Washington City being for missionaries. Her name is Christine Francois, and she is a former President.

As Rev. Mr. Evans chatted at his home, 3202 Craft Place, yesterday a volume and velocity that astonished for its not ending in fatigue. He mentioned the historical fact of the debt owed by the United States to France was the defeat of Napoleon by Toussaint L'Overture and his black army at the end of the eighteenth century and their securing escape from slavery that compelled the emperor to sell to Thomas Jefferson the square miles he held in the United States for about 2 cents an acre.

In his native land Mr. Evans knew well Lloyd-George, the British Minister of the exchequer, and like him he has always been an insurgent. He thought that if the Haitians could be made to believe that the United States without designs upon them, and is willing to aid wherever it can, would stop and peace and prosperity succeed the constant internecine war. He knew the recent Presidents well, and said that La Conte was a good character, but too highly cultured to become a leader of the people.

o any use of the "big stick," but he does not want this Government to absolutely withdraw all its guardian interests. The president of the Carnegie Endowment is Senator Elihu Root, who himself has visited the tropical Americas and is a noted advocate of more amicable relations with them.

## JOURNEYING THROUGH HAITI.

It is intensely interesting to hear Rev. Mr. Evans describe his journeys all through the interior of Haiti on horseback, eight relays having been used. His native band of missionary assistants are proving successful in the work of evangelization. On one Sunday afternoon he had the privilege of carrying out all the instruments, such as tom-toms, troughs in which the soup is served to the demon god, rattles, and other voodoo utensils, and reducing the pile to ashes, and later he assisted in tearing down the altar or houndfort of the devil god. Once he held services near where a devil dance was progressing, with the natives foaming at the mouth from the liquor they distil from the sugar cane. The papaloi or priest of the voodoo cult brandished a big stick, but the rest realized that all their incantations were without avail on the Christians. The signers to the petition are among the best citizens of the Republic—senators, judges, etc.

After 10 years of interviews and a busy correspondence on the subject of a national, normal, and industrial school, the sincere prayer of Haiti has not been answered, otherwise probably our Government would not have entered the Black Republic, and many thousands of Haitian lives saved. There are indications, however, that even the blood of these Negroes has not been shed in vain, and that soon through the present competent Senate committee investigation either the United States Government itself, or aided by the Rockefeller and Carnegie Foundations will come to the rescue. The following letters will show sympathy and will be of interest:

CARNEGIE FOUNDATION,  
FOR THE ADVANCEMENT OF TEACHING,  
New York City, August 28, 1911.

MY DEAR MR. EVANS: I acknowledge the interesting letter of August 26, with its copies of your petition, as well as letters of Messrs. Abegg, Furniss, and Livingston. I shall be glad to see that your letter is brought to the attention of President Pritchett when he returns to the city. I shall be glad to see also, that your letter to Mr. Carnegie is sent to his secretary.

I return herewith your letter of introduction from Dr. MacArthur, president of the World's Baptist Alliance, and suggest that it would be helpful for you to communicate your plans also, if not already done so, to the General Education Board, 17 Battery Place, New York City. This is one of Mr. Rockefeller's foundations which has given such aid as you hope for.

Very truly, yours,

CLYDE DAVIES. *Secretary.*

L. TON EVANS, Esq.,  
Edwardsville, Pa.

[The constitutional convention of the State of New York, Albany, 1915.]

CLINTON, N. Y., September 27, 1915.

DEAR SIR: I have to acknowledge the receipt of your letter of September 1, addressed to me as president of the Carnegie Endowment of Peace, in reference to the establishment of a national normal and industrial school in Haiti, and I have been glad to lay it before the executive committee of the endowment for consideration at its next meeting. I would suggest that you correspond with Dr. James Brown Scott, secretary of the endowment, 2 Jackson Place, Washington, D. C., regarding the petition which you wish to present in this connection.

Very truly, yours,

ELIHU ROOT.

Rev. L. TON EVANS,  
First Baptist Church, Lansford, Pa.

Senator KING. Was the situation when the American troops went there such, in your opinion, as to justify our intervention?

Mr. EVANS. Certainly; as I have before stated. But to wait for this blood conflict and regrettable revolution, and the manner the situation was handled by

those at Port au Prince, and State and Navy Departments at Washington, by a stealthy landing of American marines during the cover of night before the city, etc., made it appear more like the invasion of Haiti (to most Haitians) by a foreign and alien power, looking for a mere excuse for annexing the island, than a friendly intervention. It was a deplorable blunder in diplomacy, and in my opinion and on this very account justified the bitter resentment shown, and in spite of Admiral Caperton's disavowal of any other intention but to "protect Americans, Europeans, and even the lives, and property of the Haitians"—the criminal additional blunders if not more than blunders, which have been shown to this investigating committee, before we are through, of opening their Senate and Chamber doors in the Haitians' face, raping the constitution, and resurrecting the corvée, with oppressive if not murderous exactions—by the American occupation, officially backed up by Washington, which has defied this bitterness, and at last convinced the Haitians, that what Admiral Caperton said—and possibly he sincerely meant—was a mere cloak to do violence to Haiti, crush their national spirit, if not lead them back to slavery.

To avoid all this, I specially wrote offering my services to President Lorrain in Haiti, and as much for our American Chief's guidance as for the protection and securing the confidence and hearty cooperation of the Haitians with our Government's real purpose in the Black Republic, to protect the people and otherwise help Haiti.

Senator KING. For the preservation of life and for protection of property.

Mr. EVANS. Yes. But the methods adopted then and subsequently, and indeed, ever since, have been most incompatible with this motive of preserving life and protecting property and liberties of the people, which made me give up my church to go back immediately to Haiti, knowing the serious nature of the situation.

Senator KING. I wish you would not make explanations, but answer my questions. I want to get through as soon as I can, and get the facts. I recall, there was revolution, assassination and bloodshed, which was very extensive in the island at the time we intervened?

Mr. EVANS. I am as anxious as the Senator is to get through, but I think that this committee is appointed to thoroughly investigate not only the conditions of entering Haiti and present conditions under American administration, but with a view of better understanding these, what actually led up to them, though it does take a little time, and to suggest a real remedy. Yes; I have seen in the American press the description of the deplorable and heart-breaking conditions you mention when we intervened.

Senator KING. But when you returned you verified that?

Mr. EVANS. Yes. The British consul general as well as several other worthy officials and Haitians told me the whole sad story, which they told me I read the account in papers here, and ever since in my opinion amply justified our intervention. My criticism is, that we did not go to the rescue of Haiti 20 years ago, assume a friendly mandate and act the big brother to this Republic and help these people irrespective of any apparent offenses of Germany and other minor European countries at the time; and in view of our befriending Haiti, and the Haitian people (as I wrote President Roosevelt in 1902), Great Britain, and France would have gladly supported us, and our consul generals after serious consultation at this time and in view of the affair referred to especially urged the United States to send their administrative marines at once to Port au Prince, which at last they did, and for which I thanked God.

Senator KING. Have the marines, since they have been in power, made any improvements in the island in the way of sanitary improvements, the building of roads, etc.?

Mr. EVANS. I have made special reference to this important phase of our work in my missionary report and shown my profound appreciation of the cleaning up so much needed, and did this with a view of removing, as far as possible, the prejudice against our American occupation among colored brethren and others in the southland and on my own missionary committee, for instance.

Senator KING. Did you ever see any of the marines themselves do any of these acts of brutality of which you have been speaking, or were they committed by the blacks who were in charge of the corvée system?

Mr. EVANS. You mean personally committed by the white marine?

Senator KING. Yes.

Mr. EVANS. I think I have answered this question before to Senator Pomerehne. It is not likely that marine officers will actually beat or kill a native in the presence of an American, and a Christian missionary like myself, more than the average gendarme would. The marines who officer these gendarmes give the orders, which probably most of them receive from Maj. Welles (in north) or the major at Port au Prince, and these two from the chief of the Haiti gendarmerie, Gen. Williams at headquarters, who is directly responsible not to the Haiti President but to Col. John H. Russell, who is the United States Government's chief of Navy marine and land forces operating in Haiti and the official head of the American occupation.

I have repeatedly seen marines and officers drinking and drunk at Port au Prince, Cape, and St. Marc; have heard them boastfully speak of their killing, or, as they termed it, bagging cacos on shooting expeditions to the north; have seen in prison (day I left) a Haitian carried and laid on his stomach with his back one mass of jelly, attended by a native doctor's assistant and another, who informed me that it was done by the United States marine captain in another drunken craze of his. I have heard two marine officers of the United States Government, apparently intoxicated, and in the presence of Christian natives and others in a mad rage, cursing religion, preachers, and missionaries, and damning myself for my efforts in giving the Gospel, seeking to educate and morally and industrially uplift "damned niggers of Haiti," with their fists clinched, and again aiming to take their revolvers and shoot me, stating they opened and intercepted my letters and taking an oath they would crush me, and then hurried me off to prison.

A St. Marc captain was court-martialed while I was there for kicking and brutally treating (it was alleged) his British Negro housekeeper, while another captain at St. Marc was alleged while I was there to have taken three Haitians from prison and without due process of law made them cut their graves and then had them shot, the bodies rolling into these holes. The people were horror-stricken. A member (in mourning) at our church in the Cape informed me (confirmed by pastor and others) that her two brothers, by order of Maj. Welles in command, after being tortured by water cure in prison, were taken out at night and without process of law also made to dig their own graves and shot into them, and neither this sister nor her aged Christian mother were informed as to spot. I hardly, however, believe all said about either marines or gendarmes and the diabolical butchering of natives attributed to them, and sincerely believed all over Haiti, by those driven almost hysterical by methods and brutality of marines and gendarmes of the occupation itself very largely.

Senator KING. I asked you if you had ever seen any marines commit any of these acts of brutality as to which you have just testified.

Mr. EVANS. Yes; those that I have here specifically mentioned, and the others personally informed can be verified by credible witnesses in Haiti. Marine officers as a rule give the orders; gendarmes have to obey their commands.

Senator KING. When I was in Haiti over a year ago I talked with a good many men that were working on the road—natives—and they told me that they sought employment because they got better wages working for the Government on the roads than they did from the natives, and they got better wages, low as they were, than they ever got before.

Mr. EVANS. This was more than a year after I had left, and through my own efforts, writing Secretary Daniels, of the United States Navy, and that of others as to the corvée curse, relaxing conditions of labor, if not advancing pay especially around Port-au-Prince, where Senators, Congressmen, and American leaders dropped in on way to and from Panama—what you say may be true; but certainly it was not so in 1918 and beginning of 1919. I quite understand that the impoverished natives were not able to compete with the United States Government either in amount of labor or in pay.

Natives would work for food rather than starve. All bread, etc., was in the hands of American occupation and their Marines, and woefully mismanaged with us at St. Marc, and probably somewhat similar in other parts, unless they were fortunate to have sympathetic, businesslike, efficient Marine officers who knew how to properly distribute American flour so as to keep the folks contented rather than leave it spoil at the customs. We ourselves went months without seeing a morsel of bread, without knowing conditions of World War, and no efforts whatever at informing the Haitians through Washington or any other United States Government publicity bureau, as I complained at Washington's

headquarters. The people of St. Marc, if not the masses through Haiti this withholding of breadstuff and other vital articles of food, no ship in from Germany and other European countries, was a part of the States program to subject, if not to crush, Haitians; hence laid all the the American occupation.

Senator KING. What was the fact as to whether they got better wages the Government than in private employment?

Mr. EVANS. My reply to the previous question largely answers the relaxing of conditions of labor on roads at Port-au-Prince, possibly a little pay in 1920; and the fact that German merchants who formerly had of Haiti business had been interned, with piles of logwood lying at wharves everywhere in Haiti, hence scarcely any employment for natives partly account for this.

Senator KING. Is it a fact that they did get better wages than the private employment?

Mr. EVANS. No; it was simply 20 cents (American money) a week without food, as the gendarmé officers and others informed me at Port-au-Prince in June of 1918, and around St. Marc that year and beginning of 1919 absolutely false unless a distinction was made in favor of Port-au-Prince for reason stated.

The CHAIRMAN. Mr. Evans, distinguish in your replies between the end of the corvée, which terminated in 1918, I think, and the period which followed after abolishment of the corvée, when the laborers on the roads were paid.

Mr. EVANS. If the following special recommendation of mine in the memorandum which I presented President Wilson and Secretary Lansing in June of 1918, was carried out and explained and emphasized on my return to Port-au-Prince to Brig. Gen. Catlin, December of that year, and a copy of the memorandum handed each of you this morning (see p. 4, and sec. —):

"Now that Haiti has declared war, the Germans at last interned, our States Government shall grant us our full share of all necessities by making food at the lowest price; make generous loans to enable our occupation to proceed with its constructive program, and give all Haitian laborers more than a gourde and a half (30 American cents) a day. All forced labor except in case of prisoners and known criminals to be at once abolished. The quiet and peace-loving people, was faithfully carried out by our United States Government through brigadier general during 1919 (not 1918), when Senator Evans visited Port au Prince. Very likely what you say is true, and what you say is the fact; and if so, I am glad the memorandum helped to at last force, in fact slave, labor of our Government at this time, at least at Port au Prince and further increase wage.

"I understand, however, from Gen. Barnett's report to Secretary Daniels that it was through his own imperative command to Brig. Gen. Catlin that he abolished the corvée October of 1919, or 5 months after the occupation of Haiti and 12 months (nearly) after specifically pointing out to the States Government at Washington, and to Gen. Catlin at Port au Prince, Haiti, this grave injustice. And that even then throughout the whole of the north under Maj. Welles, as in some other sections, it was defiantly in and Haitians promiscuously killed as the result of these revolting methods and insubordinate conduct of Marine officers of the United States Government filling some of the most responsible positions under the American occupation in Haiti. I beg to insert the following in record in reference to the Cacoism and conduct of Maj. Welles and his marines:

**CORROBORATION OF MEMORANDUM STATEMENTS TO THE UNITED STATES GOVERNMENT AND SENATE COMMITTEE ON FOREIGN RELATIONS DIRECT FROM HAITI, AND THE CAUSE OF CACOISM THROUGHOUT THE NORTH.**

Further evidence re the tearing of treaty, the reign of terror, and the bolshevism by white United States officers and their armed natives (gendarmes) under them in Haiti at this moment, which has made our United States Government a by-word and disgraced the Stars and Stripes in the Republic, now aroused with indignation and writhing under present régime.

A Baptist missionary, with 25 years' experience in Haiti, French citizen, white, writing from the northern section of the Republic recently to the Superintendent L. Ton Evans, and after referring to appalling spirit of the people, the lack of laborers, and financial support, adding:

"I most highly estimate your persistent labor and incessant toil and pain in behalf of Haiti and real love for these oppressed people and greatly admire your faith and sincerely pray for your success at this time in this supreme effort of yours to get white Baptists to take hold of this important field.

"As you are now in the United States pleading with the Government at Washington to appoint a commission to make a thorough investigation into the internal affairs of Haiti and cause of present unrest, disturbances, and murders here, it may add to your already strong testimony and as further proof of the absolute necessity of such commission that you be informed that since you left for the States months ago bands of Cacos have appeared again at Hinche and throughout that section, armed with Mauser guns (they say) and making terrible trouble in that part of the island. This new and native uprising it is emphatically stated is directly due to the bad administration and cruelty of American marine officers.

"Though I can not personally prove it (as eyewitness), yet judging by the general situation (and as no one knows better than yourself) I certainly believe that this is the real reason back of these present troubles. Some say that this movement is a part of the German intrigues against the United States. This may be true to some extent, but the real truth is that if the American officers themselves, with those immediately under them, adopted a different method, showed more wisdom and humanity in their administrative policy, and endeavored to conciliate the Haitians and gain the love and confidence of these Negroes so as to make them feel that the United States is their protector and the "American occupation" with its officers are their true friends, the Haitians themselves would never turn against and oppose them, even if our Negroes in Haiti were supplied with all the money and all the guns that Germans could furnish them.

"You can use this argument not only for the appointment of the proposed commission, but for a complete change of the present régime in Haiti (that is the establishment of a civil occupation), but do not give my name. There is absolutely no fear on my part, but it is somewhat difficult to personally and positively prove some of these things. We can not, however, count on the Haitian people themselves (unless amply protected by United States Government) to declare the truth as regard, the great injustice and cruel sufferings they have to endure under the American occupation, for fear and dread on their part that the moment they do so they will have to suffer even more prosecutions, imprisonment, hard labor, if not something worse, as soon as the Senate committee is gone and these officers of the occupation remain in Haiti."

"This is perfectly true, for when the commission (even) of investigation is gone the American officers in Haiti will immediately persecute, illtreat, and brutally abuse all those who have dared to testify or denounce them. My own case is precisely the same as theirs. Apart from all this our missionaries, as well as our work here, will be looked upon—that is, Protestants and protestantism or evangelicalism—as the American occupation's worst enemies. We shall be compelled as the result to endure greater sufferings and oppressions than ever, and every possible obstacle will be placed in our way by American officers. The Roman Catholic Church and her priests (now financially sustained and supported through the American occupation, therefore its servants and slaves) will be more in favor than ever with them.

"However, as you yourself are a true American citizen, white and with many years of experience in Haiti, and expert knowledge of its people before as well as after the coming of the American occupation, you have more liberty and a better right both to speak and to act than any of us here, and who are already looked upon with strong suspicion, if not indeed counted as enemies, and simply for the reason that we preach the Gospel, and of course show disapproval of every injustice and tyranny, and even condemn the spirit and often unbearable prejudice that some white people (especially from America) persistently show toward these natives. I really believe that this terrible prejudice and abominable hatred of certain unconverted, dominating, if not intemperate and immoral, Americans have a great deal to do with the actual bad situation throughout Haiti. In writing thus to you, dear brother Evans, and supporting your plea at Washington by furnishing present information as to moral, social, and political reformation absolutely needed in this neglected and suffering Black Republic, you must not therefore think that I

am quite converted to your opinion that the political, educational, and trial and economic reforms your own President and United States Government may bring about in Haiti, and according to that splendid treaty you so much importance to and feel so proud of, can really regenerate Haiti its people apart from the Gospel of the blessed God, and through Haiti which we both believe and preach, etc."

This white and experienced brother, laboring 29 years solidly in Haiti and the center of so-called cacoism, will testify if called at the

Senator KING. Then the evils of which you speak were confined with months, or confined to a limited period?

Mr. EVANS. I had two years and five months of the corvee, which was practiced all over Haiti, causing serious frictions, indescribable brutality, where, and arousing a strong feeling and bitter hatred against the occupying marines, and United States throughout the whole Republic; until this passion and unchecked recklessness and ruthlessness of our marine officers in Haitian prisons, and the shooting of prisoners dragged out of their night, without pretence of trial, and killing of cacos by the thousands no longer be smothered, and official reports held back and absolutely suppressed and falsified—the marine scandal in Haiti and the atrocities perpetrated and by the American occupation in the Black Republic was exposed shocked the whole Nation, if not the civilized world.

The CHAIRMAN. It is set down in the report of the Navy Department violation of the orders of the commanding officer the corvee in the remotest of Haiti was continued. I think, therefore, before we conclude this we ought to ask Mr. Evans about the framing of the new constitution objections to it. I think that will be interesting.

Mr. EVANS. May I hand the following for the record from the report of the missionary committee of Negroes in North Carolina who had, like American officials at Washington and of the occupation in Haiti, become deflected from their original plan and purpose and had become more interested only if not financially, in the sugar corporation (which has grabbed some 200,000 acres of the best land of the Haitians) than in the salvation of souls and education of their own Negro people, and therefore never placing instead an elaborated and illustrated American sugar corporation "prospectus" on the table, while pushing aside the official report of the mission, account of work done under exceptional difficulties, and paying no attention to the crying spiritual needs of oppressed, imprisoned, and murdered Haitians. The part of the report dealing with the new constitution is as follows:

#### ANNUAL REPORT SUBMITTED TO LOTT CAREY HAITI MISSIONARY COMMITTEE WASHINGTON, D. C., FOR YEAR 1918.

[By L. Ton Evans, Baptist missionary superintendent of the Lott Carey Colony, St. Marc, Haiti.]

#### SUDDEN CHANGE AND REVERSION OF NATIVE FEELING IN HAITI, AND REASONS THEREFOR.

Through the feeling of gratitude to God, our President, and United States Government and American people for restoration of complete order and establishment of real peace throughout the whole Republic, great sanitary and special improvements, was both genuine and general and shared by all alike, including the most loyal and patriotic Haitians, who naturally love their own little country and flag as we Americans love the Stars and Stripes.

It was indeed a pity, yea worse, a political calamity if not a moral one, that just at the moment when our leaders and people here were recovering from the shock of an apparent invasion by American armed marines under the cover of night, and beginning to seriously question the truth of German meanness, filibusterers, and exploiters, whom through various channels have for years resisted in poisoning these natives and Negro mind against the United States and everything American. That Uncle Sam's desire for Mole St. Marc was only a guise, for the purpose of a foothold on Haitian soil, to annex the Republic with its rich land and lead them back eventually to slavery and horrors, in spite of their heroic struggles and bloody sacrifices under the immortal L'Overture for their freedom and independence some 115 years ago.

To our astonishment and consternation, however, and with the suddenness of an earthquake violent jolt, or as if a German airplane passing over Haiti actually dropped a bomb from the clear blue sky right down upon a village

hidden powder magazine at Port au Prince, not merely changing, but completely reversing and actually revolutionizing everything over night as it were.

Behold, one great but subdued cry from one end of the Republic to the other, even the most remote—American deceit! American treachery!!—the occupation is going to forcibly change our constitution so as to give our richest and best lands to American corporations and white wealthy profiteers, and force us again as slaves to work, exactly as we were warned by our German friends, they would do the moment they put their feet on Haitian territory.

Personally finding out therefore what your superintendent at first thought a stupendous blunder in diplomacy by an amateur politician, or a raw inexperienced official around the State and Latin-American departments, or some one close to the President at Washington, totally ignorant of the sacredness of treaty obligations and the seriousness of meddling with a nation's constitution, was but a clever scheme and deeply-laid plot of certain newly-formed corporations of the United States, boasting of unlimited wealth, with stockholders within the administration who had followed the American occupation to the Black Republic in the twentieth century, much like the Spaniards and pirates came in the wake of Columbus in the fifteenth; and unless their grab for land and greed for gold is speedily checked, it will result in same barbarous and disastrous end, when poor colored Carib Indians were robbed and perished at the hands of stronger white Europeans.

On thus seeing our treaty, pledging protection to the Negro Republic, people's liberties, and rights, undertaking to agriculturally, minerally, if not educationally cultivate the soil and develop the Negroes, for Negroes, and by Negroes—ruthlessly ignored and openly repudiated, and that hundreds of thousands of acres of the best lands were already taken or being negotiated by two of these corporations by the aid of, if not through the American occupation, caused this bitter reversion and serious opposition to, and anger against, and hatred toward, the United States.

And more especially that this betrayal of Haiti and cruel rape of their constitution as now proposed, coming so soon after American Marines had disarmed Haiti soldiers, disbanded their army and the Republic's senate and house of representatives had been slammed in their face, as the Russian Duma was by the late Czar, against the Russians, and that these politically and financially bankrupt Negroes felt utterly helpless, daring not to openly discuss these vital matters, much less to publicly protest for fear of imprisonment as suspects, or being instantly shot as rebels against authority and enemies of the United States.

Your superintendent therefore felt it his personal and imperative duty as an American citizen and a Christian missionary and representative of the millions of white and colored Baptists of the United States, to step into the breach, and under these conditions and as mediator, to at once hasten to Port au Prince so as to have a quiet talk and special interview with Col. Russell, the able and genial military chief of our occupation.

Failing to obtain an American official English copy of the proposed new constitution, with change of the vital clauses re land, etc., from either our American legation, or the colonel at the occupation headquarters, I respectfully suggested to the military chief (who pleaded ignorance as to its origin) and asserted that I had certain knowledge as to the real interests back of the present propaganda, and averred that neither President Wilson, at Washington, nor our Negro President Dartiguenave of Haiti, had absolutely anything to do with this new constitution movement;<sup>2</sup> and after pointing out the very serious change already come over Haiti, and arousing, and embittering of the Haitians, how the mere announcement of the intention of the occupation to force this, had stirred the wrath of this little nation, I earnestly appealed, therefore, to the colonel (rather than seemingly put coals on already kindled fire) to postpone the so-called voting until we could send to, and hear from President Wilson.

<sup>2</sup> President Dartiguenave of Haiti, practically elected by the United States President, and paid through the hands of the United States' general-receiver in Haiti his salary, was made forcibly and under his own name the instrument for proclaiming the said fake election and the issuing of the French copy of the new constitution for publication in *Le Moniteur* Wednesday, May 8, 1918, and since transpired rewritten at the office of the United States Navy Department, Washington, D. C., and a fact that must have been within the personal knowledge of both Col. Russell and United States Minister Blanchard, who were conniving together by this method to deceive the Haitians, blind the American people, and to shield the United States Navy officials and those back of them.

This, Col. Russell said, either he could or would not do, where superintendent asked permission for him to cable directly to Washington to defer indefinitely the fake voting and ask that a small commission to be at once sent as I had possession of facts the United States Government and United States people should, and would know.

When the colonel declined also this, stating he would proceed with the mission, so called, the following week, and, as announced by President L. G. Duval, I expressed profound regret to him that it should be thus made known to these Haitians that our American occupation—whose mission was plainly set forth in the treaty to tranquilize the natives, strengthen amity existing with a view to create implicit confidence between the United States and not to stir up opposition and strife—was, after all, an instrument of American financial interests now operating in the Black Republic. The colonel and marines were determined to serve these financial interests at the expense of ignoring, openly and ruthlessly violating the United States Government's solemn and sacred covenant obligations to these Negroes by taking a mean advantage of their utter helplessness in the hands of the American occupation.

Under these peculiar and most painful and treacherous conditions of my imperative duty, as a Christian missionary and an American with more than 25 years' experience in and working for the moral, social, and political as well as religious welfare of Haiti, and one who had endeavored to protect their individual and national liberties and legitimate rights when they were being robbed and exploited by the American occupation and under the Stars and Stripes, solemnly pledged by treaty to protect the integrity of the Negro Republic and defend the rights and liberties of every Haitian.

As a true American, therefore, who scorns official treachery and fraud upon a black and helpless little nation, your superintendent, after leaving the colonel and chief of our United States marines at Port-au-Prince, respectfully assured him that this whole matter would be brought before President Wilson, in spite of obstructing and profiteering officials, and that probably both of them would meet face to face at Washington before a commission of investigation when this proposed voting on the new constitution would be declared a military farce and a political fraud.

In taking this stand, I added, if absolutely necessary, I would bring the case before the nearly 8,000,000 white and colored Baptists of the United States, the Federal Council of the Churches of Christ in America, the American Federation of Labor, and, finally, to the great American people so as to remove this foul blot from off the folds of our hitherto stainless flag.

Your superintendent, however, assured the chief of occupation that he would strictly refrain from any kind of agitation in the Black Republic and would personally submit to the colonel there and, moreover, use his influence and that of their native preachers and Christians, to do as far as possible and proper for missionaries to do so, to maintain the order and add to the authority and efficiency of American occupation. He faithfully attempted to discharge their duty to the United States Government to the Haitian people according to the spirit and letter of the signed treaty.

The day of so-called voting (sic) arrived, and passed off quietly on the 12th of June, 1918; and when thousands, of course, through the Black Republic (considered, nevertheless, but a very small fraction of the real power of Haiti), and nearly all of whom were in the official and paid, and in some way or another employed by the American occupation, were weekly receiving their salaries or wages through the hands of the United States official receiver in Haiti.

This is true from Haiti's present figurehead Negro President, ex-President Legitime, chairman and members of national council (and illegal constitutional substitute of the American occupation, created so as to perform the functions of the Negro Republic's senate and chambers), judges, magistrates, commissaires (mayors), clerks of customs, post-office servants, government school inspectors and teachers, employees of castor-seed, sugar, and other corporations, etc., employed around courts and prisons, to the remainder who received pay and was under control of American armed forces in Haiti, with one exception; that is, the European Roman Catholic bishops, priests, freres, and nuns in Haiti and professors and faculty of the Haiti Roman Catholic college for training of white European priests, though on poor bankrupt Haiti pay roll through American general

against the stipulation of the treaty, were rounded up, carefully and presumably cast at least one ballot.

masses of voters (sic) few literate, with 95 per cent illiterates, and of corporations in whose sole interest the occupation was acting that enabled funerals as to their silence and solemnity if not in their character, all over the Republic, and as they passed along like broken hearts, into Haiti's courts of justice—but transformed that through the whole country and by the American occupation into slaughterer to slay both the Negro constitution and the treaty of President and the United States Government.

inter (sic) was watched with an eagle eye, and guarded by the poor and armed (Negro police) who were everywhere in evidence, and officered by American marines of the occupation for this special occasion consisted of American generals, colonels, majors, captains, and others, not to mention American-paid Catholic archbishops, bishops, and other civilians, who were around and presence and influence used, for no risk must be taken.

possibly might still linger in the mind of a poor black Haitian enough trampled and all but crushed, a spark of true patriotism, which, remembrance of the immortal Touissant L'Overture, might chance kindle a flame and cause another conflagration. Thus, each court had a white marine officer in supreme command, but for the sake of perfect order, there were Haitian dummies sitting handing out the slips at which received it, and a dummy Haiti commissaire sat alongside of an American marine officer.

During the court a small white paper, stamped with police administrative date June 11, 1918, and with the French word oui (yes), was in the trembling hands of the native, who was signed (no word spoken) for anything else, to the box directly under and in front of white marine and dummy native assistant, who sat on a dais.

A pile of pink slips with the French non (no), curious enough and mostly showing the fraudulent nature of this whole scandalous business, on the other side of the table tied together, the poor native in charge, so-called voters, knowing these packets were meant for mere show; but cut lose their terror-stricken brother Haitians dared not refuse, they asked for the non (no) at the risk of being imprisoned and shot by any of the occupation and foe of the United States Government.

Terrified and helpless to resist, these people sorrowfully were made to and tremblingly submit, as brought in from small country villages on all sides, guarded and closely watched every step and turn by armed marines, under strict supervision of marine officers.

Mediocrity, or rather rape and indeed tragedy, is best described by the innumerable natives (nearly all of whom except those mentioned above of being blacklisted, imprisonment, etc.), as follows:

They are compelled to-day by the United States Government to take a dagger forced by the military occupation to plunge it into the very heart of the Negro Republic; and so that, like Pilate of old, they might wash their hands and say hereafter that Haitians themselves actually did the slaugh-

June 12, 1918, will be remembered in Haitian history as the day their Republic was not merely raped (as President Harding described it) but assassinated and buried through the heartless betrayal of the United States Government, under the Democratic administration, with its Christian Woodrow Wilson, to the everlasting humiliation and shame of every Haitian and accomplished by a method surpassing the most cowardly, degrading and diabolic conceived and practiced by the worst Hun in the World.

of the disarming of the Haitian soldiers, the disbanding of the Negro National Guard, the closing of their Senate and House of Representatives twice, and at this moment under lock and key (and what no other little nation has ever slavishly submitted to and tolerated on the part of our own United States Government), these Haitians patiently endured this national humiliation of the treaty, with a flickering hope that such would soon end, and that there would be a turn in the tide, and a change for the better until April of

When the rumor suddenly was heard, that rapidly spread like wildfire, that the American military force, to rob

Haiti of her constitution, so as to give our lands to foreigners, speculate corporations of the United States! Hence the sudden change and reversion of feeling which followed, as described in my report to the committee, which I expected to take prompt action at Washington with President Wilson and State Department, until I found they also had been captured by Haiti corporations and made even an attempt to expropriate missionary superintendents also.

I felt the disappointment and humiliation all the more in having done all in my power to foster a friendly feeling toward the United States over 20 years; urged our Government in Roosevelt, Taft, and before Wilson's administrations to assume a friendly mandate over Haiti as a big brother toward these people; and therefore, being personally responsible for the fact of our Government's coming to Haiti, though not responsible for the time nor the manner of the seeming invasion of the Black Republic by the armed American military marines.

I therefore feel convinced that this committee, in its thorough inquiry into Haiti affairs, as I urged upon the so-called "Haitian navy court" matter to Hon. Josephus Daniels, anxious to get the whole truth, make mention into the following to get back of marine scandal and occupation.

1. Into the nature and extent of the alliance between marine officers of the United States at Washington, as well as in Haiti, with American corporations which followed the "occupation" to the Black Republic and the European delegate of the Pope (a foreign potentate who dictates the appointments of Haiti ministers in Jamaica, Washington, etc.) sent to Haiti during the American occupation; with the archbishop, bishops, priests, friars, and members of Roman Catholic Church, and all of whom are paid their salaries by American marines and the native gendarmes—only the marines receive theirs in American gold, and not like Haitians, in American dollars from American loans to the little Black Republic and directly through the United States, financial receiver; and

2. Further, must determine what influence and power such allied corporations and close relation of the Catholic Church with the Haitian Government and the American occupation of the United States Government now existed—from the time we entered—in the Black Republic of Haiti, which have been responsible for the appointments of American marine officers and removals from Haiti—under guise of promotions, etc.—under the pretext of discipline; for the demoralization (through constant interference, etc.) of the States marines from their usual high standard of military discipline and efficiency; and for the deflection also of the administration at Washington of officers of the Navy Department, as well as the American occupation of the island, from the high purpose of the United States Government's special mission in Haiti, according to specific terms of our treaty, to apparently serve the interests and sectarian ends by withholding all appropriations from day schools, change of constitution, etc.

As I wrote to my Negro missionary committee (in that report) I have sized "That unless (rape of constitution already described) this tormented an American submarine of a small and friendly Negro Republic could not evenly undertake to protect, succor, and help) unexpectedly, in Haiti, and without warning, and absolutely without provocation, for it had a gun forehead or aft for either defensive or offensive purposes (having previously and forcibly dismantled) and the United States President a moment immediately 'disavow' and 'repudiate' such action, and declare the piratical and the work of irresponsible hyphenated Americans, restoration (with senate and chambers) thus remove the blotch from our American flag, then in words of the Hon. D. Lloyd George, British Minister, at the great Queen's Hall, London, and had Britain and the British Empire not gone immediately to the defense of Belgium and and honorably filled their treaty obligations with that small nation in case of Haiti, disgrace and dishonor will cling to our United States Government and the great American people down the everlasting ages.

A man named Davies, chief of one of the American corporations, has done a great deal in Haiti and with our occupation demanded this change of Haiti constitution, and had already written articles in the National Geographic Magazine and other journals months before declaring (in the international corporation, etc.) that Haiti's ancient constitution must be rewritten especially the clause re lands.

Moreover, in an interview I had with him at the Cape April, 1918 (during among the native churches), when he seemed to unfold his plans, add his corporation had unlimited capital, his own salary more than President Wilson, with stockholders if not directors from within the States Government, thus the occupation was practically at his and his son's command; that they had the right of way in Haiti; and that he was contemplating taking over the mail from the Haitian Government, this was said in presence of an educated native missionary.

The announcement in the *Moniteur*, Haiti so-called government, but official paper of the American occupation, and under the name of President, at once brought to my mind the Cape Haiti interview and the interests behind the American occupation, and working through either the Navy and State Departments of the United States Government at Port-au-Prince, compelling Col. John H. Russell to change the Haiti constitution to suit its vital and protecting proviso, and so arouse and further embitter the feelings of Haitians whom he describes in his report to Gen. George W. Goethals, major general commandant United States Marine Corps, at Washington, D. C., as a very hysterical people; like children, they believe every rumor and easily lose their heads, and in consequence are very hard to quiet."

or POMERENE. Who is this Davies?

ANS. He professes to be the financial head, if not also the brains, of an American corporation which has already secured—aided by Haitian courts and under complete domination of American marines—many thousands of acres of the choicest lands in Haiti, mainly for the purpose and advantage of the Republic of raising castor seed and supplying the United States Government's airplane fleet with oil, etc.

CHAIRMAN. I heard that he resigned the presidency of the corporation to become a Congressman.

ANS. I submit for record a digest of my notes made of interview with H. P. Davies, and brief quotations from his articles, which I hope will be illuminating to the Senate committee of inquiry as they were to me as to the aims and corporation's intentions in Haiti, which he affirmed with a view to making money, irrespective of the treaty or welfare of the Haitians, and emphasized emphatically that neither himself or his corporation had the least aim or philanthropic purpose such as to assist in educating industrially the Haitians. This Davies, if in Congress, and in this country, should be summoned to appear before this committee.

Summary of interview with H. P. Davies, official head of castorseed corporation in Haiti, with certain quotations cited re constitution, and comments of the United States treaty with Haiti.)

Reading of articles written by Davies, with the interview Saturday afternoon April 20, 1918, taken with me to my apartments and ponder fills me with dismay as regarding Haiti and the future of these poor Negroes, in spite of the splendid treaty, if the American occupation in the Black Republic, and in Latin America, Navy or State Department, are to be exploited by other corporations. I felt determined to watch the future development not merely for sake of Haiti and Haitians, but chiefly the integrity and the United States Government and that of the whole American people, for honesty and veracity in just going into the World War with the Allies, and of the Kaiser's tearing of the treaty with little Belgium. I shall spare no pains, I said, to prevent the repetition of Germany's crime against Belgium and the United States Government and people (through these unscrupulous agents and with the aid of United States Marine officers) against weak, poor Haiti, whom we are pledged before the world and God by a sacred treaty to protect and assist.

Moreover, in a letter of April 27, that year, when writing my board on conscription, spiritual degradation, illiteracy, friction, and cruelty often culminated in deaths, I referred to impending attack upon the constitution, urging and jointly with northern and southern Baptist leaders—to immediately demand of the President to absolutely prevent this disgrace and shame. I wrote: "I have seen sad cases of immorality and drunkenness here among members of the officers of Marine Corps. Through lack of restrictions, either as to intoxicants, the demoralization and even the fatal effects of alcohol in the tropical climate in Haiti, worse among whites than blacks, is somewhat alarming. Why is it you make no efforts there to secure for our marines a Christian A. branch and give me the necessary authorization to do Christian, and temperance work among them?"

Again: "Many marines feel that everything is so quiet in Haiti, and are tired of walking about doing nothing but carry the gun all day long they start a scrap among themselves—and so leave to go to France. marines should be exchanged every six months. It's cruel to keep these raw lads, some two and three years in this tropical climate and with appalling temptations and degrading surrounding influences."

Further, "Though we have some excellent officers and others, and good has been done on the roads, sanitation, etc., that are much appreciated, this is sadly hampered here by the lack of "loans" and the perverting influence of the Roman Catholic Church fastened to the Haiti Government, and, of course, our occupation, making honesty, not to say efficiency, impossible. These wealthy corporation boasting of stockholders within the Government Government at Washington and controlling influence over our occupation—his deflecting methods—and motives, must eventually, if not doing so now, finally defeat our very purpose as United States Government in Haiti."

Says H. P. D., the official head of the castorseed corporation, in utter defiance of the plain English of the treaty:

"This article 6 of the constitution of Haiti, which specifies that no foreigner may own lands, must be repealed or amended." Yet he admits that this was introduced when Haiti gained its independence, and continues that the years to be the one definite thing in the constitution which appears every Haitian, and, above all, was understood by all the people.

As showing the complete domination of courts, judges, magistrates, etc., specially meant as compliment to young, inexperienced, often raw American marines, and their gendarmes, H. P. D. writes in March number of Pan American Magazine (1917):

"It is fortunate for Haiti and Santo Domingo and for the United States that the solution of these problems, or at least the practical administration of the affairs of both of the island's Republics, has been placed in the hands of our overworked and little appreciated Marine Corps. Soldier and sailor does not begin to express it. I have seen marines in Haiti and Santo Domingo switching from soldier to anything—from a blacksmith to a superior judge, etc.

Fearing that your superintendent had taken a too rosy view of the treaty interpreted its language too generously, and that it did not actually mean what the United States Government, after all, were by its good offices aid the Haitian Government in the proper and efficient development of its (Haiti) agricultural, mineral, and commercial resources, and in the establishment of the financial basis of Haiti on a firm and solid basis for the sake of Haiti and Haiti people through American corporations with persons like H. P. D. at the head of the United States Government officers as directors and stockholders, and absent in the financial interests of white Americans, were in the minds of both President Wilson and United States Senate, as well as Haitian Government, negotiating and ratifying and signing above treaty. Hence I quote what the leading Americans, in two of the first-class American magazines, and the Christian missionaries or corporations promotionists say at the very time the treaty was made:

The New York Outlook for March 15, 1916, thus comments on treaty between United States and Haiti, as follows:

"The treaty as a whole represents the furthest extreme (in liberal generosity) which we have yet gone in—the big brother attitude, with respect to the small neighboring Latin-American nations.

"Of course, the success of financial and constabulary arrangements in Haiti will largely depend upon the character of the men our Government will send to fill the various offices."

The Washington, D. C., National Geographical Magazine for August 1916 said thus about the treaty:

"By this treaty the United States practically underwrites a loan of \$100,000,000 amount to settle all the legitimate debts of the country and to finance the development of its developments—opening up its mines, putting its agriculture on a basis, and otherwise preparing to make it a region of plenty that nature has equipped it to be.

"This new departure probably will insure peace, quiet, honest administration, and, if it does, Haiti (not American corporations) certainly will be as good as few small countries ever have."

This is why, Mr. Chairman and members of the committee, I asked Mr. Russell to postpone said so-called voting, allow me to cable President Wilson

to investigate matters, as I felt he ought to know what Haiti and around him at Washington; that the Senate should also know.

I explain possibly to you gentlemen who have not read the Senator King say he had not read it—merely by way of explanation will give a little light on what Mr. Ton Evans is saying, which is in the record here—I am not testifying or adding a constitution had a prohibition clause in it against the entry of any alien. Only Haitian citizens (colored or white) are entitled, for instance, the same as here in the District of Columbia. States citizens alone are entitled.

Now, so called, however, as stated in the memorandum to the Navy Department, and appearing on page 7 of the record, the new constitution, which was amended by order of Congress, provided specifically in Article V that the right to vote should be open to any person, corporation, citizens or not of the new constitution is about.

I submitted respectfully to the colonel, adding how deeply I regretted to postpone this so-called voting and allow me to cable to the military matters. I added, I took off my hat to him for his position, but in constitutional matters, question of honest and fair dealing, of treaty, and our moral and legal obligations as a great American people, to live up to the spirit and letter of the treaty; or the right of military occupation, to tamper with the treaty, as they were tearing up the treaty—with my educational experience I respectfully declined to submit to any military authority.

I spoke of the colonel, saying we should meet before a committee either in Washington or Haiti, when not only the influence reflecting the motives of our American occupation, but the real purpose of their coming and staying in Haiti, would be made plain, Senate, Chambers, and constitution restored to them; and the American marines' work and methods condemned.

At the headquarters of the American occupation I turned into an office where boarding my train to St. Marc, and convinced the colonel had told me concerning our United States Government occupation in Haiti was only too true, and sent a regiment to Woodrow Wilson, setting forth the facts, with an appeal to Ex-President Theodore Roosevelt, with a copy of my reasons why it was inclosed to Oyster Bay.

My letter was intercepted by Mr. Tumulty, or in either of Navy Department. Ex-President Roosevelt replied, and sent me other

which took place June 12, 1918, precisely as announced. I have inserted length from missionary report, inserted herein.

June, 1920?

Editor; June 12, 1918, and 8 or 10 days after my visit to St. Russell.

Who was conducting that election?

The American occupation, though they endeavored to make it appear a Government, which, of course, is absolutely false.

You mean by that these marines?

American marine officers and members of the United States military officers of the occupation, for there is absolutely no doubt, acted as dummies and a mere cover; you could see and sat silent and mummy-like alongside of marine, who

Do I understand from your statement that these native Haitians voted so that they would not vote against the adoption of the new constitution? Is that the fact?

Most emphatically so. They were terror-stricken, or, as he admits in his report to Gen. Barnett, referred to, "They were, and become almost hysterical with fear" of imprisonment to death, or shot down by gendarmes and marines, besides the American occupation—through the Negro President of the so-called voting, the following notices were put up at the courts of justice (sic) and signed by American marine

officers—who have power over life and death in the Black Republic American in the United States can possibly realize—and read, as the speaker below :

INTIMIDATION AND THREAT.

REPUBLIC OF HAITI  
PORT-DE-PAIX, June 11,

In accordance with the decree of His Excellency, the President of the Republic, published in the Monitor of May 8 last, all the citizens of this country of Port-de-Paix are asked to be present to-morrow at the Hotel Communal to vote on the new constitution, published in the Monitor of the same date. Abstention from such a solemn occasion will be considered an unpatriotic act, is, anti-American occupation—act. Maintenance of order will be assured by the gendarmerie (under chief, Gen. Williams, American marine officer), and the ballots will be distributed by a member of the administration of finance (American marine officer) opposite the voting offices, etc.

HERMAN H. HANNEKIN,  
*Lieutenant gendarmerie d'Haiti, American marine officer*  
E. LESCOT,  
*Government Commissaire, North*

At St. Marc and other places, and if after voting and in celebration of the old Haiti constitution safeguarding their Republic hitherto, they were allowed to indulge in all the voodoo dances and orgies they wished that they were by order of the occupation and American marines, as an inducement to vote.

All the pink slips with non (no) as stated in my report were tied up with only the white slips with oui (yes) were loose and handled on the table. Each of those that were driven in, and one of each given to the committee. Out a word spoken by either the Haitian so-called voter (sic) without looking at the word (even though nearly all were too illiterate to know what it was) stood for if he did look, walked directly in fear and dread toward the box, pointed to and disappeared through the back door, glad the painful performance was over.

On my return from the court at St. Marc, and met by my wife, who asked me what things were, I replied, "God forbid that I should ever witness anything of the kind again. Until this shame and disgrace is wiped off by our United States Government we shall never be able to put out our Stars and Stripes at St. Marc, Haiti."

Senator POMERENE. How many polling places were there?

Mr. EVANS. I believe there was a polling place at every little town and village throughout the Republic.

Senator POMERENE. Where was the polling place that you are describing?

Mr. EVANS. St. Marc, where I was stationed.

Senator POMERENE. Was there just one polling place in the city?

Mr. EVANS. That was the only polling place in St. Marc, which was a town of 5,000 or 6,000 people, with some 12,000 to 15,000 or more within a radius of 10 or 12 miles perhaps.

Senator POMERENE. Do you know what the condition was at the other polling places?

Mr. EVANS. I did not make it my special business to go outside of St. Marc to see, for if I did this would have been construed as unpatriotic, or as going against constituted authority and possibly meant death. I felt my duty to be almost safer in Haiti before the occupation came than with a certain class of unscrupulous, drunken, brutal, American marines who seemed half crazy. I made inquiries, however, from others in various towns I visited as superintendent missionary, and from what information I received from most sources—the conditions were exactly like at St. Marc, including the dances and immoral orgies, if not much drinking.

Senator POMERENE. Well, in a general way?

Mr. EVANS. Generally speaking from information given me, yes; the conditions were alike everywhere, but evidence on this and other points was forthcoming in Haiti.

Senator POMERENE. What was the vote at St. Marc; what was the result there?

Mr. EVANS. There was no means of knowing. The natives felt no interest whatever, as it was known from the announcement by the occupation (the Dantigenaue), that whatever the American marines did no one dared to

slips were taken to Port Au Prince, and published there. as a mere farce, and lowered the prestige of the United States, who seriously think, and even Europeans, and indeed that the American occupation had gone the limit, and made it look, and looked contemptible. No votes were reckoned to my town, but all taken in charge of American marines to Port

No, no; when the votes were counted what was the result at place?

ere taken to Port Au Prince, and published there, but numbers supposed to be cast at each town, I know not, and he, as I became disgusted, and felt disgraced that such was of the United States, and by anyone who called himself

ty-three thousand for, and two hundred or three hundred and—

can the Republic, Senator. They might have published the 63,000 there is no one to contradict or to explain for the managed the whole business. I do not believe that any pink Haitians, and that out of shame certain marines cast in a This is the belief in Haiti.

n, and denounce it more still to-day, as the greatest mockery life, and never thought we had Americans and marine look so low before these gendarmes, and poor Haitians, though evidence, and highest admiration should be the aim of every true American who despises anything like hypocrisy, and aud.

What part did these educated Haitians take in this elec-

great majority, apart from those who happened as stated—financially connected with the occupation, so-called Haiti and castor-seed corporations, schools, courts, prisons, etc., abstained and kept clear of the voting place, though the risk of being blacklisted, run into prison on slightest tion, etc.

they would have asked for the pink slip with non, which their lot with the occupation. It was a hard and trying were heroic enough to stand the test, whatever has been ce.

and American marines were in the employ of Germany pay from Berlin, they could never have gone about wreck- and ruining the character, and destroying the growing in- States Government, more successfully than by the blunder- ent, and even murderous conduct of marines and gendarmes al discipline, knowledge of human nature, common sense, patriotism of the Washington, Lincoln, and Roosevelt type.

. Under the Haitian law, how many voters would there be

e can say positively, for there never perhaps has been a we guess work.

. What portion of the votes was cast?

ay about 63,000?

00.

people of Haiti, small as that number is, believe not the ough seeing how many the occupation had gathered by mes around, and the fact of their being dominated by fear, y they had, and positions held—it may be near the truth.

. We will assume it is so. What portion is embraced in

total population?

. No; of the voters?

al population of Haiti, is put down as 2,500,000.

ou can figure the adult males.

. Probably one in five?

wo and a half million, roughly.

. There ought to be in the neighborhood of 400,000 or

Mr. EVANS. I should say something more like 400,000.

Senator POMERENE. That is, if males alone voted.

Senator KING. Most of the people reside out in the hills and in the country. Do they not?

Mr. EVANS. Yes; most of the people are living in the country; a way you can have any idea, is on Saturday their market day, when they are astonished at their number filing in from brush, and narrow lanes ben sible on reaching the market as early as they can, and when business is about 1 or 2 o'clock latest, unless in the very busy cotton or coffee market they quietly hasten back to their husbands, children, and homes, so that the market places are all cleared again in the early afternoons.

Senator KING. I was told when I was there that three-fourths of the population lived out of the cities.

Mr. EVANS. Yes, that is true; at least three-fourths.

Senator POMERENE. How was this amendment proposed? What was the modus operandi down there? Is it proposed by joint resolution of Congress, similar to ours?

Mr. EVANS. Yes; precisely, so I understand, and from the time their constitution was first adopted; but their senate and chambers had been abolished by the American occupation and members forced out and doors locked by armed American marines, and as a substitute for the Haitian Congress the same American occupation created—illegally, of course—what is called a constitutional council, which, with the Haitian President, functions at the direction and direction of the American occupation, through the marines. This is the Haitian courts and Haitian people—quite apart from the fraudulent methods adopted re voting, intimidation and military force—declare the new constitution called new constitution as both illegal and unconstitutional; but most of the judges of said courts were dismissed, if not some imprisoned, for to invalidate any procedure of American marines, whose knowledge, however, of either law, constitution, or treaty in Haiti, if not also respect, has been somewhat negligible quantity and fundamentally lacking.

Senator POMERENE. But was there at that time?

Mr. EVANS. No; not at this time, nor some two years before. Their constitution was closed in April of 1916, whereas the American occupation's official notification or decree—through their Haiti President—announcing the constitution dates May, 1918. On page 25 of the record of hearing before the committee on Haiti, etc., part 1, this paragraph appears, showing the protest made by the Haitian Chambers against this annihilation of the constitution follows:

"The Haitian Chambers protested against this intervention. On the day the Senators were assembling in their provisional quarters when an American (marine) officer, brutally ordered them to leave the place, threatening them with measures to force them to go. At the suggestion of M. Paul Laraudogoitia, President of the Haitian Senate, they met at his house, where they drew up a formal account of the incident." (See Appendix No. 10.)

Senator POMERENE. How was this amendment proposed, by what authority?

Mr. EVANS. It was done by the same functionary that does everything in Haiti, the American occupation, through the marines, but with Haiti President acting—under force—as medium to blind and bluff the Haitian people and deceive the responsible United States Government, and people.

H. P. Davies, official head of castor-seed corporation in Haiti, boasted that a functionary acting behind the American occupation, and last October a responsible official of the United States Navy Department at Washington publicly boasted that he was the functionary who changed the Haitian constitution, so there must be a conspiracy of many functionaries concerned in proposing, and illegal, unconstitutional forcing of the new constitution on the Haitian people as back of the mock voting.

Haitian intelligent and educated leaders and business men all over the Republic saw through all this, and deplored and despised such procedure.

Senator KING. Was there just one article involved in the amendment of the constitution?

Mr. EVANS. While there were minor modifications or adjustments made to meet new conditions, which the Haitians themselves would gradually make in a regular and constitutional way have made with little patience, and American military showed less intolerance and bounce, the main article of the constitution which the American occupation and other corporation functionaries

gton (acting together), was that concerning the land, was the very heart and life of their constitution.

words of H. P. Davies, official head of the castor seed his magazine article he gave me to read and study at of 1918, and as showing his emphatic (and that of his the Black Republic when demanding this change:

the constitution of Haiti, which specifies that no foreigner (ite person unless a Haitian citizen) may own lands, must ed."

the vital importance of this one article and the very constitution as follows, he persists in above demand:

was introduced when Haiti gained its independence and years to be the one definite thing in the constitution y Haitian and above all was understood by all the people."

i will just answer without explanation we will get along that was the only point involved in the election.

ready answered that no doubt there were minor points adjusted through the Haitian Senate and Chambers, regularly, but that it was the land part of the new constitution cered, and actually transformed the somewhat friendly position, anger, and hatred against us.

was done?

e already replied to Senator Pomerene and stated before, was the vital point demanded by H. P. Davies and his ling to his imperative demand, and that of the castor-seed

Davies predicted to me would be the case two months pre- n Cape Haiti, the "occupation," on advice from Washing- Haiti President, announced that a new constitution would te of the Haitian people, on June 12, 1918, and in which ion this objectionable article, re lands, would be changed astor-seed if not also the Haiti Sugar Corporation, and arranged, conducted, and guarded under strict super- merican Marines and their gendarmes.

ay that this article originated in the Navy Department?

originated with Davies and his corporation, and if what ere directors and stockholders (in his corporation) mem- tes Government and administration and within the Navy gton, then Col. Russell received his instructions from the e these are the words of Assistant Secretary Franklin ed States Navy, which finally settles not only the com- in of the new constitution with the complete change—in of the old constitution's land clause (Art. VI):

ad something to do with the running of a couple of little re that I wrote Haiti's constitution myself, and if I do ry good constitution."

tenment was wired all over the United States and caused eazement among millions of Americans, but cleared up at e, and in Haiti, as to whom were directly and officially etrayal of confidence and perpetration of such a crime less nation—this admission must have been known to ittee.

any advantages been taken of this provision in the new ans to acquire lands?

d in my judgment a very unfair, unjust, if not mean, or-seed corporation, with its claim of abundant wealth with members of the United States Government at Wash- ors and stockholders, and by contract to furnish oil to ernment's airplane fleet, would have the right of way to f the soil throughout the Republic, and probably amount of this Republic.

poration, 1918, to which my own secretary of my Haiti mittee transferred his interest and affections, now, I the receiver, and boosting this corporation in Lott Carey September, under his own name, and for Negro specu- na, etc., says:

as 130,000 acres of excellent sugar land in the plains of l to be the richest land on the continent with a soil of 20,000-acre tract of 15 miles north of Port au Prince.

"*Cheap labor.*—While Cuba is paying for labor \$2 a day, and more ent, Haitian laborers are only paid 20 cents a day, and in that is inc raise of over 50 per cent over what was accustomed to be given labor f etc."

This negro speculator and booster forgot to add that living had gone per cent since American occupation.

These are the two main corporations, and it is stated that these l got through the special aid of the American occupation, who control the courts and judges, etc.

Senator KING. Were no Americans holding land in Haiti prior to constitutional amendment?

Mr. EVANS. There might have been a few Americans, just as the many foreigners holding individual properties, and even land for the purpose, but no corporations or American on large scale to my kn and it would be somewhat futile for an individual or native Negroes to in Haiti, at least during the last administration, if what Davies alleged that these had United States Government officials as directors and stock

I should have added that under the old constitution and previous American occupation there was no difficulty whatever for individuals in Haiti to own property. The Haiti Government, whose constitution states that Protestant churches are equally free with Roman Catholic have always been only too glad to grant land for schools or colleges to A evangelical and missionary societies to educate and, morally and re develop the Haitian people, as the following from President Leconte I visited at the palace, to his secretary of state, whom I wished to t concerning land for Bible training and industrial seminary and s anticipation of the coming of secretary of Baptist Home Mission Board for the same purpose the map of the island was given:

*"Le President de la Republique d'Haiti, au Hon. J. N. Leger, mon ch  
taire d'Etat.*

"J'introduis volontiers aupres de vous le Rev. L. Ton Evans, S General de la Mission Baptiste Evangellique pour Haiti, qui desire contact avec vous et vous entretenir de choses qui concernant sa Missi voyage dans le Pays.

"Sincere compliments.

"CTUS. LE

"PALAIS NATIONAL, 22 Xbre, 1911.

*"Au Sre. d'Etat de Rel. Exterieurs."*

*"Le President de la Republique d'Haiti au Secrétaire de la Instruction  
d'Haiti.*

"Envole au Reverend Ton Evans, la carte de l'île d' Haiti, avec l'e de ses meilleurs voeux pour le plein succes de ses nobles projects et ses de bon voyage.

"Le 29, Decembre, 1911.

"CTUS. LE

Both in his own handwriting, and a few months before he was ruthl assassinated because he refused to be exploited and turn over the custom man and other white speculators and political profiteers.

Senator KING. You have answered that they did; were they American

Mr. EVANS. Yes; some most probably were, though I came, chiefly and through the southern and southeastern part of the Republic, in with English, French, Dutch, and German Europeans. There was n corporation, to my knowledge.

Senator POMERENE. Let me ask you another question. Mr. Evans, a pr question. When were you last in Haiti?

Mr. EVANS. I left there in April of 1919.

Senator POMERENE. And you have not been there since?

Mr. EVANS. No.

Senator POMERENE. Suppose the question arose and was presente Haitians as to whether or not we should continue our occupation do

Government could be completely organized and put in operation, what would be the result of such a vote, in your opinion?

Are Germans, French, and other nationalities other than the Americans in Haiti prior to this amendment?

Do they hold holdings for their own family purposes, or are they merely holding them?

What title do the Americans ask Mr. Evans were these holdings in their own names?

Do you understand that many merchants and others would live in Haiti, perhaps of education and maybe secretly married, and their property would be held?

Was it quite a common practice, was it not, among the Americans who were down there?

Unfortunately, when this was done without a legal marriage, it was a single case of an American living with a Haitian or the exception of some of the captains and lieutenants of the gendarmerie, and most of who in these cases were women from surrounding islands living in Haiti and the American with the native through the French patois, or probably 95 per cent of Haitians speak.

Some marine officers in the gendarmerie live in the Roman Catholic parishes and assist him in the Roman Catholic Church in the parishes giving the idea, which is generally believed by the inhabitants outside of the many thousand professing Protestant adherents, that the United States Government, President, is a Roman Catholic.

At this point may I introduce into the record the articles of the constitution regarding the holding of land, that will give, so far as the record goes, the basis for Mr. Evans's testimony. I will give the stenographic text of Article VI of the constitution of 1889, which was the constitution that was brought forward for adoption, the text is as follows. The original French text is as follows:

"Nul ne peut être propriétaire de biens fonciers en Haïti. Nul ne peut acquérir aucun immeuble."

That a Haitian can be proprietor or can own an interest in real estate, whatever title, nor acquire any real estate."

The new constitution of 1918, concerning which Mr. Evans is testifying and told this committee its origination through the United States Navy Department at Washington as follows:

"Real estate is granted to a foreigner residing in Haiti and (the companies) organized by foreigners for the needs of their cultural, commercial, and industrial enterprises, and of these shall cease at the end of the period of six years after they have ceased to reside in the country, or shall have ceased to exist as such companies" (corporations).

The text of above changed article reads:

"Le droit de propriété immobilière est accordé à l'étranger résident en Haïti, pour des étrangers pour les besoins de leurs demeures, de leurs entreprises culturelles, commerciales, industrielles, ou d'enseignement. Ce droit cesse dans une période de cinq années après que l'étranger a cessé de résider dans le pays ou qu'auront cessé les opérations de ces entreprises."

At this point, Mr. Evans, who is so disappointed, with bitter feelings due not only to betrayal, their chambers, and especially what is dearest to him, and resentment of their betrayal, the brutality and the cruel and cruel working of the corvée, the overwhelming opinion just now, be for the United States to clear right and to deplore, not simply for the sake of Haiti; it is a confession on our part of failure to carry out our duty, which is a most serious matter for the United States Government, about to enter into conference with the civilized nations of the world, treaties, etc. We must not think of shirking our duties to the Haitian people, and can not thus humiliate ourselves before

If this Senate committee results in some cleaning out among our marines in Haiti, change the military into a civil occupation, give guarantees that the treaty will be honestly and honorably carried out by the United States Government through competent, broad-minded, and even Christian statesmen of this country, possessed with faith in the and imbued somewhat with a true missionary spirit, and all this explained to the Haitians, the whole of Haiti would demand us to stay.

Senator POMERENE. Well, am I to infer now that your belief is that the present state of the Haitian mind is that we should get out?

Mr. EVANS. Yes. The Haitians in many respects are children, easily easily aroused and driven into almost hysterics with fear and terror. That many Haitian leaders, as well as the mass of the Negro inhabitants the cruel and criminal, if not insane, blunders of the American officials at the Navy, if not the State Department at Washington, as to chambers, and constitution, not to mention the brutalities and murders, drunken, half crazy marines and gendarmes, which some, ignorant of the situation in Haiti and the real character of the Haitian, seek to defend and un-American persons go so far as to justify, are looked upon not as the of individuals, members of corporations, and conspiring and profiteering but as the fixed policy of the responsible United States Government and can people who never meant from the beginning to live up to their own.

Hence, if the result of this careful and thorough investigation were not merely an honest confession of our criminal blunder at a time we absorbed in the World War, and the indignant repudiation in the name of the United States Government, and the great American people, of all the murders, brutalities, and killings, and a readiness on our part to make an reparation to Haiti, we would be allowed, if not requested, to remain the job we undertook, and once more lift our heads.

Senator POMERENE. Suppose we were out of there now.

Mr. EVANS. It would be an admission of incompetency and absolute on our part as a Government before Haiti and the world, and can not for reason, if nothing else, be supposed for a moment.

Senator POMERENE. Suppose that we were to leave the island now and all foreign influences were eliminated entirely, what would be the result to the people of the island?

Mr. EVANS. In my firm opinion based on a careful study of and experience with white and colored, both in Haiti and elsewhere, knowledge of psychology of the white and black man, Haitians would go back to their former position under the dominating and dominating influence of European merchants, politicians, and Roman Catholic priests; they are utterly incapable at present to resist. If these were entirely eliminated and the Haitians left alone, with merely efficient Bible training for native preachers and teachers, and an industrial school similar to and on a Christian basis, I believe it would soon develop into an independent republic, and astonish America and the world.

Senator POMERENE. Assume that we were to withdraw entirely and no other foreign nation was to step in there, what would be the result to the people from the standpoint of law and order and a civic government? In other words, could they maintain law and order down there and a proper government?

Mr. EVANS. Seeing that Haiti has already had over 100 years of an independent, free Republic, often seriously interrupted, it is true, by political disturbances and even bloody revolutions, in the main fomented and fired by white men; that during the last decade quite a number of young men have had sound, practical education here in the States, and having themselves many experienced, intellectually, morally, and even some strong Protestant and a few Catholic leaders, their prospects would be no less than ever from the standpoint of law, order, and civic government.

If the United States, however, protected the island from foreign interference and political filibustering of white and colored, supervised Haiti economically, and aid in the establishment of normal and industrial colleges without fail would gradually but surely work out her own redemption and quietly take her place among civilized, progressive, peaceful nations. My firm belief is that we should remain in Haiti for some years to render such aid as specified or, better, to carry out our treaty, through a civil occupation.

What do you mean by years to come—3 or 4 years or

25 years, under efficient and sympathetic American protection but not a day longer than we can help it under present circumstances what has transpired.

Clearer to the committee if I again briefly quote from your report. It is the following:

The Black Republic by certain American capitalists was created, much like the Spanish pirates and French slave raiders of Columbus five centuries before, but unless Uncle Sam wakes up, and strictly carries out his treaty and pledge to protect the Haitians' liberties, etc., the result to-day will be the Negroes of the black Republic as to the Carib Indians, when piracy and buccaneering were rife in Hispaniola.

Independent government, or nation sovereth, that also they will receive of God, and the timely warning should be heeded. In his Social Aspects of Foreign Missions, Dr. Faunce, says:

The harm has been done by the sudden influx of the white ideas among the weaker peoples. In Haiti, for instance, a million (about 1,000,000) died out within 40 years because of the brutality of Spanish misgovernment. The atrocities in the Kongo, driving the black to produce rubber, are as it should be to-day to the Belgians. Africa has been drained of its treasures, flesh, and blood, to satisfy European and

German politicians and profiteers exploited the Haitian masses, they were wiser than to meddle with senate and congress or attempt such a stupid and mad thing as the rape of the island.

Is Gen. Williams in control there now?

I think he has left at last.

Who has succeeded him?

I know; this has been since my return to the States.

Russell.

Col. Russell?

Yes; Gen. Alexander Williams was the general over the native armed police), and under Col. John H. Russell, the American occupation and chief in supreme command and the gendarmerie of the republic. It is important to keep its quite distinct in mind.

He is there by our appointment, Senator McCormick? Is this Government?

Yes, is at the head of all, as Mr. Evans said.

There must be no confusion between the marine and the gendarmerie—different departments under the American occupation. There are 800, perhaps, in number, most of whom are stationed at Port-au-Prince and one-fourth at Cape Haiti. Very little if any disorder has occurred against these, with the exception of a scrap now and then at Port au Prince. In fact, the marines have bit-tered hardly anything to do, as everything was so quiet.

The native police, are scattered in companies all over the country. Each company has either a white captain or white lieutenants who also are called American marine officers.

There is a great deal of brutality and killings, both in all prisons as well as in the so-called Cacos, are against these marine officers over whom the gendarmes, chosen and commanded by them, all of Gen. Williams. Like the confusion between Navy and State Department, there has been friction and confusion and a great deal of trouble in these two departments and the two sets of marine officers. Lack of definite policy they often overlapped, consequently upon moral as well as military discipline, and seriously the work of the occupation.

When you leave, Mr. Evans, let me ask in reference to your testimony at the beginning of your testimony; in your judgment 'is Haiti?

Mr. EVANS. It is nothing like what it used to be, for instance, when at Jacmel in the south, some 28 years ago. This reform, if not revolution, is due chiefly, within a radius of 40 or 50 miles around Jacmel, in sections throughout the northeast, to faithful work of the native missionary, the native small schools, and the sincerity and consistency of daily life and conduct of the native Christians and converts (croyants) themselves.

President Leconte during his short tenure of the presidential office took some strict measures and made the voodoo dances, orgies, and sacrifices hence helped to put down most. Some of our better-class American officers of gendarmes have also informed me of using their influence in this direction.

Twenty-nine, twenty-five, and twenty years ago, and even fifteen, I could not travel 2 or 3 miles without hearing the tomtom, but of late years, especially is this so in the Gros Morne section and Jacmel, one can travel together without hearing a sound, nor see the effect of tafia. To me, and educational work have produced if not a very high intellectual standard, at least a high moral and spiritual character among these once voodoo devotees, low, superstitious Romanists and witchcraft devotees, gamblers, fighters, and the remarkable stories they have to tell, evidenced by their clean and clean lives has been cheering and inspiring.

I have had the joy of burning tomtoms and the whole paraphernalia by papa and mama lois after conversion, and Lherisson, our excellent missionary at Jacmel, has again and again brought donkey loads of worshiped implements to be publicly burned in town amid great rejoicing of the Christian believers and to the confusion, if not consternation, of the heathen, who unfortunately neither teach nor believe in real regenerating power of the Christian religion.

Senator POMERENE. Are you going back there as a missionary again? Mr. EVANS. Possibly I may; for after 20 years of correspondence, pleadings, and praying our northern Baptist convention home mission society through its religious-education department has just decided to enter Haiti as to establish in the most central position in the republic a Bible school and theological seminary, with an industrial department to efficiently train preachers and Christian workers right on the Haitian soil, and I am now requested, perhaps, to accompany the secretary on his survey tour of the country, and this committee goes to Haiti.

The committee may be interested to have inserted here in the record showing the native's eagerness for education and further religious instruction and assistance by a powerful missionary organization in North America to enable them to devote their time and energy entirely to preach the Gospel and give Christian teaching to fellow Haitians, a copy of the petition I presented to the New York in 1909 to above home mission society; that is, two years ago, we had the honor of bearing the petition and earnest prayer of new Haitians, including President Simon and President Leconte (who followed by Messrs. Rockefeller and Carnegie, re the national normal and college. This petition reads as follows:

Haiti Evangelical Baptist Mission, a cry from Macedonia, or prayer of the brethren of the black Republic:

We, the present missionaries and native assistant preachers, express our great joy at the interest which is being created in this dark and neglected land and evangelization of our own superstitious country, steeped in idolatry, witchcraft, and voodooism (demon worship), through the efforts of our dear brother and brother, L. Ton Evans, who left his church in Pennsylvania to come here and help us to give the Gospel and religious education to the black people. Having no support from any missionary board or society, we are compelled to engage ourselves in some kind of secular occupations to struggle against poverty, which takes most of our time and energies to the hindrance of our educational work, and so as to carry the evangel into dark sections of the country, us clamoring for the light and word of truth.

For the sake of reaching these hundreds of thousands of perishing souls, the social and moral uplift of our dear country, and for Christ, we most earnestly appeal to the American Home Mission Society, through our beloved brother, Ton Evans, field secretary, to undertake this mission, so near your American shores, and yet so far away from your Americanization and your Christian privileges.

ced that our brother's desire to establish in Haiti, in  
 stian mission and Bible school and seminary for train-  
 there should be also a normal and industrial school,  
 ee, which would prove a blessing in the mental, moral,  
 ion of our young people, and give solidity and perma-

LUCIUS HYPOLITE,  
*Port au Prince.*  
 P. NOSIREL LHERISSON,  
*Jacomel.*  
 METELLUS MENARD,  
*St. Raphael.*  
 C. JEAN-JACQUES,  
*Cape Haiti.*  
 AMBROSE MARS,  
*St. Raphael.*  
 T. V. EUSTACHE,  
*Dondon.*  
 ELIE MARK,  
*Trou.*  
 DUMAY PIERRE ALEXIS,  
*Milot.*  
 DUTREVILLE LAMOUR,  
*Trou.*  
 NEEVA GHOSSE,  
*Jacmel.*  
 ORIOUS PAULTRE,  
*St. Marc.*  
 SAMUEL BLACK,  
*St. Marc.*  
 ALCIUS JOLICOEUR,  
*Jacmel.*  
 HERNE GUYOT,  
*Port de Paix.*  
 JOACHIM EDOUARD,  
*Grande Riviere.*  
 ELIE PHELIX CADET,  
*Dondon.*  
 OSIRIS LAMOUR,  
*Trou.*

Who has succeeded you there?

no white man in my place. A good colored brother  
 without any experience in Haiti, or knowledge of either  
 I understand, is acting for the same colored missionary  
 es of Haiti and native government have more confidence  
 ge, and efficient leadership of the white man than in  
 es a colored brother whether from the States, Haiti, or  
 islands, feels somewhat handicapped in working along-  
 white priest, or in reaching Americans whether from the

en specially appealed to years ago by a delegation of  
 ed States Episcopal Church as to their appointment at  
 accessor to my old friend, the late Negro Bishop Holly,  
 nd a sympathetic, broad-minded, white clergyman or  
 l. Haitians are peculiar people, kind and even affec-  
 ce and esteem are easy to win by sober, moral, sym-  
 christian white men, whose leadership they will follow

can not go into these philosophic considerations of the  
 resting as it is, at this time.

request of Senator Hitchcock, then chairman of Foreign  
 and Secretary Stabler, of the Latin American department  
 airs of the United States Government, I was asked in  
 es of Haiti and my recommendations, and among those  
 4 of memorandum and a copy of which I have given  
 littee, is this as first and most vital before there can be

any effective and constructive work done by either the Haiti Government or the United States military or civil occupation in the black Republic.

After a very careful observation, frequent consultations with the Haitian people, and leaders both educated and uneducated, Catholics and Protestants, white and black, including officers of our American occupation, to President Dartiguenave at this moment, I have no hesitation in saying that it is essential to the spiritual interests of the Protestant and Roman Catholic and their work in Haiti, and indispensable to honest and efficient stable government in the black Republic, there must be an absolute and an official and financial separation, between them and both the Haitian government, as well as any American occupation there, exactly as we have it in the United States.

The CHAIRMAN. How is that the responsibility of the American?

Mr. EVANS. How does it come?

The CHAIRMAN. How is that the responsibility of the American?

Mr. EVANS. In this way. The Government of the United States, in the preamble of the treaty made with backward, and bankrupt Haiti, states very main reasons for our intervention with these people, states that the United States and the Republic of Haiti, desiring to confirm the amity existing between them, by the most cordial cooperation (not only in measures for their common advantage; and the Republic of Haiti to remedy the present conditions of its revenues and finances, to secure the tranquillity of the Republic, to carry out plans for the economic development and prosperity of the Republic and its people."

That is, we have solemnly undertaken to place Haiti financial basis, and to give an honest, and efficient administration to the Haitian people, and thus deliver them from dishonest politicians of their own, and of white profiteering foreigners who have been fattening upon the Haitian Government revenues essential to the working of the Republic, education, among the illiterate inhabitants, and other progress.

My point is, that while Haiti Government, and United States Government pay annually something like \$100,000 if not altogether about \$200,000, it is impossible to find out the correct amount) from Haiti interest on the revenues, and (before the occupation) Haitian officers, but since the occupation of the United States, become paymasters of archbishop, bishops, etc., of the Roman Catholic Church, not to mention pay added toward the maintenance of the palace of this foreign potentate (another professing sovereign) their presbyteries, and churches, becomes absolutely impossible for these United States Marine officers to serve either our Government, or the best interests of Haiti, and out the main purpose of our going to the black republic as specified most emphatically specified at the beginning of the treaty.

Again—

1. The old Haitian concordat, made between the cabinet (not the government) and the vatican at Rome is something entirely outside of the treaty.

2. This concordat, made about 1860, was for 50 years; has since then been in force for several years and never renewed. Hence if it had no legality in the past it has none to-day.

3. The Haiti Government and framers of the Haiti constitution, in ratifying such an unholy alliance as that of religion with the secular government, and in stipulating that all churches are equally free in Haiti, and that the constitution remains unchanged. Therefore, an official and financially such as the Roman Catholic, is (in the black Republic) incompatible with, and alien to the spirit of, and illegal with the Haitian constitution.

4. Moreover, and in the present financial condition of Haiti and the occupation of either the native government, or the American occupation, after six years on the island to make any provision for the education of the children but withhold appropriations from excellent Protestant schools, the Republic on the ground of lack of money, demands that this cease.

Furthermore, Article V of treaty says:

"All sums collected by the general receiver (of United States) shall be applied—

"First. To the payment of the salaries and allowances of the Haitian officials, his assistants and employees, and expenses of the receivership."

the financial advisor, which salaries will be determined  
rest and sinking fund of Haiti; and  
tenance of the constabulary (gendarmérie) referred to  
er to the Haitian Government for purposes of current

ally submit that this committee is authorized and ex-  
vestigation to find out the causes which have contributed  
of American forces in their operations in Haiti in the  
why no effort has been made to encourage education by  
system of public instruction.

, Mr. Evans, that has nothing to do with the occupation  
let me ask one other question. Are women as a class  
d more vigorous than the men?

many if not most are. The home life, generally speak-  
the educated Haitians and the Christian natives in the  
ns, have little or no home attractions but their little  
for a woman. This being so, women and young girls,  
their habitations (little holdings) and they mainly carry  
they are the buyers and sellers, and seem to be natur-  
om early childhood.

hat does not exactly answer my question. I am speak-  
now.

physical exercise in the open fresh air would naturally  
feel healthy. They are the children of nature and  
nd their habits of life, which are most primitive, and  
generally speaking, they appear to be healthier and  
and even more active.

hen you agree with the statement that was made here  
men are more vigorous physically and healthier than the  
e physical strength?

obably in most cases they are, though we have seen in  
men of a very fine physique.

ow about the men? Are they, as a class weaker than

do as a rule the heaviest work on their little holdings  
nd children, while the women are attending to selling  
ily.

to encourage the men either in towns or country. They  
at is, about government affairs, and feel interest and  
he better. I mean the better educated and thinking  
to gambling, such as cockfighting and card playing  
port, diversion, and excitement in them than really for  
or anything like robbery, or taking mean advantage of  
fighting and the gambling like voodooism and witchcraft  
ring and dying out as the Gospel and education are  
ugh no country has ever been more neglected and

Haiti and its people by the Protestant and evangelical  
ian education boards and societies of Europe and the

l any real contact with the United States until now  
has been no opening for markets, and encouragement

ct is that without outside capital and outside influence  
revert to a condition of almost barbarism, would it not?  
uld not say that. I have seen more real barbarism  
e of stabbing, lynching, and murder in Great Britain and  
n I have ever seen or known in Haiti. And also of  
ng the natives of the Black Republic with all their capi-  
culture.

tian education and industrial teaching and sympathetic  
Haiti, in my opinion would soon advance, and ere long  
There are thrifty people there, kind hearted and most  
n find anywhere among colored or white.

Haitian laborers in various parts of Haiti have spoken  
eir thriftiness and reliability when kindly treated.

Many of our own American marines have testified to me to the same moment they changed their harsh and brutal methods, came to understand the natives, treat them humanely, and trust them they are ferently and became reliable and devoted to their work and officers.

Senator KING. Well I went out into the island and I saw little sugar perhaps a quarter of an acre—well I will not say cultivated, but with fruit growing, and a woman gathering it and putting it in baskets and it 20, 30, or 40 miles on her head to the town, and selling for a very in-able sum, and her husband or man she is living with would take the earnings, or part of them, and engage in cockfights and spend most of the time in idleness and indolence.

Mr. EVANS. There has been a great deal of cockfighting, and even gambling with other undesirable things in Haiti in the past as stated by the Protestant and Evangelical churches of America, and the United States Government for this, and hold them responsible for withholding these Negroes all the Christian, educational, and civilizing means which ourselves enjoyed for over 100 years, and which have made us the Nation people we are to-day.

The CHAIRMAN. The Committee will recess until 2.30, when we may meet a little while, and let Mr. Evans conclude.

(Mr. Angell thereupon offered for the record the following conventional agreements between the United States, and the Republic of Haiti):

#### CONVENTION BETWEEN THE UNITED STATES AND THE REPUBLIC OF HAITI

##### PREAMBLE.

The United States and the Republic of Haiti, desiring to continue and strengthen the amity existing between them by the most cordial cooperation in measures for their common advantage, and the Republic of Haiti desiring to remedy the present condition of its revenues and finances, to maintain the tranquillity of the Republic, to carry out plans for the economic development and prosperity of the Republic and its people, and the United States desiring to show full sympathy with all of these aims and objects and desiring to contribute by all proper ways to their accomplishment;

The United States and the Republic of Haiti have resolved to conclude this convention with these objects in view, and have appointed for that purpose plenipotentiaries:

The President of the Republic of Haiti, Mr. Louis Borno, secretary of foreign affairs and public instruction;

The President of the United States, Mr. Robert Beale Davis, jr., secretary of affairs of the United States of America;

Who, having exhibited to each other their respective powers, which are in full in good and true form, have agreed as follows:

##### ARTICLE I.

The Government of the United States will, by its good offices, air the Government in the proper and efficient development of its agricultural, industrial, and commercial resources, and in the establishment of the finances of Haiti on a firm and solid basis.

##### ARTICLE II.

The President of Haiti shall appoint, upon nomination by the President of the United States, a general receiver, and such aids and employees as may be necessary, who shall collect, receive, and apply all customs duties on imports and exports accruing at the several customhouses and ports of the Republic of Haiti.

The President of Haiti shall appoint, upon nomination by the President of the United States, financial adviser, who shall be an officer attached to the ministry of finance, to give effect to whose proposals and labors the United States will lend efficient aid. The financial adviser shall devise an adequate system of public accounting, aid in increasing the revenues and adjusting the expenses, inquire into the validity of the debts of the Republic, enlighten the Governments with reference to all eventual debts, recommend improvements of collecting and applying the revenues, and make such other recommendations.

of finance as may be deemed necessary for the welfare of the Republic.

### ARTICLE III.

The Republic of Haiti will provide by law or appropriate decree all of all customs duties to the general receiver, and will furnish to the financial adviser all needed aid and full execution of the powers conferred and duties imposed herein; and on its part will extend like aid and protection.

### ARTICLE IV.

The financial adviser, the Government of the Republic, in cooperation with the financial adviser, shall collate, classify, and make a statement of all the debts of the Republic, the amounts, the conditions thereof, and the interest accruing, and the means to their final discharge.

### ARTICLE V.

The salaries and allowances of the general receiver shall be applied, first, to the salaries and allowances of the general receiver, his assistants, and expenses of the receivership, including the salary of the financial adviser, which salaries will be determined by law; second, to the interest and sinking fund of the public debt of Haiti; and, third, to the maintenance of the constabulary of Haiti, and then the remainder to the Haitian Government for current expenses.

When the general receiver will proceed to pay salaries and expenses as they arise, and on the first of each month set aside in a separate fund the quantum of the collection of the previous month.

### ARTICLE VI.

The receivership, including salaries and allowance of the general receiver, assistants, and employees, and the salary and expenses of the financial adviser, shall not exceed five per centum of the collection and receipts of the receivership, unless by agreement by the two Governments.

### ARTICLE VII.

The financial adviser shall make monthly reports of all collections, receipts, and disbursements, to the appropriate officers of the Republic of Haiti and to the appropriate officers of the United States, which reports shall be open to inspection at all times by the appropriate authorities of each of the two Governments.

### ARTICLE VIII.

The Republic of Haiti shall not increase its public debt except by previous agreement with the President of the United States, and shall not contract any new financial obligation unless the ordinary revenues of the Republic are sufficient for that purpose, after defraying the expenses of the Government, to pay the interest and provide a sinking fund for such debt.

### ARTICLE IX.

The Republic of Haiti will not, without a previous agreement with the President of the United States, modify the customs duties in a manner to reduce the revenues of the Republic in order that the revenues of the Republic may be sufficient to pay the public debt and the expenses of the Government, to promote material prosperity, the Republic of Haiti will follow the Financial Adviser in his recommendations for methods of collecting and disbursing the revenues and for the income.

## ARTICLE X.

The Haitian Government obligates itself, for the preservation of peace, the security of individual rights, and the full observance of the provisions of this treaty, to create without delay an efficient constabulary, urban and rural, composed of native Haitians. This constabulary shall be organized and officered by Americans appointed by the President of Haiti, upon nomination by the President of the United States. The Haitian Government shall clothe these officers with the proper and necessary authority and uphold them in the performance of their functions. These officers will be replaced by Haitians by examination conducted under direction of a board to be selected by the senior American officer of this constabulary, in the presence of a representative of the Haitian Government, are found to be qualified to assume such duties. The constabulary herein provided for, shall, under the direction of the senior American officer, have supervision and control of arms and ammunition, supplies and traffic therein, throughout the country. The high contracting parties agree that the stipulations in this article are necessary to prevent strife and disturbances.

## ARTICLE XI.

The Government of Haiti agrees not to surrender any of the territory of the Republic of Haiti by sale, lease or otherwise, or jurisdiction over such territory to any foreign Government or power, nor to enter into any treaty or agreement with any foreign power or powers that will impair or tend to impair the independence of Haiti.

## ARTICLE XII.

The Haitian Government agrees to execute with the United States all claims for the settlement, by arbitration or otherwise, of all pending pecuniary claims of foreign corporations, companies, citizens, or subjects against Haiti.

## ARTICLE XIII.

The Republic of Haiti, being desirous to further the development of its natural resources, agrees to undertake and execute such measures as may be in the opinion of the high contracting parties, may be necessary for the sanitation and public improvement of the Republic, under the supervision and control of an engineer or engineers, to be appointed by the President of Haiti, upon nomination of the President of the United States, and authorized for that purpose by the Government of Haiti.

## ARTICLE XIV.

The high contracting parties shall have authority to take such steps as may be necessary to insure the complete attainment of any of the objects herein provided for in this treaty; and, should the necessity occur, the United States shall lend an efficient aid for the preservation of Haitian independence and the maintenance of a government adequate for the protection of life, property, and individual liberty.

## ARTICLE XV.

The present treaty shall be approved and ratified by the high contracting parties in conformity with their respective laws, and the ratifications shall be exchanged in the city of Washington as soon as may be possible.

## ARTICLE XVI.

The present treaty shall remain in full force and virtue for the term of ten years, to be counted from the day of exchange of ratifications, and for another term of ten years if, for specific reasons presented by either of the high contracting parties, the purpose of this treaty has not been accomplished.

In faith whereof, the respective plenipotentiaries have signed the convention in duplicate, in the English and French languages, and have thereto affixed their seals.

ce (Haiti) the sixteenth day of September, in the year and nine hundred and fifteen.

ROBERT BEALE DAVIS, Jr.,

*Charge d'Affaires of the United States.*

LOUIS BORN,

*Secrétaire d'Etat des Relations Extérieures  
et de l'Instruction Publique.*

#### ARTICLE REGARDING TELEGRAPHS AND TELEPHONES.

ly authorized thereto by their respective Governments,

n, management, and maintenance of the telegraphs and public of Haiti shall be under the control and direction lineers to be appointed by the President of Haiti upon sident of the United States and authorized for that purt of Haiti in accordance with Article XIII of the treaty

at officers of the gendarmerie shall be better able to er the treaty, the unrestricted service of the telegraphs by assured to them, and in order to provide for the f messages of the gendarmerie the officers thereof will protection to the lines.

the undersigned have hereunto signed their names and aplicate.

D. C., this twenty-fourth day of August, nineteen hun-

ROBERT LANSING.

OLON MENOS.

lock p. m., a recess was taken until 2.30 o'clock p. m.)

#### AFTER RECESS.

embled at 2.30 o'clock p. m., pursuant to the taking of presiding.

egin with, Mr. Evans, I would like to ask you what can occupation to foster education and self-government? een nothing done to foster education but rather to dis- the schools have been actually closed up. The appro- the Protestant schools (some of a very high grade and iti Government before the American occupation came) ur American occupation, and consequently some had to

le I was at St. Marc that the American marines were ns, so afraid to see any improvement and signs of men- ent in the natives tending to qualify them for anything at they also closed some of the Government day schools, sh the Haitian College and medical school at Port au uld have done but for the strong protest of President ne.

at any warrant and marched under a heavy armed guard St. Marc to the gendarmerie of Haiti headquarters, the me, spluttered out amid vile oaths of a wild, intoxicated can marine officer, Capt. Brown, who alternately aimed olver to shoot me in the presence of the Negro armed that I sought by my preaching and efforts to establish damned niggers a normal and industrial school so as to lly and morally develop these low damned niggers, whom

ame experience, with closed fists, wild gestures, oaths, command never to preach in his section and through xicated American marine, Lieut. Haug, who raved like e, and before native Christians at the St. Michel head- endarmerie, and an officer whom Gen. Williams had re-

instated into official position under himself, and Maj. Welles, after severely disciplined for drunkenness and misconduct by Col. Russell.

President Dartiguenave thus bitterly complains against the American occupation to the correspondents of the New York Tribune and Chicago Tribune. He visited Haiti last November, and so that they might publish the facts of the United States:

"The strangest phase of the situation, from the Haiti Government point, is not only have the American officials done nothing for the improvement and economic development of people and prosperity of the country, but they actually opposed the little the Haiti Government tries to do in that direction. They resist every project we make to deal with the education of our people, etc."

I wish, with consent of committee, to put in the record just here a certain correspondence between myself and Dr. Maclean, the chief of the bureau de l'ingenieur charge du service d'hygiene of the United States occupation, in which I referred to a conference on the question of education. Dr. Maclean had invited him, Col. Russell, etc., with President Dartiguenave to meet me at the bureau of public instruction, at Port au Prince, which appointment he had not kept. This shows the exact attitude unfavourably taken by the American occupation in this fundamental development of the generation of Haiti; also shows why the failure of the United States occupation, through the present American occupation (and type of leading American officials there, out of all sympathy with the terms of the treaty), cannot fulfill its noble mission in the Black Republic, and its 2,500,000 Negroes and objected to my Christian and educational "activities," and, with the aid of Washington officials, tried to have the little board to recall me, and this got them to stop my small salary. The two letters follow. Dr. Maclean's reply:

ST. MARC, HAITI, WEST INDIES, July 20, 1915.

DR. MACLEAN,

*Chief of Hygiene Department of American Occupation, Haiti.*

DEAR DR. MACLEAN: Mrs. Evans and myself take quite an interest in the little St. Marc Hospital, as we do in our local prison, and often go there to visit the poor and sick patients in the one and visit and conduct service in the other.

We can not but notice the transformation that has already taken place in the striking contrast between things now and a few years ago at our little St. Marc. This is still more so, if possible, at our hospitals, due, of course, to the aid of the expert chief of our occupation's hygiene department.

During my recent visit as general superintendent of the Haiti field station and the south, with all of which I was most intimately acquainted years ago, and on visiting both prison and beautifully situated new hospital there, I noticed the change and contrast most marked.

These reforms alone in the interest of health and humanity, altogether apart from other drastic changes, not to mention what we further contemplate for Haiti at last has declared "war"), prove what a godsend our Government, through the "occupation," has already been to this little Black Republic.

May I ask whether you contemplate changing the name of all the hitherto termed hospices (almshouses, but more of pest houses in the past) into the more modern city and general hospital, and so as to make them more accessible and agreeable to both Protestant and Catholic alike, especially of course, that they are now entirely maintained by our Government occupation, aided by gifts of the local general public.

If you are not already planning this, I would respectfully suggest a separate apartment somewhere near the hospital (for the present) be set aside for the mentally affected, now left roaming about the towns, sleeping in the streets at night, and in company—both men and women—together under porticoes. These unfortunates and wrecks of poor Negro humanity, whether men or women, should be cared for, and under such restrictions as not to be permitted to propagate their kind.

Have you at present, either connected with our hospitals or directly with the Government at Port au Prince, some system of outdoor relief for the genuinely but respectable poor, and so as to give 1½ to 2 gourdes a week to those who are perfectly satisfied with the worthiness of the case?

I am planning before going to the States at end of present month or early next, to visit my missionary boards with a view to cooperating

work, to have a brief conference there at Port au Prince  
superintendent of public instruction, etc., in reference to  
and normal industrial college for Haiti, and founded  
basis (interdenominational), exactly like Hampton and  
with us in the States.

presented to Mr. Burgeois, United States Government super-  
public instruction, that we should invite Col. Russell,  
president—and members of the national council, when I  
line as to what has been already attempted in this direc-  
tion seven years ago to Washington, signed by nearly  
Haitians; and the first name inscribed on this unique  
such a noble institution and urgent necessity, as they  
friend—broad minded, if not somewhat cultured and  
resident Cincinnatus Leconte.

including educationalists, as well as at our Government's  
ment, at Washington last October, before my return to  
understand that if this petition is now presented to our  
the hearty and cordial support of our United States official  
at the present time—as, for instance, my first petition of  
enthusiastic support of Dr. Furniss and Dr. Livingstone,  
and consul in Haiti during 1911—this project would go  
it either jointly or separately, but backed by our United  
our great Christian philanthropists, educationalists, and  
America will finance it.

very glad to have you with us, if possible, as soon as Mr.  
arrange this.

ours, and for Christ and Haiti.

L. TON EVANS.

REPUBLIQUE D'HAITI,  
DE L'INGENIEUR CHARGE DU SERVICE D'HYGIENE.  
*Port au Prince, July 25, 1918.*

Haiti.

your letter of July 20, I regret that from my observations  
during the past few months I do not feel it advisable to  
any matter whatsoever.

S,

N. M. LEAN,  
*Sanitary Engineer of Haiti.*

missions of the North American Baptist Convention for Septem-  
ber, Haiti (Central America), after careful investigation by Drs.  
secretary and superintendent of education of the A. B. H. M. S.).  
Haiti is to be entered at present (by way of cooperation with  
board) the best thing for the Home Mission Society to do is  
for the special training of native ministers and other Christian  
in connection with it a model church. The project calls for  
\$10,000 a year upkeep.]

ST. MARC, HAITI, WEST INDIES, *July 27, 1918.*

, *Port au Prince.*

the 25th ultimo to hand, and reference to alleged but  
"of mine, I presume as Christian minister and mis-  
sionary, preventing you from conference, as suggested in my  
note, which, of course, I regret.

and profound respect and genuine admiration for Dr.  
profession he has the honor to represent, as well as for  
"management" of such, and holding high office under our own  
It has not yet occurred to me, however, as a Christian  
missionary, with over 30 years' experience and more than 25 of  
such with Haiti, its leaders of all shades of religious and  
should in Haiti, more than in the States, really consult  
missionary profession as such as to nature, limitations, or ex-  
tent "in Haiti for God, country, and humanity.

I am willing, yes, anxious, and feel it my duty as far  
as to use my personal influence with our Christian workers

(white and native) at all times to honor and heartily support, both and medical, as well as all other departmental, authorities in the discharge of governmental functions, and carrying out in spirit and the "splendid treaty" entered into by our President and United States ment with the Government and people (Negroes) of Haiti.

This "treaty," as I regretfully and respectfully informed Col. Rus whom I have very great respect), was grossly infringed in the matte "so-called voting on the new constitution," but, as stated to our col as Christian minister as well as a true American, I assured him that take no step whatever in Haiti as regards this matter, but defer m until I reached the States, and even there bring the whole affair, fir to the President's personal notice.

I stand, of course, unalterably by this "treaty" and am sure our l does, and that our Government will strictly abide by that "sacred do as constantly emphasized by President Wilson, and which principles al fied us in entering the "war" and in continuing in it until the "sa treaty" such as that between Germany and Belgium, or the States a is recognized by every civilized government, and the liberties and small as well as big nations are equally safeguarded, and furtherm everything of the nature of "secret plotting, political scheming," e be utterly abolished and a new diplomacy, open and frank and above adopted by nations.

The only sense and spirit therefore of the "treaty" between the St Haiti as well as between other nations must be understood, must preted and carried out as to the liberties and rights of the Negro p Haiti as well as the liberties and rights of other nations—safeguarde light and along the line given and laid down in the last and final addr by President Woodrow Wilson on July Fourth (last month) at the Washington, and neither military, medical, or diplomatic representati President and Government in Haiti or elsewhere have any official right a different interpretation.

As a good American it may do no harm to mention the points of o dent's latest address here, and for fear Dr. McLean has had no time this memorable speech, they are as follows:

"These are the ends for which the associated peoples of the world ing and which must be conceded them before there can be peace:

"(a) The destruction of every arbitrary power anywhere that can s and secretly \* \* \* disturb the peace, etc.

"(b) The settlement of every question, whether territory, sovereignt nomic arrangement of political relationship upon the basis of free acce that settlement by the people immediately concerned (after due explan without intimidation, etc.) and not upon the basis of the material in advantage of any other nation or people (nor group of speculators, etc.

"(c) The consent of all nations to be governed in their conduct tow other by the same principles of honor and of respect for the common civilized society, etc., to the end that all promises and covenants m credly observed, no private plots or conspiracies hatched, no selfish wrought with impunity, etc.

"(d) These great objects can be put into a single sentence: What is the reign of law based upon the consent of the governed and suste the organized opinion," etc.

As the missionary and Christian minister is supposed to practice himself preaches, surely a doctor should not at all object to take his o cine more than our own President Wilson.

Inasmuch as I have the honor of representing in Haiti something lik over 3,000,000 colored American Baptists, and practically the 5,000,0 Baptists of the States, who morally back the above, and expected to so cially cooperate in our Haiti mission work, these matters will be natu cussed by them, and action taken to bring the matter direct to the l himself for adjustment, etc., and not to any official either at the Whi or of the Government.

As being yourself therefore, an official representative of our Unite Government and its chief of the Haiti hygiene service, and though differ greatly as to the interpretation of the said "treaty" as it affe or, indeed, as to the "nature and extent of the activities of a Chri stler and a Baptist missionary representing as I do the colored Ba the States, etc., in Haiti, and that you may not see your way to be pre conference to support, as stated, a national and normal college for

international basis exactly like Haiti and Tonga. instance—for the real uplift of Haiti, of its own and of training their young Negro national and Negro religious, educational, industrial, commercial as well as ship—in the real black republic. I can hardly believe you would decline to give me the information which I you the Port au Prince hospitals and our Haitian poor.

fect: already planning it. I respectfully suggest to you that possibly for the present, somewhere near the hospital mentally affected, now left roaming about our towns at times in company with mad under porches, etc. and mates and wrecks of poor Negro humanity, whether be so restricted as not to be able to propagate their

with information on this point, or if it does not come in department kindly let me know where to write. present, either connected with the hospital or directly with at Port au Prince, any real system of out-door relief me but respect the poor, and seek to give one or one and s per week to such, and when perfectly satisfied of the of the recipient?"

u, as chief of our Haiti hospitals, for copy of the provision these aged and really poor, or should they come under nt. Please let me know where I may write. we have a woman and her child, of about 9, from Isle Saturday. She is a member of our mission there and came in to our hospital at St. Marc. I gave her a note, about being examined, saying the local doctor wished to

to see Dr. Audin yesterday, and he explained that being e she would belong to communal Port au Prince. The permit from the magistrate here would be sufficient so ouring St. Marc and that she might be received, and so examine her this morning.

s up but returned again, saying Dr. Audin could not he native sister is not only suffering but also much dis- that she is here it would be somewhat cruel for to send t in the same condition about Saturday or Sunday to Isle after several days of further waiting and suspense take and spend probably a day and night in that sailing for

stances will you kindly send word to Dr. Audin advising h examination, and if he thinks it necessary to have her t the hospital, and that you will see there about the com- nt.

shall be glad to look after the young child and feed her, etc. uch ignorance, and indeed prejudice re hospice, and which remove, please send me any rules you may have in French with admission of sick and aged.

l in mind when suggesting in my letter of 20th ultimo the rom hospices to that of city or general hospitals, as with and so as to remove the fears re Christian and Catholic

ure you, sir, that knowing, as the board and myself do, the ask our President and United States Government have under- igh has been so long criminally neglected, and whose over- ple have been for years exploited by the stronger race, white, sters and unscrupulous, if not mean and murderous, politi- power and selfish greed, and the many and often serious diffi- confront our "American occupation" in carrying out its political, economical, educational, industrial, and sanitary tual regeneration, it is the sincere wish of the board, as well tly to work in perfect harmony but by every possible and o loyally support our Government and our "occupation" in their onerous duties to Haiti, the United States, and to civili- ty, and if we can make it all the easier for them.

There always has been and, there will always continue, the closest relation between the spiritual, religious, and moral with the political, educational, industrial, not to say social, life of the people in Haiti as in the State of any other country, and neither our Haitian Government and "American occupation" though acting separately and apart—and should be officially and financially free from each other for benefit and real efficiency of both—can ignore the Christian church and ministers and missionaries and their work, more than the latter, indeed, can the former, without misunderstandings, frictions, and serious weakening and injury on both sides.

Though we thus labor in two different departments—in fact, different even—there is absolutely no reason why we should not be actuated in the faithful service rendered to God, country, and humanity by the same humanitarian motives and inspired by the same ennobling and soul-lifting ideals.

I still remain, yours, very sincerely, for Christ and Haiti,

L. T. EVANS

Dr. McLean never replied, and the poor, sickly native woman was to wait several days for an open boat, then discouraged, and almost broke down and in great pain to return to her small island home on Ile Gonave, and finally was never able to proceed again by boat to Port au Prince. Dr. McLean, the clever native doctor, dared not, without special permit from Dr. McLean, take this sick woman to the hospice, maintained by occupation with Catholic sisters in charge, and where there was plenty of room; neither would he personally examine her, as he privately told me, at the risk of his job, or his life. This is the arbitrary way those poor, suffering Negroes are dealt with.

In contrast with the attitude shown by the American occupation is the attitude fundamentally opposed to the treaty of the United States Government, the real mission in Haiti, namely, as put by the chairman—to foster education and self-government—I shall place a few letters which passed between me and the natives themselves in reference to intellectual improvement, moral, and social as well as religious development, with a view to Haitian self-government. Dr. McLean and so many of the leading American marine officers, who dread or, in the words of the Haitian President, discourage and deter every means to resist:

HAITI NATIONAL COUNCIL, PORT AU PRINCE, HAITI.  
December 3, 1914

M. L. TON EVANS,

*General Superintendent Baptist Mission, St. Marc.*

DEAR SIR: I am favored with your letter of the 21st instant and thank you very much for the information you give me about your endeavoring to rid of all her superstitions by true Christian basis and efficient civilization.

I should really feel greatly honored to meet with M. Dr. James H. D. of the Rockefeller Foundation of Learning in the United States, on his mission in Haiti, and to personally present him to the Haitian leaders and our people who are only too glad and ready to help him in all his inquiries about our hearted people.

As I intend to go to Cape Haiti through St. Marc next month, I will be glad to call on you.

Believe me to remain, yours, sincerely, and for Christ and Haiti.

Dr. L. T. EVANS

(This letter reached St. Marc when I was pining for breath of air on the floor of the narrow, dark cell of the old St. Marc slave prison amid the groans of poor native prisoners cruelly beaten and brutally pounded, and expecting every moment at the command of the American marine gendarmes to be dragged before a "firing squad" like the British Edouard. Hence did not see Laroche nor his letter until on in the following New Year.

My own communication sent my old friend a few days before was thus:

BAPTIST STUDY, ST. MARC, HAITI.  
December 2, 1914

HON. DR. LAROCHE,

*Ex-Senator of the Haiti Republic and*

*Member of National Council, Port au Prince.*

DEAR DOCTOR: I share the very deep and profound interest you and my late President Leconte, Hon. Leger, Hon. Johnny Laroche, with other

of politics and creed, showed in signing that petition addressed to Messrs. Rockefeller and Carnegie, etc., in relation and believers in the development of the race, and the Government for such a noble project as the normal you will be sure to rejoice in reading inclosed memorandum and find on bottom of page 4 that the petition was to Carnegie International Peace Endowment.

ing very fast, and either next month or February Dr. [unclear] name you will see with that of Maj. Moton, in the initiative of the Rockefeller Foundation General Education visit Haiti.

cial conference with our American, as well as, of course, and Haiti President.

out more convinced than ever that this institution is vital industrial, as well as intellectual, regeneration of Haiti and

nt and Haiti,

L. TON EVANS.

other letters to, and from Legation De La Republique P. C.; Dr. Francois Delacour, Port au Prince; Dr. Booker Jesse Jones (Slater Foundation) Government Bureau James H. Dillard, James Brown Scott, Esq., Secretary of International Peace, Washington; and from ex-Senator of same, all along the same line, and showing efforts and education, and Christianization will be inserted for this committee at close of present testimony.)

t [closing of schools] because of a lack of revenue.

their excuse. They can not get any money from Washington to the United States Government, yet strange to say, about \$100,000 or more a year—probably \$150,000—to mean dignitaries of the Roman Catholic Church, college (France), annually for this illegal, anti-constitutional, and as well as misappropriation of Haitian funds. These supported by the State?

either by the customs, or the United States Government given for the improvement and development of Haiti, and and boosting of any sect in Haiti, and thus directly placed Catholic religion, with its archbishop, bishops, priests, ncial, political, and religious authority, and power over all 1 evangelical Christian bodies, and their educational col- (the benefit of Haitians) as seen in present withholding from protestant schools, and closing of same, while Roman theirs and thus keeping them open thereby.

Haiti constitution plainly and emphatically says:

hip are equally free. Every one has the right to profess perform his worship, provided he does not disturb the

olic Church is financially and officially tied to the State, ose on Gros Morne, the last Sunday of June, 1918, are to Baptist mission church, roped and driven like slaves American occupation, whose infringement, and brutal viola- tion constitution, is upheld by Lieut. Kulp (Leogane) and ams, chief of Haiti gendarmerie, and with the official n. Catlin, official head of the United States Government. r the jurisdiction of the State?

; under the direct jurisdiction of the State, as every- pletely so, and every dollar handled by our American

I mean is this, that in some places the Catholics main- tain schools, which are supported by the priests of the arch itself.

not so in Haiti for the last 60 years, unfortunately for funds and Haiti Government's stability and efficiency. c schools and the Roman Catholic church in Haiti, like

the Protestant and Evangelical churches in the black Republic and the United States, maintained their own schools and paid the salaries of archbishop, bishops, and priests there would be no objection and no protest.

Our strong objection and protest is to the financial and official alliance and therefore inevitable official recognition by the Haiti and United States Governments, and arising from which is the greatest injustice done to other churches, that are independent of State, and claim equality of treatment which has shown by the withholding of school appropriations from Protestants while allowing for Catholic schools and maintenance of Roman Catholicism and whose expensive régime is unfair and unjust and in contravention of the constitution and our American treaty with Haiti.

Dr. Burgeois, the United States Government superintendent of public instruction in Haiti, very kindly furnished me with an official list of Protestant colleges and schools from which appropriations were withheld, which was then was a preparatory step to their introduction of a scheme of public instruction, popular and compulsory, and free for the whole Republic.

This was more than three years ago and must have been resisted by the American occupation, and one of the things referred to by Dartigue, President, in his complaints last year to the New York correspondents.

Senator ODDIE. I would like to ask you if there was an act of censorship by mail and telegraph during your stay there from 1917 to 1919?

Mr. EVANS. Yes.

Senator ODDIE. Was there an active censorship?

Mr. EVANS. I should say so; very active; extremely so, as, for instance, letters to and from the States, and which were admitted by a marine officer, were opened, if not confiscated, in some cases, and we really thought that checks by way of my small salary from the missionary board, which were delayed through the European war, were actually stolen.

Senator ODDIE. Was that controlled by the United States Marines?

Mr. EVANS. The American occupation, through the United States Government marine—who did not appear to be accountable to anybody—were in control and dominated everything.

Senator ODDIE. Did the Haitian Government have anything to do with it?

Mr. EVANS. No; nothing whatsoever. Dartiguenave is merely looked upon by the Haitian people as a figurehead, just as he is by the American marine. He knows himself—completely stripped of every authority and the Haitian pity.

Haiti members of the so-called Haitian Government then, who in every branch and department, such as post office, telegraph, etc., have an American officer over them, and who explicitly obey their American marine master, are compelled to ignore their own Haitian President, in spite of treaty, and refers to cooperation of the Haiti Government, etc.

The Haiti Government is powerless and does not exist as such. The United States Postmaster General assures me, also the State and Latin American Departments and Assistant Secretary Roosevelt, of the Navy Department, that on this side there is absolutely no censorship on letters that go to and come from Haiti and still it goes on.

I have even sent letters with copies of Postmaster General and Assistant Secretary of Navy down to Haiti and asked the recipients to show same to post-office authorities at Port au Prince, St. Marc, Cape, and Jacmel, but however, is their fear and dread of American marines that they would not do even this. Their confidence in our occupation is completely gone, and they feel they must slavishly submit or face something worse.

Senator KING. Was it during the war that they had the censorship?

Mr. EVANS. Yes; I believe around November or December, 1917, it commenced. The American marine officer came on board the same ship as we did from New York, November of 1917, to take charge of the censorship at Panama. I believe he informed me that this was to cover Haiti as well.

Dealing further with the question of education, with your permission, I would like to place copies of additional correspondence, showing some further steps to provide for Haiti and develop these people, kept under so long.

Senator ODDIE. Yes; if there is no objection, that will be all right, Mr. Evans. You can hand those to the stenographer afterwards.

(The correspondence referred to is here printed in full, and covering the years, as follows:)

FIRST BAPTIST CHURCH,  
Lansford, Pa., September 1, 1915.

*Carnegie Endowment for International Peace.*

500,000 officials, political leaders, citizens, etc., of the  
tly praying for a national normal and industrial college  
Christian basis in the new protectorate.)

wing as I do of your personal and profound interest in  
ions the blessed boon of peace long before you became the  
f the Carnegie endowment, etc., I therefore at this mo-  
story of poor Haiti, torn for years by cruel and barbaric  
ecine wars, and now that the long-looked and earnestly  
day has dawned and an American protectorate (for that  
ally established in Haiti, and so as to assist the present  
of our United States Government in gaining the real  
faith of the rank and file of the Haitians throughout  
nd at the very outset) as to the purity of our motives  
ns as an American Government in taking such a step, and  
al and permanent peace, I respectfully ask you just now  
trusted to me and containing close on to 3,000 names of  
l leaders, irrespective of politics and religious creeds,  
shment in their Republic of a long-felt need, that of a  
ustrial college, and on Christian basis, like our Hampton

of personally initiating this idea after, however, consult-  
a large number of the ablest, best, and most influential  
ears of study and close observation as to Haiti's real

d even months of hard traveling on horseback during  
throughout the interior, as well as towns and cities along  
explain this idea at the extreme peril to life and limb,  
assistance of a few most courageous Haitians) the matter  
and approached President Simon in the midst of the  
bloody revolution and surrounded with some 8,000 or  
ment troops at Cape Haiti, and generals and others  
ght happen at any moment as he sought to crush the  
ly by German money and German propaganda against

uently at his palace, senate chambers, superior and all  
councils of Republic, schools, plantations, and rice fields,  
the heartiest welcome and enthusiasm, as the object was  
ly explained in French and patois.

would work to divert the thought and energies of the  
away from politics and revolutions and militarism into  
e, and peaceful pursuits of life in Haiti, such as thrift,  
etc., show to them the real dignity of labor, the tears  
yn their swarthy faces and hope for them and their  
be seen brightening and glistening in their countenances.  
housands of names I have official letters of nearly every  
t Haiti, where the petition was presented and discussed  
rest, indeed breaking out into shouts of joy as they  
upport it, ordering their commissaire or mayor to draw  
own name, and officially seal it and send me.

permitted to present this petition personally so as to be  
ns or explain any matter connected with this request  
of a whole little nation, sick and tired of revolutions  
ars, but with no power to resist against the white and  
and filibusters whose interest has been to keep Haiti  
the years, etc.

ndowment come to Haiti's help at this epochal stage  
y and grant this industrial school which will be backed  
nt, which has promised some 200 acres of land for such  
most effectively in cooperation with the United States  
on work and activities mean the real regeneration of

Haiti in a few years, the establishment of peace, without which there is no progress, etc.

In behalf of Christ and Haiti.

Respectfully and sincerely, yours,

L. TON

CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE  
Washington, D. C., November

Rev. L. TON EVANS,  
First Baptist Church, Lansford, Pa.

DEAR SIR: I am in receipt of your letter of the 28th ultimo, with  
to your petition for assistance from the endowment in the establish-  
a national normal and industrial college in Haiti.

In reply, I regret to inform you that it will not be possible to con-  
your request for a personal hearing before the executive committee u-  
petition. My own time is so taken up during the next few weeks th-  
be unable to grant you a personal interview. If you care to call, how-  
of the assistant secretaries of the endowment will be glad to see  
what you may have to say will be presented in proper form to the  
committee when it considers your petition.

In accordance with your request, I am returning the original of m-  
letter to you of September 27.

I am, very truly, yours,

JAMES BROWN SCOTT, Sec.

HAITI BAPTIST MISSION,  
JACMEL, D'HAINAUT  
West Indies, February

DEAR DR. BOOKER T. WASHINGTON: In view of your important c-  
this year at Tuskegee, and the deep and profound interest you have  
your people, as evinced in the noble and extensive and successful  
spite of ignorance, prejudice, and opposition in the past, to educate in-  
morally, yea, and religiously members of the race, thus giving an obj-  
to the whole world of what the African can and will do if only h-  
encouraged along the right lines. Is it not really possible for your  
either alone or in conjunction with Hampton, to arrange to send a com-  
each with the indorsement of your trustees, and so as to visit Haiti,  
joint official report, and furnish reliable data that will enable you t-  
to the establishment for the Black Republic a similar institute t-  
Tuskegee and Hampton, and if you think proper, a kind of extension

I have in my possession a petition, signed by over 2,500 of th-  
Haitians, from my friend His Excellency Cincinnatus Leconte (p-  
Hon. Jonny Laroche (minister of public works), Hon. Legèr (minister  
affairs), etc., and including senators, deputies, judges, generals, e-  
political parties, and religious creeds, earnestly praying for this and  
every encouragement from the Government, even to the granting of lan-  
purpose.

Though the said petition is directed through me to Messrs. the H-  
Rockefeller and Andrew Carnegie, and other true friends of the N-  
it contains a reference to Tuskegee and mentions your own name, whi-  
way, is most highly honored here, not only by the leading Haitian  
exception, but to my great astonishment by small cultivators and eve-  
throughout the 28 cities, towns, and villages it was my privilege to v-  
the coast and in the far interior of Haiti during last year, and the  
citing time perhaps we have had.

America has no idea, neither, in fact, over 90 per cent of our ow-  
people themselves, as to the magnitude of the present change, yea  
transformation which has recently taken place by the incoming of  
Government, and that in a most unexpected way. It represents th-  
telligence and energy of the Republic. There is to be found in p-  
cabinet to-day not only a high type of civilization, but in fact an at-  
of refinement, which if now wisely directed and strongly backed u-  
sympathetic but real support of our own United States Government,  
the blessing of God, must soon effect a most beneficent change also t-  
this long neglected country, with its nearly 3,000,000 priest-ridden  
stricken, yet most kind and interesting people.

civic government Haiti has ever had. The next few moments in the history of this country of Toussaint, a psychological moment has at last come, and which some have said to and earnestly prayed for the last 10, 15, and 20 years.

Now, we act in this matter and come to our help and which means, in fact, the real uplift of the whole Negro race and capacity of the African is, after all, to be mainly in the hands of the members of the race in the States, much less by those outside, but by what the black man is in his own Republic of Haiti.

This petition from me and personally present it to Mr. [Name], or both, or (b) you may arrange for a special committee and introduce me and personally support my plea in Haiti, but much misunderstood nation, or (c) even as appointing commissioners.

From Dr. Robert S. MacArthur, president of the Baptist Convention of the United States Government at Washington, D. C. Also I have written to Dr. Pritchett, United States consul at Cape Haiti, etc. In an interview, then I would suggest also with us that we have, Dr. C. E. Morris, Arkansas, and Dr. B. D. [Name], Secretary of Southern Baptist Home Mission Board. The result is so as to take up the whole island as their mission.

Already I have been in correspondence with Mr. Starr, of the Rockefeller Foundation, and the Government of Washington, D. C. Also I have written to Dr. Pritchett, an interesting interview with the esteemed secretary of the [Name], New York. While all deeply sympathized with poor Haiti, claims upon America's help now that our interrelation for every year, yet not one of these foundations as at present to consider objects outside of the States, however they be, and more especially anything in the nature of the must have in Haiti, first of all, an efficient normal and high school, no doubt if Haiti will now advance as we hope and very long, no doubt, the Republic would require also a university for the efficient training in the higher branches on the same basis as we have in the States.

The catalogues of your school, as parents are constantly inquiring. Do you teach French?

Finally,

L. TON EVANS.

THE TUSKEGEE NORMAL AND INDUSTRIAL INSTITUTE,  
*Tuskegee Institute, Alabama, May 24, 1909.*

Pa.

Acknowledge receipt of your letter in regard to the young woman. The inclosed circular gives information which students are accepted here.

Whom you refer can meet the requirements in full for admission, we shall be glad to admit her to that department. The day school are required to be fully 14 years of age, healthy, well grown for their age, and able to at least pass an examination for the B preparatory class.

The cost is \$8.50 per month, but students are given an opportunity of this amount. The entrance fee to be paid in installments to be paid once each year at the time of entering.

If she decide to enter here in August, it will be all right for her to have her bring letters of recommendation as to her moral character from persons in your community. We may expect her to enter.

BOOKER T. WASHINGTON,  
*Principal.*

(Referring to one of the Haiti girls the missionary brought to the United States, who, with boys longing for education and anxious to come to America and learn English, he also placed in American Christian schools to be trained for service in Haiti.)

AMERICAN BAPTIST PUBLICATION SOCIETY  
Philadelphia, March 1

Rev. L. TON EVANS,  
First Baptist Church, Brinsford, Pa.

DEAR BROTHER EVANS: Answering your inquiry concerning Haiti, in my understanding that the home mission delegation to the West Indies include Haiti in their itinerary. I think I am right in this because earlier preparations I was invited to be a member of this delegation told at the time that one of the main objects of the trip was to inspect especially conditions in Haiti, with a view to seeing whether or not Baptists ought to undertake work there, if funds for the same could be obtained. I have not heard of any change in the original plan.

Very sincerely, yours,

GILBERT N. BRIDGES  
General Secretary

BWTHYN, WYOMING, U.S.A.  
October

Dr. HOVEY,  
Superintendent of Education, American Baptist Home Mission Society,  
New York

DEAR DR. HOVEY: This is intended, through you, the education superintendent as an introduction for Secretary Detweiler, of the Home Missions Latin America department, to Revs. Elie Mark, Nosirel Lherisson, Lucius Hypolite Hector Paultre, who, with all the other brethren and churches of Haiti, heartily rejoice and feel greatly heartened at your coming to the time and, after our years of hopeful waiting and earnest praying, to the official survey of the Haiti field, and with the purpose of establishing a normal and industrial missionary school and with the view of laying a solid broad foundation for the successful development of the Baptist mission in Haiti, and probably the whole island, providing Brother Detweiler's report is favorable and our mission society thinks fit.

I can certainly bespeak for the Baptist mission's Latin America society the most cordial and real Haitian welcome, not only from our Baptist churches and own churches, but also from my old friends, the Revs. Turnbull and principal of College Bird, Port au Prince; De Feu, superintendent of the London Wesleyan Mission, Cape Haiti; and churches and pastors of other denominations, as well as from leaders of the Haiti Government and people.

Am heartily delighted with dear Brother Detweiler's impending departure, and both Mrs. Evans and myself shall pray for the success of his mission and his safe return with a report of the inspiring type—of that of Caleb and of the tribe of Judah—urging our home mission committee "To go and possess it."

With a bon voyage and God bless you, the brethren and churches and our affectionate regards to late Judge Orius Paultre's family, who are at St. Marc, and missions on Isle Gonave.

Fraternally and for Christ and Haiti.

L. TON EVANS

Please make inquiries of Dr. Hector as to the safety of our packages and things left at St. Marc.

THE AMERICAN BAPTIST HOME MISSION SOCIETY  
New York, October

Rev. L. TON EVANS,  
Wyoming, Pa.

DEAR BROTHER: Your letter of October 3, with inclosures, concerning the mission, have been received. I am passing them at once to Dr. Hovey, superintendent of Baptist religious education, with the suggestion that he return them to you after they have served his purpose.

and yours are well these days and that great spiritual  
Haiti. With all best wishes.

C. L. WHITE, *Executive Secretary.*

KINGSTON, PA., April 17, 1919.

*of Latin American Committee on Cooperation.*

In reply to Mr. Colton's letter to me in Haiti, notifying me that I have been officially appointed to visit the island, and more personal interview on the occasion he visited Wilkes-Barre, Pa., to express my great pleasure that the Latin America Committee has shown its deep interest in the black republic but ask me to run down?

Before you go, now that I have returned, with at least a certainty of our being able to go back, solemnly as I am a Christian, Baptists, etc., as well as Haiti leaders and religious creeds, never, if possible, after so many years of religious, educational, and social, and industrial development of the republic and its 2,000,000 Negroes, at the present moment, and very important epoch in Haiti's

and to and written leading Christian brethren there as well as expected to have the pleasure of seeing you before you go around; however, if possible, would like to see you go, even should I not be able to see my way to come this time.

Kingston early next week, and may arrange to come from Kingston early following week to New York, so, if this will do, of Dr. Jesse Jones, United States Education Bureau,

fraternal regards, heartily yours.

L. TON EVANS.

DECEMBER 21, 1918.

Kingston,  
Haiti, *Cape Haitien.*

Mr. Colton: I have never forgotten the real and valuable assistance of the late Prince; late President Laconte; Dr. Holly; and, of course, Condillac Jean Jacques rendered me in regard to that wonderful for the industrial college like Hampton and Tuskegee and nearly 3,000 leading Haitians, irrespective of religious politics of certain classes.

And you and Dr. Holly and Pastor Condillac indeed suffer over eight years of incessant toil and amid mourning looks now as if that unanimous and earnest prayer of the people of Haiti is about to be answered.

And not later than February, my friend Dr. James H. Drexler, representative of the great Rockefeller Foundation, general secretary, will visit Haiti, where I hope to have a conference both with our United States as well as our Haitian and see he goes to the Cape as well as the South.

Last Sunday on the *Panama*, and this Thursday morning on the *Catlin*, our new chief of American occupation, who is not but, I believe, a Christian statesman, that will prove

Did you know that I was an intimate friend of the President, whom our President has gone to meet and greet in person. Ex-President Roosevelt is also interested in this in our efforts just now.

And to you, Holly, Jacques, and friends there, for Christ,

L. TON EVANS.

## ADOPTION OF MISSIONARY FOR HAITI.

Whereas the Women's Home and Foreign Mission Convention of North Carolina, assembled at White Rock Baptist Church, Durham, last year, in an earnest desire in their report to employ a missionary of their own for the foreign field; and

Whereas our newly appointed field secretary and superintendent of missions in Haiti, the Rev. L. Ton Evans, has brought before our convention this year at Goldsboro the appalling need as well as the bright prospects of our new Haiti mission field generally, and especially the prospects among our own sisters of the black Republic; and

Whereas Mrs. L. Ton Evans has been already in the employ of the American Baptist Home Mission Society, shown a profound interest in doing efficient and valuable work for our own young women at the Missionary Training School, at Washington, D. C., where Miss Alice and Miss Christine Frances, brought from Haiti by Dr. Evans, were from Africa, etc., were trained; and also

Whereas our white sisters of the Welsh and Wyoming Association of northeast Pennsylvania have manifested their deep and practical interest in the evangelization of Haiti, as well as their personal interest in Mrs. L. Ton Evans and her life and work while in their midst: Be it, therefore, resolved

*Resolved by the Women's Home and Foreign Mission Convention of North Carolina and auxiliary of the Lott Carey Baptist Convention, in session at Goldsboro, N. C., October 3-7, 1917, That we set apart the sum of \$300 for the employment of Mrs. Evans, and that we further appeal to our sisters of the above Welsh and Wyoming Baptist Associations to contribute a similar amount of \$300 annually, making a total of \$600, all of which shall be paid by us through the Women's American Baptist Home Mission for the employment of Mrs. L. Ton Evans, with a view of her becoming the founder and proprietor of a Bible and industrial missionary training school for the young women of Haiti and leader in missionary and educational efforts generally for the benefit of our long-neglected womanhood of the black Republic.*

MRS. P. G. SHEPHERD

President

MRS. B. H. BRANDON

Secretary

At the official women's board meeting above it was passed that Mrs. P. G. Shepherd, president of the North Carolina Women's Home and Foreign Missions, be delegated to attend in behalf of this convention and as a member of the Lott Carey Foreign Board the missionary "send off" which the Welsh and Wyoming Associations may plan for Mrs. L. Ton Evans, leaving this country with her husband for Haiti.

LEGATION DE LA REPUBLIQUE D'HAÏTI  
Washington, D. C., April 2, 1918.

Pastor L. TON EVANS, Kingston, Pa.

MY DEAR PASTOR TON EVANS: I was very glad to receive your letter of the 25th day, in which you inform me of your present and continued effort to make Haiti secure for the establishment of an industrial school, such as we have on real Christian basis, but your special plea just now with the Baptist brethren of the United States, to undertake the evangelizing of our dear people.

I profoundly appreciate your self-sacrificing work and the deep interest you have shown in my country the last 25 years; that I have the privilege of knowing you, and sincerely thank you for the splendid encouragement and support you have rendered Haitian missionaries and brought some of them to be educated in these States.

Your deep interest and untiring activities in the religious, moral and social development of our Republic have won the entire sympathy and confidence of the Haitian people.

With the personal knowledge you have of my country and dear people, should the Southern Baptist Board enter the Haiti field and thus support your efforts, I am sure that with the blessing of God you must succeed in your enterprise of saving Haiti.

or,  
aly,

**T. CH. MORAVIA.**

**HAITI FOR CHRIST.**

...but behold obscurity; for brightness, but walk in darkness.)

arous conduct of the slave owners, after a long period of  
 ight upon them at last its own punishment, for the Negroes,  
 insults, injury, and injustice any longer, engaged in a  
 ur, under the leadership of Toussaint L'Ouverture, thus  
 of the past and ridding themselves forever of slavery.  
 ever, 80,000 blacks and whites were killed by the sword  
 among the slain were 20,000 soldiers, the flower of the  
 y Napoleon to aid the slave owners, defend and perpetuate  
 a time he himself was fighting for greater liberty to the  
 e!

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1. *Chlorophyll a* (Chl *a*)

so as to mold the policy of the new Republic and direct the government been instrumental in founding—Haiti undoubtedly to-day would have been a model Republic, worthy of America or England, instead of a poor, superstitious, degraded, and devil-worshipping country; it is unpitied and sometimes sneered at by those with centuries of civilization to their back. In 1804 the Government ignorantly and mistakenly signed a concordat with the Pope, recognizing Romanism as the island religion. By so doing they signed their own death warrant, for the brand of Romanism in this island, as very truly described by the Rev. J. G. Greenhough, M. A.—an expresident of the United Kingdom of Great Britain—simply means “the most superstitious and degenerate form, well nigh as dense as the darkness of heathenism.” This, therefore, is voodooism—devil worship—the real religion of 95 per cent of the island. It has enslaved them mentally and morally, checked the national aspirations, literally crushed the spirit of the race, and this, forsooth, after securing themselves political freedom 50 years earlier at such a tremendous sacrifice!

Though Haiti—called the Queen Island—is richest as regards soil and minerals in the Caribbean Sea, the people themselves—materially and socially—are in a most wretched and deplorable state. Destitution is seen everywhere. In connection with the voodoo worship, to which they are summoned by the sound of tom-tom from hill and vale, bush and grove, the devil devotees throw themselves into a frenzy, very much like devil possession. During the ceremonies, which are most immoral and revolting, fowls are killed, and sometimes the blood and lives of innocent children offered, to slake the thirst and pacify the anger of the demon god, whom they in their ignorance have been taught for centuries to fear and dread. That such should be the case at the dawn of the twentieth century is almost incredible, particularly so in an island like Haiti, and situated as it is between Jamaica and Porto Rico, both of which belong to England and America, the wealthiest and most humane, not to mention Christian, countries of the world!

*Baptist beginnings.*—Early in the last century Haiti became a safe refuge for members of the race suffering from surrounding islands. As George Burdett and Moses Baker—two American Negroes—were the first Baptist missionaries in Jamaica 12 years previous to the English Baptist Missionary Society being formed, so colored brethren from the States—probably runaway slaves—Onesimus of old, referred to by Paul—were also the Protestant pioneers in Haiti 25 years later. The Rev. Monroe and Rev. Hill—latter an African Methodist Episcopal, afterwards baptized—are the first regular preachers—both of whom we have any certainty. This was prior to the year 1835. The first white brother to come from America was the Rev. W. Mead Jones, of New England descent, and a Baptist, who is supposed to have labored here under the auspices of the Slavery Society of those days. Owing to his changed views he was expelled about 1846, when another by the name of Judd took his place. The latter left Port au Prince in a short time for Samana, San Domingo, where it was said he soon died. The first missionary, however, to work among the Haitians was the Rev. E. J. Frances, who came to the island from Lucea, Jamaica. He and others confined their services chiefly to the English-speaking colored population, who came to the island. It was through the special pleading of the islanders that William Knibb that Frances was sent by the English Baptist Society to work in Haiti. This brother, with one Flanders, Miss Harris, and Miss Clark, and later in Jacmel Christmas, 1845. Though the missionaries at once settled down and rapidly acquired the language, and gave special promise of excellent work to be done—the leader unfortunately was struck down in a few months—before the end of July, following year, Frances succumbed to the dread yellow fever. On account of the frequent revolutions, constant change of government, with the consequent hardships, destruction of property and life, etc., the missionary efforts became very protracted, and with the exception of the Rev. W. H. Webley—who labored alone for years—brethren continually came and went after short intervals, which told disastrously against the mission. Jamaica's proximity to Haiti, the very flourishing financial condition of the island, the Baptist churches there at one time, as evidenced not only by their having come self-supporting but also the pleasing fact that they raised £3,000 for the purpose of evangelization in their own islands as well as for other islands outside, the committee in London thought it advisable to transfer this to the above missionary board, though for years after they continued to interest and made certain contributions. Jamaica—for several years—has been obliged to give up this, as well as other important fields in which the missionaries were engaged simply for the lack of funds. Through the failure of the su-

blind and blundering policy persisted in by succeeding in allowing and assisting thousands of East Indians—colonies of the west in the shape of indentured labor—of slavery—the island suffers great financial depression, driving away from Jamaica and their island home in livelihood a very large number of the more thrifty, but the people, discourages the natives, and impoverishes, if the churches in their laudable efforts to uplift the Negro. Slavery as these Negroes suffer would not be tolerated in

the last few years, and practically since the termination of America and Spain, great changes have taken place. The island, in close proximity to Porto Rico, is also now on the great fact of the United States warships plowing Haitian waters. The island as it were, is a guaranty there shall be no war, neither any serious rising from within, allowed and which have proved so destructive. This will give the United States and enable the Governments to encourage industry. A railroad (first in Haiti) is just now being constructed, and improvements in the future. There is to-day a better understanding between America and Haiti than perhaps ever before, with a growing interest in Romanism, among the more intelligent and thoughtful events in France is almost certain to emphasize. Haiti has never been brighter and more promising than at

present. As soon as the native missionaries on the field can be provided with two well-qualified workers (if possible) added to them, the whole of their time and energy to work the mission centered Christians are gathered together again and organized for worship, etc., we will immediately start a normal and industrial school for the people like the Haitians, free, owning their own soil. The climatic conditions are enervating, and where nature is so bountiful, if not indeed extravagant, yet degraded by slavery, are not likely to be permanently benefited, unless we are dealing with the whole of the man.

Haiti must therefore be gradually led to see the dignity of its own capacity and skill. While the direct aim of the mission is the education of the heart, that of the normal and industrial school is the hand and head of the Negro. The latter we expect to see in Tuskegee, Ala., United States of America, of which Dr. Booker T. Washington is president. In 1902 this great American educator writes to our institute I could heartily recommend to you any young man, not only as efficient for the work intended but possessing, also, the missionary spirit." The proposed school is a normal, open to suitable young Negroes (male and female) supported by friends of the Negro both in America and Europe, and in the funds of the mission board.

for help?—(a) Because the national convention foreign missions is undertaking to evangelize Haiti, though the largest body of Negro Christians in the world, is certainly also the poorest. When freed by Lincoln's proclamation January 1, 1863, America numbered 4,500,000; to-day they are nearly 10,000,000, only in the black belt, and one-fourth of which belong to the South. Though only 44 years since emerged from slavery, they are, when thrown penniless upon the world, and in spite of the progress made, as poverty, prejudice, and oppression, their progress has been phenomenal. With the Christlike sympathy, and the American Baptist Home Mission Society and their self-denial, they have built schools, colleges, and churches for more than half of whom were born in slavery, when it was the duty to read the Bible! They also operate missions in West Africa, British West Indies, and South America, which is carried to the utmost limit. Yet, for reasons given already, we have designated Haiti as a special department to their work.

In giving the Gospel to Haiti, and establishing the institution to help themselves), we are furthering the highest mission of America and the world that the African, under

favorable conditions, is quite capable of self-government, thus securing respect and justice due to the race.

(c) Because the present is most opportune, as already pointed out, in view of the influence to future developments, etc. If the mission is well founded, and the various efforts put forth the next four or five years, the field will be occupied by one important section of the Evangelical Christian Church, which means greater efficiency, a great saving in energy and money, with the advantages enjoyed on a mission field, where there is no denominational or sectarian overlapping.

(d) Because money contributed to and labor bestowed on evangelizing and education of the Negro is an excellent investment and bound to pay for itself as they do, the highest results for man and God.

Dr. H. L. Morehouse, the respected secretary of American Baptist Foreign Missions Society and a shrewd student of missions, recently wrote in the Standard:

"Our expenditure of \$4,000,000 as a society among the colored people during these 40 years has been one of the best investments in the world. Indeed, are yet degraded; but are not many white even in the old Anglo-Saxon civilization? The Hebrews got out of Egypt in one day, and took more than 40 years to get Egypt out of them. Who expects to overtake the Caucasian with a start of a thousand years? But the colored people are coming on. Out of the depths up from slavery to noble Christian manhood and womanhood many have risen. In 26 years of service for the social uplift of the seen poor, coarse Negro boys and girls develop into cultured, able, and noble characters, consecrated to the service of Christ."

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DEPARTMENT OF THE INTERIOR,  
BUREAU OF EDUCATION  
Washington, July 1, 1892.

Dr. L. TON EVANS,  
23 West Berth Street, Lansford, Pa.

DEAR DR. EVANS: I was very glad to receive your letter of July 1st. I know that you are still working for Haiti. I hope that your ambitious desires will be realized in this respect. As you know, I am much interested in the problems of that island. Thus far, however, I have not succeeded in convincing the trustees of the Phelps-Stokes fund that the conditions permit them to appropriate money for Haiti. In view of this I fear the fund will not now be able to give you the assistance which you desire. There may be other sources of revenue that we can influence. When you find them made I shall be glad to know of them. I have heard of the good work you are doing through Miss Burroughs. I know that Mrs. Evans is fully prepared to work in Haiti.

I fear that I shall not be in the city during the first week in August. I shall be here on the 30th and 31st of August and will be glad to be here the last week of that month. On the days mentioned above the bureau will hold an important conference on Negro education. This is a small but important meeting, to which few people are invited. Should you be in the city at that time, be pleased to have you there. You will be glad to know that our work is being done. I shall order a copy sent to you if it has not already reached you.

With regard to passports to Haiti, I am quite certain that you will find it comparatively little difficulty in obtaining the permission of the State Department to leave the country.

With very kind regards, I am,  
Very sincerely, yours,

THOMAS JESSE JONES, Secretary.

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ST. MARC, WEST INDIES  
March 1, 1893.

DEAR FRIEND DELACOUR: Am sending a note to say that I am hoping to reach Port au Prince soon on my way again to the States, and shall be glad to meet you if you can manage as one of the patriotic sons of Haiti, who by every means constitutional, educational, and even Christian means seek to gradually raise Haiti and people to a higher standard of thinking and living, and so secure

has intended for your race in Haiti, as of course He has the white nation in the States, as well as all other nationalities. We are indeed glad for you to see Pouget, Sincereg, Meyer, and our real patriots with high and pure motives like yourself,

when at Washington the last fall to have a special Haitian (the interest of the natives here) formed in connection with the press executive.

much connected with our colored brethren in the States at present often inspired by ignorance, prejudice, etc., which you and others in Haiti would be as stoutly opposed to as myself, and to encourage here, and absolutely detrimental to all development of the Negro people.

ers, however, such as late Dr. Booker T. Washington (my brother Moton (whose name you see in memorandum), that the people become acquainted with, if real, steady, mental, moral, is to be made here, that must prove a permanent success. We will be no gerry building upon superstitions, ignorance, and education must not be confined to the head, but be of a real

our chief of occupation (Gen. Catlin) not to give any memorandum (at present), please keep the one you had. If more convenient, we can meet at your place or at the sure to leave about end of next week. Believe me to remain, and for Christ, Haiti, and humanity,

ST. MARC, HAITI, WEST INDIES,  
February 10, 1919.

, Esq.,

*Formateur Haitien, Port au Prince.*

MILMENAY: Inasmuch that during my personal interview with the chief of our American occupation, both the marine and the civil, I pledged my word of honor on the next day, Thursday, being you on the way from the depot, and as there might be some in some quarters, if not some advantage taken by the enemy, may be bitterly opposed to our American Government's occupation, owing to statements made at Washington and myself and now officially being investigated here, I promised you a copy of this "memorandum," and containing serious matters are prepared to prove before the commission sought and appointed by our own responsible United States Government, and that, of course, of Haiti and its people; I have requested you not to use the copy I gave you on the day preceding either at the station or on my way to my hotel, when I return.

I comply with my personal request, and that you, as well as mine, including Dr. Laroche, Dr. Francois Delacour, Dr. Holly, Revs. Turnbull, Mark, De Feu, Lherisson, Consul Livingston, American Vice Consul Vital, etc., in the social, educational, industrial, and shall I also mention the generation of long neglected and politically and financially poor over 2,000,000 suffering and oppressed people, and God and through our own Government and other American and philanthropic agencies, essential to the uplift of the black (or white), are as anxious as myself not to place absolute in the way of our "American occupation," but in every way their influence and authority, and, if possible, moral to carry out the intention of the American Government sent instruments and as set forth in the excellent treaty between the two countries.

However, there would be any objection from the genial occupation if you referred to the proposed industrial colony a prominent place and prove a most important, if not in any future scheme of developing the black republic.

as set forth, indeed, in my "memorandum," and recommendation to the President, and through him our United States Government, who, though it is directly brought before him, and whether or not actually supporting officialism and certain grades of politicians, will positively go through.

The fact of the names of Maj. Moton, president of Tuskegee, Dr. Thomas Jones, and Dr. James H. Dillard, of the Jeanes, and the Rockefeller Foundation, of general education boards, of the United States, mentioned as members of that commission, is a guaranty in itself, of any person who really knows President Wilson, ex-President Taft, late ex-President Theodore Roosevelt, and our Government, and great Christian leaders, that all this will—as soon as matters can be arranged—be already an accomplished fact.

I state this so as to encourage you to "patience, real faith, in the Government, perseverance in all that is good and uplifting, and meantime, as well as support for the present instrumentalities as possible, court, and essential under present conditions, and for which undoubtedly intelligent and thoroughly patriotic Haitian must thank God, imperfections are, but which will in the natural development of things and time be gradually changed and so adapted as to produce the changes mentioned in the "memorandum."

Probably you and others who widely read and take such deep interest in the struggles and grand victory just achieved in Europe for liberty and in which our own American Government has so distinguished itself, our soldiers, both white and colored, have, shoulder to shoulder, so fought under that courageous and indomitable Christian, Gen. Pershing, like President Wilson, Lloyd-George, Secretary of our Navy, Daniel, an enemy of liquor and alcohol, and to-day, because of his high and noble character is loved all over the States, and would by acclamation be made President if he but consented, know also that Maj. Moton and Dr. Jones, my personal friend, have been to France and, with our President, look to the interest of our colored American soldiers there, and even some Haitian young men in American colleges who volunteered to the front, the son of Dr. Ghousse, our Baptist deacon, and local native preacher, Jacmel, etc.

You may call attention in your paper to this and the fact that Dr. Jones, white, but real friend of race, both in States and here, pledged me to do so, and again, and the day I left him at the Rockefeller headquarters, general education board, in Broadway, New York, to visit Haiti, either in the very month, so as to investigate conditions, looking to the establishment of what was called in 1911 by Cincinnatus Leconte, Legère, and even President Simon (when I took that petition around Haiti), "the noblest of an industrial college, founded on Christian basis, like Hampton and here among us in Haiti.

Your paper will certainly serve a most useful purpose in informing, and thus preparing gradually our leaders in Haiti for this and showing indispensable, with all that our own American Government can do in occupation, etc., that the Haitians themselves must not only be converted, educated but become actual tillers of their own rich soil and learn to do honest labor not as a species of slavery and something forced and degrading but elevating and, indeed, divine—essential, too, in their development, you are to become free, independent, and a progressive people in the terms of these terms.

If you saw account of my lecture along these lines at the Cape Town, ago, you may copy same in *L'Informateur*, and I shall send some notionally from our Government educational and labor department, which are sent me here to St. Marc.

With Christian regards, best wishes for new year, believe me to remain,  
Yours, and for Christ and Haiti,

I. L. TON

#### AN URGENT APPEAL IN BEHALF OF HAITI, WEST INDIES.

"So then faith cometh by hearing and hearing the word of God"—shall they hear without a preacher? (Romans x, 14, 17.)

"But I can see though dimly through the mystery, His hand above."

Haiti, the black republic, as it is called, has on the whole island some 2,000,000 inhabitants, all of whom are Africans. Although a brave people as per

h their forefathers fought and won their freedom from 90 years ago, under that noble Negro chieftain, Toussaint y they are in the most pitiable condition materially, polit-

ognized island religion is the lowest type of Romanism, nerally, if not entirely, are blind devotees of Voodooism, mmoral orgies, frenzical dances, and other disgusting and nected with devil worship, at times sacrifice human life. ocent babes, to slake the thirst of their demon god, whom t for centuries, both in Africa and Haiti, by the papa lois ar and dread.

twentieth century, and though in close proximity to Ameri- i lies between Cuba and Porto Rico, on the present direct Canal, and within a few hurs' run of Jamaica—it is almost ould be at th's moment an island five times the size of ver three times its population in such a benighted and de- ithout any organized efforts whatever by our great mis- vangelize its heathen.

o Baptist Convention, however, before whom the writer was ause of poor Haiti at Birmingham, Ala., September, 1902 usky delegates attended from distances varying 500, n 2,000 miles away), have now faithfully undertaken to 904, providing some of the Lord's stewards are willing to as their funds are altogether inadequate for the m'ssion e foreign fields now operated.

a fund of \$200,000 be placed to the credit of the foreig n the same would put at least eight brethren immediately on ointment also of an energetic agent to visit the churches ntend the field, could in a few years through the careful ment of native resources, augmented by outside subscrip- e annual income. This amount under the supervision of board would be entirely devoted to the direct evangeliza- Bible lines.

presenting these facts is to enlist sympathy and prayer, above amount required, to enable the national convention ons without further delay among the neglected poverty- n, and devil-worshipping people of this otherwise queen an Sea, that at last it may be said of them as the divinely of the land of Zebulun and Nephthaliim, viz: "The people saw great light, and to them which sat in the region and is sprung up." (Matthew iv, 16.)

en's gate is closed to him who comes alone;  
thou a soul and it shall save thine own."

ti,  
v.

L. TON EVANS.

RCH,  
arddale, Pa.

#### FOREIGN MISSION OF NATIONAL BAPTIST CONVENTION.

*Louisville, Ky., September 2, 1903.*

EVANS: AS I see now our brethren would be exceedingly ossible, to take up work for Haiti. At our annual meeting matter comes before the full board, and I am sure that it. The following is part of the board's report for the ndicapped this year with poor help, which has hampered o do.

sit the convention if you can. Thanks for the pledge.  
Name,

L. G. JORDON,  
*Corresponding Secretary.*

annual report of Brother L. G. Jordan, D. D., to National eptember 18, 1903, and representing 2,100,000 Baptists:

"Haiti, almost a next door neighbor, needs our immediate attention. The want of money hinders us from sending missionaries there.

"We recommend, should we find friends of the Master, who will commence work there in 1904.

"We highly commend the earnest efforts of Rev. L. Ton Evans, of Edinboro, Pa. (late of Wales and ex-missioner from Haiti), in behalf of the field, and pray that he might find a way to go there again as a missionary labor among the people who lay so heavily upon his heart, and otherwise as a board to take up the work there without unnecessary delay."

The appalling and urgent need of Haiti is also personally and indorsed by Revs. S. MacArthur, D. D., Calvary Baptist Church, New York; George E. Henderson, M. A.; Phillip Williams (ex-president and secretary respectively, of Jamaica Baptist Union, West Indies); Dr. Booker T. Washington, the great Negro educator; and F. B. Meyer, B. A. (London); Prof. T. Davies, B. A., Ph. D., Baptist and University Colleges, North Wales; with John Cory, Esq., J. P., D. L.; ex-Alderman R. Cory, J. P.; and Thomas, Esq., Christian philanthropists in South Wales, who have promised conditional and generous support to this much needed mission enterprise.

Dr. Booker T. Washington has kindly offered to train at his excellent Normal and Industrial Institute, Tuskegee, Ala., some of the most promising youths; and Rev. Dr. Bullinger, secretary of the Trinitarian Bible Society (London), will donate uncorrupted and pure translations of Scriptures in French and Spanish, which will be a valuable help to the mission.

Rev. Russell H. Conwell, D. D., president of Temple College, Philadelphia, who, through his private secretary, September 16, 1903, wrote:

Rev. L. Ton Evans,  
Edinboro, Pa.

DEAR SIR: Russell H. Conwell received your letter of 14th instant, and I am glad to say that he has confidence in you, and would like to be of some use in such a missionary work as that you propose to do in Haiti. While he is anxious to help the cause, yet regrets he has no time nor thought to give to the enterprise now, as he is so crowded with duties which he could not omit.

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[By the London (England) committee of the Baptist Missionary Society, showing the successful efforts in 1903 and 1907 of the pioneer missionary in behalf of Haiti, and educational uplift.]

#### RECOGNITION OF THE NEW HAITIAN MISSION.

##### *To the Baptist churches and friends of the Negro:*

We, whose names are attached hereunto, rejoice to state that the committee of our Baptist Missionary Society meeting in London January 16, 1904, has considered over by the late Charles Williams, Accrington, and after due consideration of the petition and purpose of the foreign board of the American Baptist churches, the great importance of Haiti as a field, the wretched condition of its superstitious and devil-worshipping inhabitants, unanimously decided to recognize the much-needed mission and express its hearty sympathy and well as extend its moral support, to the praiseworthy efforts now being made to evangelize the benighted people of this island. (Both brethren, Charles Williams and the late J. Jenkyn Brown, congratulated us on the support given to Haiti. These two veterans very deeply sympathized with our mission.)

In addition to the special claims of the field itself set before the committee by the general secretary and superintendent of the work in Haiti, supported by the strong plea of members of the society in Wales, the committee is also takes cognizance of the sympathy and interest of the churches of Wales (Welsh and English) in this mission of their colored brethren, which sympathy and interest found expression in resolutions forwarded to the churches and associations to the Rev. C. E. Wilson, B. A., secretary of the B. M. S., as well as Rev. W. Morris, D. D., F. R. G. S., chairman of the missionary council for Wales.

Our society rejoices that the foreign board of the National Baptist Convention of America has undertaken to operate a mission in this sadly benighted island, and further expresses its pleasure that our Negro brethren in the United States have been so fortunate as to secure such an earnest, efficient

ther as Rev. L. Ton Evans, late of Wales and Edwards-  
represent them in this important Christian enterprise.  
have already been informed, the English Baptist Mis-  
sionary Society authorized its secretaries in London to receive collections  
in churches and others in Wales and elsewhere (given  
and forwarded the same to them.

distributed, whether by collection or subscription, will be  
appear in the Welsh and English annual reports of the  
Society, as those now given to the Zenana work.

Therefore, that all the churches and friends of the once-  
freed Negroes of America anxious to give the pure gospel  
on along strictly evangelical and scriptural lines among  
the people of the demon god in the Black Republic will appreciate  
this arrangement made and send their collections and  
Mission House in London, marked "for Haiti."

and very heartily indorse also the proposal to establish a  
Institute on the island concurrent with, though separate  
from, and so as to train the head and hand of the Negro  
population of the rich soil and development of his country.  
enlightened native Christians and furnish capable school-  
teachers for the missionaries from among the dark-skinned

that the fact of the Negro Baptist foreign mission board of  
brother and fellow countryman, the Rev. L. Ton Evans)  
for the money raised for the mission is not only in har-  
monious policy as Baptists, can not but give great and gen-  
eral and should, indeed, prove a strong incentive to churches  
to support the new undertaking in Haiti, West Indies.

Every effort be especially blessed of the Lord.

from God.

for God.

Treorchy (Chairman of the Missionary Council of  
H. Cernyw Williams, Corwen; Charles Davies, Cardiff;  
Morris, Aberystwyth; J. W. Maurice, Dinas Cross (Pres-  
byterian Baptist Union of Wales), Members of the Committee of  
the Baptist Missionary Society.

Following secretaries of associations which have already  
reported the mission:

	Members.
Glamm. Association-----	27, 896
Card. Carm. (Eng.) Association-----	20, 463
Card. and Card. Association-----	19, 835
Card. Association-----	19, 442
Card. Association-----	12, 378
Card. and Meirion Association-----	9, 152
Card. Association-----	2, 861
<hr/>	<hr/>
Total-----	112, 027

Partnership was divided, young men and women appointed in  
at 1 penny per month (an average of 1 shilling per year),  
which could be realized for Haiti and that without inter-  
national efforts for the church and worthy objects at present  
would enable us as a Baptist denomination to take over  
the management of Haiti.

Church to inform the secretary of its association of the  
Haiti, so that it may appear in the annual report of the

Board's, and the fulness thereof."

Churches of Wales which have been visited up to date, and  
collect in aid of our mission, are the following:

Zion (Llanelly); Bethesda and Hill Park (H. West);  
Nebo (Pembroke Dock); Bethania (Cardigan); Nebo  
s, Whitland, Bethel, and Hebron (Holyhead); Jerusalem  
a (Aberdare); Amlwch, Bangor, Zion, and Tabernacle  
(Ton, Ystrad); Tabernacle (Pontypridd); Hebron, etc.  
Moriah, etc. (Llanelly); Carnarvon, Pembrey, Bethania  
, Lliwynhendy, Aberdare (Eng.); Nebo (Ebbw Vale); etc.

*Received already either in subscriptions or promises to be given in support of the mission.*

	£.	s.	
Mr. Richard Cory, J. P.-----	50	0	Dr. Ivor Davies-----
Libanus, Treherbert (Dr. Har- ries)-----	20	0	Dr. Lewis Lewis-----
Trecynon, Aberdare (Rev. W. Cynog Williams)-----	20	0	Mr. Richards (Pentre)-----
Bethlehem, Pwll (Rev. Richard Owen)-----	10	0	Mr. W. C. Short-----
A friend of Christ and the Ne- gro-----	10	0	Mr. Thos. Williams-----
Mr. Sydney Rees-----	5	0	Mr. B. Rees, J. P.-----
Mrs. D. Rees-----	5	0	Mrs. Cynog Williams-----
Mr. W. Warren Kinsey (for fam- ily of 5)-----	5	0	Rev. Cynog Williams-----
Mr. and Mrs. Jenkins-----	3	0	Rev. W. Rhys Jones-----
Ald. W. H. David-----	2	2	Rev. E. W. Davies (Ton)-----
Mrs. C. Edmunds-----	2	0	Rev. J. R. Evans-----
Mrs. D. Francis-----	2	0	Rev. W. Trevor Jones-----
Mr. Thomas Evans-----	2	0	Rev. Rowe Williams-----
Mr. Williams (Ton Ystrad)-----	2	0	Rev. Tallesyn Williams-----
Mrs. Lewis (Hengoed)-----	1	10	Rev. W. R. Lewis-----
			Rev. O. D. Campbell, M. A.-----
			Rev. J. J. Richards-----
			Rev. Morgan Jones, B. A.-----
			Prof. T. Witton Davies, B. Ph. D.-----

APRIL 20, 1907.

Senator KING. Mr. Evans, during the war there were a number of men in Haiti, were there not, and at the outbreak of the war?

Mr. EVANS. Quite a number.

Senator KING. And some were interned during the war?

Mr. EVANS. Quite so.

Senator KING. And some deported from the island?

Mr. EVANS. Yes; I suggested that all this should have been done at the time we as a Government entered the war, being that we had to do with Haiti, and responsible for protecting Haiti, and feeding these people.

Senator KING. If there was a censorship during the war, it grew out of the occupation of the island?

Mr. EVANS. Yes; but the Germans were allowed full sway for a time, and the Haiti people and ourselves suffered in consequence.

Senator KING. By the Germans?

Mr. EVANS. No doubt.

Senator KING. And Europeans belonging to the Central Powers?

Mr. EVANS. Yes, sir; there was a strong feeling here among not only the people, but the priests and whole European Catholics, practically with the Central Powers and against the Allies and United States.

Senator KING. It was a real military necessity?

Mr. EVANS. Yes; essentially so, but it was not explained as it should have been to the Haitians, and it should have resulted in a greater benefit to Haiti really was by way of distribution of food, etc., after we declared war.

I complained at Washington for lack of suitable publicity for explaining the whole situation, and how it affected Haiti, and work of the occupation, but nothing really was done; it was of course all Europe.

Senator KING. The Germans did have control of the wharves and the banks?

Mr. EVANS. Yes; they were the leading merchants and exporters of logwood, cotton, etc., and had a regular system through their native agents getting around, and they had studied the Haitian characteristics. The French and patois, having been there so many years, had grown over the island, and with all other Europeans in Haiti, including the Germans. They abused Haitian confidence, of course, in political propaganda and the customs.

Senator KING. And they therefore had the business activities of the whole island?

Mr. EVANS. Yes; and I fear that our occupation and United States failed to really understand this, if not most of our American Mar-

their guard, and even ignored it by their close associations and other social relations.

Haiti was used as a sort of base for the dissemination in the Caribbean Sea, and in the South American Republics?

tedly during the beginning of the war, and for many British and anti-American propagandas.

was necessary that there should be some sort of censorship, and during the war?

was justified, but I am a great believer in publicity through the situation, and explaining to these people, who are under our control, and we were pledged to protect and assist, against misrepresentations and falsehood spread by

where any oppression used in the authority exercised by

ward to the Germans; no, not to my knowledge.

regard to the censorship?

exception of what I referred to my own letters in Haiti, my impression is that they were too lax, before Haiti some time after, as in allowing Germans too much free-ventured bitter feelings that the United States had entered the Allies, and I fear that several of the American marines either, thinking we had really gone in for Great Britain anything else.

make any complaint, then, because of the censorship?

atsoever in war time and when there are enemies around; ought to have a little judgment to differentiate a loyal American, for instance, from a German, an Austrian, or a

ow, do you make any complaint of the fact of there being a complaint merely they were too lax?

at my position was quite clear. During the war and the Haiti, with so many Germans, I believe it tended to be easy to use the censorship on Haitians and American loyal conditions in Haiti reaching the responsible United States whose honor and national character are at stake, is most unjustifiable. They do this, as I understand, without to-day from our Government, and an inquiry should be opened in Haiti?

u mean to say if I should write a letter to any person in Haiti?

not believe they would be quite so daring with a Senator after what has happened. They discriminate against individuals somehow to convey a correct idea of conditions in the occupation, at least very many of the marines and of Haitians under present régime there.

then chairman of Foreign Relations) three years ago I believe my statements re the occupation, closing up then this "rape of the constitution," and refused to appoint such as this committee to make inquiry; so the United States Navy officer which the United States Secretary to send to Haiti, on account of officials withholding the truth.

ock expressed surprise that there was no other witness of my own, I replied that others were in the pay of the Government and dared not come or speak.

Government protection to Haitian witnesses and have the Haiti President, to come here before the Foreign Relations. In fact he did not wish to know. It is a sad condition and totally forfeit its confidence.

I was there, more than a year ago, I found no evidence that the people were communicating as they pleased; at least not regularly, and there was not the slightest effort, so far as I know, to accept, or scrutinize communications.

Mr. EVANS. This might be so, as possibly some change has taken place, instance, all my periodicals are returned from Haiti the last two years more, but not a single letter has come through. The real reason why, I will have to wait and the mystery will some day be cleared up.

Senator KING. I have received letters from Haiti, and I have not slightest evidence of any censorship?

Mr. EVANS. As stated, this might be so, and things somewhat improved the scandal was made known and so many investigations as to the conduct of these marines referred to and the flashlight thrown on them at last.

Senator KING. You are speaking in reference to conditions when the war is there?

Mr. EVANS. No; I had in mind chiefly since my return and long after the war is ended.

Senator KING. Do you charge that letters written by you to people have not been delivered or have been opened prior to delivery?

Mr. EVANS. Yes; I am of opinion that they have not been delivered; they have also been opened; several of these were to missionaries and a United States consul, whom I recently heard has been fired by the Haitian government or may be through Maj. Wells, who has escaped from Haiti, or by Gen. Williams, once chief of Haiti gendarmerie.

Senator KING. The Haitians are the postmasters there, are they not?

Mr. EVANS. Yes; and with whom I was always on the best of terms as all other leading officials of the Haiti Government. They have no department, however, an American marine officer over them, and they do anything should be done which he is not heartily in accord with; and though he may not know it, in their overcautiousness (at times) fail to perform plain duty. This might be so in my case, as they all know my own attitude toward education and the reverse attitude of the occupation.

Mr. ANGELL. There is a special agreement covering that to have the direction in the hands of our United States nominee.

Mr. EVANS. For instance, just to give you some idea of the nervous condition of the people, through outburst of abuse of authority, if not killed, the local editor had a paragraph merely stating that a high officer of the Haitian government had been relieved or recalled. He had his paper immediately canceled and he himself put in prison.

Senator ODDIE. That fact is in the record?

Mr. EVANS. This is to scare and terrorize these poor people, who are so scared and terrified enough. An able Haitian and a strong intellectual while I was at Port au Prince was scheduled as chief consul for Jamaica, but something he had said or done was construed to be unfavourable to the Roman Catholic régime in Haiti, and his nomination was canceled.

Senator KING. It seems that the local priests, apparently, were the cause of his undoing?

Mr. EVANS. Exactly. The Roman Catholic Church in Haiti and European priests—I have never seen a colored or native priest there—these priests have native preachers, are the cause of undoing everything looking forward to the mental, moral, and industrial development of Haiti and equip them for self-government of a progressive and prosperous Haiti. They have to be intellectual slaves. The devious ways the Roman Catholic influence and power works in Haiti is not easily discovered, but the perfect machinery, which works smoothly but effectively, from the Haitian priests up to bishop, archbishop, if not the late Cardinal Gibbons at the White House, through late private secretary, who are, it is said in Haiti, the only possible for most of changes in occupation's efficient officers.

Senator KING. You mean by that, as I understand you, that able Americans who had gone there for service were recalled because of opposition by the priests against them to the American officials or Haitian officials?

Mr. EVANS. Yes; or charges sent from here—made by priests or by special Pope's delegate, who has been some years at Port au Prince—London, and that through Tumulty the State or Navy Department would arrive he must clear out, however efficient as American marine officer he may be, simply at the caprice and dictation of the Roman Catholic apostate so-called church. Lack of whole-hearted sympathy with the Catholicism in Haiti and an unwillingness to subordinate the interest of Haiti to the occupation, and that of the United States Government by an able,

and patriotic American would suffice to remove that

real criticism there is that the Catholic Church in the duties of persons who were sent to Haiti from the

so; deflects and demoralizes the personnel of the American United States Government, some of whose ablest, bravest, and most experienced and efficient in the country, as department service, to-day are Protestants.

There has been spread abroad, which, without any investigation as correct by the late administration and largely dominating really the interest of the occupation's mission a Catholic régime—it is that all Haitians are Roman

Knapp, in his official report to Secretary Daniels from 11, 1920, under "Haiti—Reports and inquiries regarding conduct of marines" (Appendix C, p. 223), and in section VII of the Constitution, where it says "all forms of religion," etc., at last, and very properly, courageously, and without myth, as follows:

Considerable number of priests (including the bishop at the Port au Prince) in the aggregate, and practically all spread all through the country, and there are several of the Catholic Church represented in Haiti engaged in its

ever, if the real unmixed doctrines of the Roman Catholicism may but a very negligible minority; with most of the doctrines of the Roman Catholic faith is more or less mixed; elements brought from the jungles of Africa Voodooism is where one goes from the coast into the interior the more is practiced. Consecrated wafers of the Roman Catholicism and the blood of sacrifices by Voodoo priests at the Voodoo

something like \$1,000,000 of American money has been financially sustain during the last six years a church of a kind and a semibarbarous institution (more or less mixed

that the work of the occupation responded to the desires of the Roman Catholic Church in Haiti?

use a stronger word than respond; it actually deviated American marine officers from their mission in the Black subordinated the interests of the United States Government to carry out their treaty—to the Roman Catholic Church interest. I know it is a delicate matter, but it has to be frankly faced; and this unholy alliance and American con- in German propagandas, must be permitted to interfere—defeat—as they have so far done—our purpose in Haiti. For of the United States Government and the American only before Latin American Republics but before the and so our influence and integrity in negotiating treaties of the League of Nations.

not that indicate that the desire seemed to be to have administration would be in harmony with the wishes of the people?

ive of avoiding unnecessary friction, and especially religious body is most commendable, and applies, accordingly to the Protestant and Evangelical churches equally as to the Catholic Church. As Admiral Knapp states in his report, the in Haiti has no right to claim the majority of the population, as he says, a negligible minority, but owing to its alliance with Haiti and the United States Governments it

eat majority of the people are Catholics, are they not? According to the report given Secretary Daniels of the United States, ago they are not, and this has been my position right the Catholic Church in Haiti is a bastard production of voodoo-

ism, witchcraft, and other African heathenish cults, with a gloss of Catholicism—just as described by the American marine officer.

And again, these white priests of Europe who smoke and drink the etc., have little in common with Haitians and do not understand nor sympathize with a republican form of government and equal rights for all churches.

On my first arrival in Jacmel, southern Haiti, in 1893, I was attacked by a European white priest for holding a gospel service in the open air, and a warrant—both my assistant, Nosirel Lherison, and myself—to appear the following Wednesday morning at the chief court, presided over by a fine Haitian, a nominal Catholic.

The judge said, "The priest has failed to turn up; and if he did, I would have nothing to interfere with you. Continue to preach," he said; "this is a public place, and the constitution gives equal rights to all churches," and I was told the Haitian soldiers to protect me in the street or elsewhere and made arrangements that I should visit the old prison every Sunday and any other day.

Senator KING. Your criticism is that the priests, then, did not always represent the will of the majority of the people?

Mr. EVANS. Yes; they are actually opposed to the intellectual if not industrial, and especially the Christian development of Haitians, and I am not surprised that they are not back of this occupation's resistance to education in general of Haitian children and young people.

Senator KING. And that the priests of the Catholic Church have interfered with the legitimate and proper plans of the occupation?

Mr. EVANS. Exactly so, only instead of saying priests (with whom I have no quarrel and they have as much right to preach and as much as they believe the Roman Catholic dogmas, as Protestants and Evangelists) will put it the Roman Catholic Apostolique Church, so called, and the interference in the interest of this Roman Catholic Church have interfered with the legitimate and proper plans of the occupation.

American marine officers themselves have again told me how they have failed off to wait on bishop and assist archbishop with their Government, and many, with the great majority of the thinking Haitians, and the Republic, would hail the breaking of this alliance.

And this done expressly for the spiritual good of both Protestant and Catholic Church and an honest and efficient Haiti and United States Governments' (latter through occupation) administration in the black republic.

Church and State have their distinct missions, and they can best perform these distinct missions by being entirely separate, and not the one encroaching upon the other's realm and infringing upon the rights of one another, such as the American marine paying and acting the Catholic priest and the Catholic priest performing the function of an American marine officer. You thoroughly understand what I mean.

Senator KING. I exactly comprehend your meaning.

Mr. EVANS. With your consent, I insert here for record an official letter from the Haiti Government, which means as stated the occupation and really the United States Government, and how it seeks to calm the fears of the distinguished visitor of the Pope recognized in Haiti by both the Haitian Government and American marine officers not as a mere religious head but a prince regent in Haiti an independent and foreign sovereign, but expenses and salaries paid by Admiral Caperton (and afterwards by the American occupation) the continuance of financing the great Roman Catholic régime in Haiti. Intelligent Haitians in increasing numbers oppose, stating the conclusion long expired. My copy is in French and taken from the *L'Essor* for 1918, and is as follows:

#### LA RELIGION CATHOLIQUE EN HAÏTI.

Nos lectures liront avec plaisir la lettre ci-dessus qui est un soulagement à la foi catholique du pays:

REPUBLIQUE D'HAÏTI  
Port au Prince, le 31 Mars 1918.

SECRETAIRE DES RELATIONS EXTERIEURES.

MONSIEUR: J'ai eu l'honneur de recevoir la lettre du 20 de ce mois, laquelle, étant donné que la religion catholique est celle de la majorité du peuple Haïtien et qu'elle a toujours eu en conséquence une place privilégiée dans le pays.

**SEIGNEUR CHERUBINI,**  
*Intervenant Apostolique Port au Prince.*

est sent me an official list of all the schools belonging to names and total amount of appropriations hitherto given Government—but now stopped by the American occupation—requested an official list from the Government's minister of Protestant churches that received Government financial help to schools, and the amount given each. These names and amounts are shown, and following is my letter of thanks, with a kind request for a complete list of total or itemized grants, and actual cost of maintaining the Roman Catholic Apostolique régime in Haiti. My answer came, and this broad-minded Catholic, but real friend of public instruction, who had prepared a scheme for the black Republic over two years ago and anxious to have been fired by either the Catholic Church direct or by the State at the bidding of that church.

Following follow:

*de l'Instruction Publique,  
Port au Prince.*

REGNOIS: Many thanks for the official statement as to the  
 s given monthly by the Haiti Government; and also the  
 tions again given to the Roman Catholic schools in your  
 received this week.

rough you, the minister of cult, to be kind enough to give me monthly or yearly salaries given the archbishop, bishops, etc., and all other minor officers of the Roman Catholic Church, the extra subventions monthly or yearly given out of the treasury to maintain these Roman Catholic chapels, archbishop's palace, etc., of said Roman Catholic priests?

isible, in this list what is given to all freres and soeurs  
their Roman Catholic schools, as well as those engaged in  
nt hospices through this Republic, and other useful infor-  
o this and coming under above heading.

ter that I should have a correct and, if possible, a com-  
 e Protestant and Roman Catholic subventions than one  
 to guess on such important matters, and this can only be

I through you and the minister of cult whether the actual  
it was meant for 50 years, and when did it really start?  
grateful for this reliable and official information, to what  
urnished me with already, and for which I heartily thank

boat leaving for New York from Port au Prince at end of August, we are hoping to leave for States, so personally with our Haiti minister of public instruction, and at reference suggested.

, I would very much like to have also present, say, Col. Gen. Williams, with the President and ex-President Legi-

time, if not the members of the national council itself, with our American minister; and if you thought fit, and seeing their deep interest in Haiti, the consul general and the French minister, though if better, in your judgment can furnish their indorsements by way of a separate letter.

At this informal gathering I shall briefly give an outline of the project," as they termed it through Haiti seven years ago, and what has already been taken in the matter. I shall allude to the petition bearing 3,000 names of all leading Haitians, irrespective of religious creeds or politics. I had the privilege of presenting at the Carnegie Bureau of International Peace, in Washington, and which had inscribed upon it as the name of my old friend—distinguished, able, cultured, and progressive (wards)—the late President Leconte, who was also the real friend of the American Government.

I believe that I mentioned to you, and as showing the widespread enthusiasm at the time referred to, official letters in my possession to civic councils, St. Marc, Gonaïves, Port de Paix, Grande Rivière,太子港, Liberte, Dondon, St. Michael, Enery, Cape Haiti, etc., sincerely thanking me personally for getting this up and carrying through the Republic, with success of my mission in their behalf in the States, and sincerely praising the great Christian and educationist philanthropists of the States—Rockefeller and Carnegie, for instance, to provide this blessed boon to this urgent necessity, a national normal and industrial school for the Haiti and its sons and daughters and by way of training their young manhood and Negro womanhood for future religious, educational, and commercial, as well as judicial and civic leadership in their own Black Republic.

Our representatives at the Latin-American department of our Government and other educationists at Washington last October, and just before I left to Haiti thought that if this petition was now presented, and the Government it would most likely go right through, as it would be in accordance with the spirit, and, indeed, letter, of our generous treaty; thus enabled to be carried out with greater effect by our United States Government, and its occupation and the Haitian administration, though the financial burden would be furnished by our generous American philanthropists, backed by the United States Government.

While we shall be glad, of course, of suggestions at this proposed conference it will be wise not to enter into matters of detail until the proposed normal and industrial school has been sanctioned and indorsed at Washington.

I am sincerely hoping, however, that this normal and industrial school made fit into the new scheme of public instruction for the long-neglected children of Haiti you intend soon to launch; that in time it will provide and efficient teachers for same, as well as professors in agriculture. The United States Government to develop scientific cultivation of our soil through small Negro farmers and native cultivators, and therefore the reason will suggest when the time comes that trustees and managing leading American citizens in the States (representing white and colored) will work in close conjunction with, or, if not, through, our American minister and as an essential part of Haiti's public-school instruction system.

I wrote our Pastor Lherisson at Jacmel concerning that Government's urgently needed for a high-class school for boys.

With sincere regards to you and your colleague, and for Christ and

L. TON

RÉPUBLIQUE D'HAÏTI,  
BUREAU DU SUPERINTENDANT DE L'INSTRUCTION PUBLIQUE  
Port au Prince, 13 juillet 1904.

Monsieur L. TON EVANS,  
Saint Marc.

MONSIEUR LE PASTEUR: Vous trouverez sous ce couvert la liste générale des subventions que le Département de l'Instruction Publique paye mensuellement.

Recevez, Monsieur le Pasteur, l'assurance de ma parfaite considération.

M. LAURENT

Le Suprntendant de l'Instruction Publique

## Subvention.

	Gourdes.
s appliquées.....	1,200 or 150
.....	100
.....	257
.....	200
.....	100
.....	1,857 or 150
p Haitien :	
ale de Milot.....	70
ale de Quartier Morin.....	70
ale Plaine du Nord.....	70
ale Acul du Nord.....	100
.....	560
e Riv. du Nord :	
ale de Ranquitte.....	50
ale de Dondon.....	100
.....	150
mbre Plaisance :	
ale de Limbé.....	150
ale de Plaisance.....	100
.....	250
ou, ecole presbytérale du Trou.....	50
liere, ecole presbytérale de Vallière.....	50
ache, ecole presbytérale de Hinche.....	100
essalines, ecole presbytérale de la Petite.....	50
.....	3,067 or 150

REPUBLIC D'HAITI,  
DU DU SUPERINTENDANT DE L'INSTRUCTION PUBLIQUE,  
Port au Prince, 3 juillet, 1918.  
L'INSTRUCTION PUBLIQUE.

TON EVANS,  
de la Mission Baptiste, en Haïti.

elon votre demand, je vous transmets sous ce couvert, la  
accordees par le Gouvernement aux divere Cultes, etablis

L. J. BURGEOIS,  
Supt. de l'Instruction Publique.

accordees par le Gouvernement aux divers cultes Protest-  
Protestant religions) etablis dans le pays.

Catholique G. Apostolique d'Haiti.....	192. 50
copalians.)	
epublique.....	187. 50
u Dondon.....	50. 00
u Cap.....	40. 00
s every Baptist church in Haiti, and rent of room	
tists of Cape worship since church burnt down.—	
ues.)	
a Republique.....	120. 00
ependeante.....	50. 00
Methodists of England and the Port au Prince	
nich has broken away and become independent.)	

Savoir—Continued.

St. Paul

(Native Episcopal, whose pastor is clerk at American  
late.)

Societe Biblique et des Livres, Religieuse d'Haiti

(This is native Bible and religious books society of Ha

Certifie Sincere,

H  
Le Comptab

PORT AU PRINCE, *le 2 juillet, 1918.*

NOTE.—Not being able to ascertain from the native pastors exact sum each received from the Government, which has been whole to Baptist churches and natives, not to say vitally of and Baptist teaching, I made an appeal to the Government d information and courteously received above response.

I also applied for official information as to the total subvent American occupation to archbishops, bishops, priests, nuns, fr the total monthly or annually, to maintain the whole Catholic Haiti College in France for training of white Catholic priest course, was never furnished me.

While the estimate is that from \$100,000 to \$125,000 a year fr Haiti Republic actually paid the latter (R. C.) something like a year was paid to Protestant churches and to aid Protestant schools have been cut off for years from list of subventions, a closed by the American occupation.

(L.

Senator ODDIE. Now, I want to ask you this: In your opinion dence that is asked by this committee be offered freely by t Haiti; and if not, why?

Mr. EVANS. No. This committee will in the present tempe tians, I may say terror-stricken and almost hysteric mental co confidence of any kind in the American people, through the fu understanding of them by and the cruel conduct of the Ameri I very sincerely believe will find itself much like the Navy co beforehand predicted to Maj. Dyer, it would be by myself at our in Washington. He thought he knew better.

The occupation is still there, and with the priests, their p gendarmes they will know every native that attempts to give they will probably intimidate, though this is not needed; they and are almost horrified at the thought of being pounced upon prisal the moment the Senate committee has left the island, a court to appeal to nor a single soul to protect them, hence they

If account of present proceedings of the committee could lished in English and French at present in Haitian papers, this kind of preparation and something to calm their minds and fidence, otherwise I fear that you will be sadly disappointed u dent comes and talks to the committee as he talked, for ins New York correspondents. This might encourage others, possib

It is a sad condition, and I feel almost heartbroken for th arrived there in 1917, and before the rape of constitution, and t rection, enforcement, with barbaric roping connected and deve corvee, they seemed so happy and free.

I seriously advise the committee right away to request o send a proclamation to be published in French and English in t all the papers and in all the public places in every town and v inviting the citizens and others who have reliable evidence to the present Senate committee or commission now making an ex into conduct of United States forces in Haiti, assuring them o tion of the United States Government and the severe punishme bers of occupation, priest, or members of corporations, etc., who to intimidate by threats, reprisals, or any other method.

State the places the commission of the United States Govern approximate date of sittings. As a proof of the real and ge the part of our Government to calm all fears and create imp of the people, so as to secure their cooperation, our Presiden

all political suspects and prisoners against whom no crime proper process of law be liberated the day of the arrival Port au Prince.

with protection, is essential, and the liberation of all such would have an immense moral and most favorable

to be treated as children and somewhat humored.

a number of Senators were there over a year ago some quite freely among the people—at least I did. I was in the region outside.

in March or April of 1919?

in 1920. Just a year ago, or a little more, and the people and I am sure they did to other Senators likewise—professional men, and the people on the streets women that produce on their heads.

with 200 in the island during the two or three days that no one that hesitated to speak, no one that seemed to hesitate in explaining their views, and many of them expressed satisfaction with the conditions.

the situation seemed to be that there was a divided authority. Which of the three chief officials was the one having authority to confusion, but, generally speaking, there was very little by those with whom I spoke about the conditions there

about 100, and those with whom I talked were poor people, on the streets. Some were working as stevedores and some in the hills. They talked perfectly free about the revolution, and there was some criticism, I remember, about the revolution great; but the point I am trying to make is that no one had the slightest feeling of terror at all.

to perceive this anywhere among the classes of people, on the hills. Nowhere was there the slightest evidence of terror existing under a state of terror. I do not know what the situation was when you were there.

these inquiries going on about the time you were there; the administration of Secretary Daniels?

could be near that time.

was in April and May, 1920.

was something going on by way of investigations—either by the government; some of these were around there?

what was afterwards.

these investigations produced some moral effect, as some of the officers like Maj. Wells, for instance, cleared out, was in communication at this time with Secretary Daniels, and Lejune and others he sent down to bring him the latest. (the this) who sent Barnett to Port au Prince, and things were somewhat as they saw the red light.

whether who left, is he not?

not know.

he left months before your visit. I came up by a ship in 1919. Several Senators and Congressman came up to Port au Prince and witnessed a riot between the two sides—if not saw one or two killed. I met one of the Senators who was hurt.

the strain through jealousy between these two bodies which lack of discipline.

the committee will immediately consider and act soon on

we will consider that. We will take that up.

to impress the importance of such a step on the committee not be handicapped in Haiti.

on as it is before them again, they will consider it.

what factors, in your opinion, contributed to the renewed disorders?

and at the end of 1918 when I was there I saw a great effect and its effect. On landing in December of 1918 at

Port au Prince, as seen in this record, I called on Brig. Gen. Catlin, a strict command that the corvée must be stopped, I understand, but still in existence at St. Marc and other places in the Artibonite and Port au Prince, and south as well as all through the northern section.

After receiving official assurance from State Department at Washington the corvée curse and other cruel and sad conditions were being investigated and seriously considered by all the departments interested at Washington. I made it my business not only to go and pay my respects to Brig. Gen. Catlin, the new chief of American occupation, as soon as I arrived at Port au Prince, but inquired from him personally whether he had heard from Mr. Kulp and was there anything being actually done?

I gave him, in addition to the typewritten copy of it received from the State or Navy Department, the printed memorandum, and went over carefully re corvée, and the insidious influences at work interfering with the occupation and its purpose in Haiti. The memorandum, dated December, 1916. If he gave orders in October to stop the corvée, the orders were not carried out, and to my knowledge, and after bringing to the direct attention, he permitted Gen. Williams, chief of gendarmerie, to direct Lieut. Kulp from investigating the brutal and barbarous conduct of the gendarmes on Gros Morne.

Gen. Barnett, in October, 1919, writing Col. Russell, who succeeded Gen. Catlin, after expressing himself as shocked at conditions of brutality and miscellaneous murder by gendarmes and marines, added:

"I can not too strongly urge you the necessity of going personally into these matters and see to it that nothing is allowed to continue the corvée system; let it be known throughout Haiti; it will not be hereafter."

There should be no need of this urge and imperative command from Gen. Barnett or Knapp or Lejeune if these chiefs did their duty, and from the evidence that the corvée existed other than in the north, and no hope was made to actually stop it or ameliorate the brutal sufferings of the natives under it.

Cacoism was mainly the product of the corvée, and the sufferings of the natives became more acute, and the marines and gendarmes conducted a brutal and barbarous and murderous in their defiance of law, and the sad neglect and criminal laxity of American occupation, and gendarmes and cacoism increased threefold and tenfold, and the serious attack made on Port au Prince, though, it was not a revolution, nor even a rebellion, but a popular uprising, and the natural protest against the inhumanity, if not inhumanity, of American marines and their methods.

From a document sent me from Haiti, the headquarters of this cacoism, and by a Christian missionary whose valuable services, as testified by Gen. Cole, was scouted by the notorious Maj. Wells, which I am sure in your service in the record, I quote here a paragraph or so to dispel the prevailing statements about these people:

"Some say that this revival and powerful renewal of cacoism is a plot or intrigue against the United States. There may be a semblance of truth in this, but the real fact (and no one knows better than yourself) that this uprising is directly due to the terribly bad administration.

"If different methods were adopted, more wisdom and humanity less prejudice and hatred by some of the American marines toward the natives, and a conciliatory spirit shown, they would so gain these Negroes' respect and loyalty and love that all the money of Berlin and guns manufactured in Germany, if furnished them, would never turn these natives against the American marines and the United States Government."

This French citizen, and missionary for over 28 years in this country, one of my witnesses to testify before this committee if I can get to Haiti, President's proclamation is made as requested.

Senator KING. Were you there when the cacos came into Port au Prince and attacked the sugar factory and others?

Mr. EVANS. Do you remember that date?

Senator KING. No; I do not.

Mr. ANGELL. There was an earlier one, in October, 1919.

Mr. EVANS. That was after I left.

Senator KING. I am referring to the one in 1920, when they came in a thousand strong, and created a great state of terror, and they were

the gendarmes, and several score of the cacos killed. You

I have seen the account. It was the accumulation of the through these oppressions and cruelties of Marine and upation, I trow not. If what a white American and this sugar plant told me boastingly at the Port au Prince his brutality toward those who worked under him, and through the occupation the whole thing was squashed, uprisings and attacks, I am not surprised therefore at effect.

familiar with the history there, given by both classes, ould be perhaps no greater than mine, unless you read

nowledge of Haiti and the Haitian people is not the result years of my life in living and carefully observing them came, and since.

existing between Marines and the gendarmes and their ual control as you put it, and confusion and military uence, and the cruel way Haitians are handled account ave heard Marines repeatedly say things are so quiet, ap among themselves. or gendarmes or so-called cacos, go back to the States, or ask to be transferred to France, hting doing.

s told by a number of Haitians, some of them holding he revolution in 1920, if that was the date, was very culmination not of the evils of which you speak, but city of a number of revolutionary leaders who had been and had been disturbing factors, and participated in he occupation, and that they took part in the assassina- ch resulted in assassination of one or more Presidents, one or more Presidents; and that their avowed purpose hites, particularly Americans, and to put the government e revolutionary Negroes. That was told me by Haitians. not be at all surprised if this were true, and that even advantage of the bitter resentment of Haitians at the treated, and the strong reversion of feeling produced and Americans, as I have repeatedly said. It was fre- I was in Haiti that Germany was winning in the war, and matter of a short time before they came to Haiti and merican marines. Those with the Central Powers (and Catholic Church were) and Pope with Germany and stories, and I saw little or nothing to convince them

not a fact that there had been revolutionary movements ould result in the frequent deposition from authority of Chief Executives of the island, and that there were in- ill parts of the island going on at all times?

mentioned this morning, this was partly due to the dissatis- tians with island conditions, readiness to be therefore e man's influence and money to try and better the state tes and in Britain, where people are educated and en- as are as a rule blamed on the Government, and a change s done by elections. Haitian agitators, however, are ned revolutionists, and in a sense every reformer, of

have been nearly 100 Presidents there, have there not? exactly how many, but this is somewhat exaggerated, I

limited number of years?

s is true.

they would be driven from power by revolution?

ing without money, and failing to secure the friendly aid they would be too weak to resist the powerful influence l German money?

number have been killed?

at Simon was driven from office and President Laconte n United States Government failed though requested to

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come to their assistance, and their Government's aid against these ins  
powerful invisible agencies working against every attempt at re  
progress in the black Republic.

During last 100 years we have had many elections, and some able meaning Presidents have been hurled out of the executive office changes brought about.

Senator KING. I am speaking about conditions in Haiti. Is it not true there are revolutions for 100 years almost constantly, if not in all parts of the island, and incipient revolts and movements which overthrow of one political party which had triumphed, in the interim other political party?

Mr. EVANS. Yes; perfectly true, but more or less and chiefly owing to the influences I have already mentioned and repeated. There are smart, and energetic people among the Haitians. Political parties are all the year round are preparing and agitating whether their party will have power or not.

Senator KING. Is it not a fact that when Americans came there the  
 cipient revolutions in many parts of the island, and that they were

Mr. EVANS. Yes; that is a fact, but my impression is that these were confined to the north, and Port au Prince, or south. There is no communication between north and south of the Republic of Haiti, just as there is no communication between the northern and southern States, not always. Haiti has had before now a President at Port au Prince for the north had Christoph as their king, for instance.

Senator KING. So that even when, as you said this morning, as I you, the Americans came, and were welcomed by a large number down

Mr. EVANS. Yes; this is quite so, and if they had continued the purpose of pacifying, instead of arousing the feeling, causing bitter hatred through the corvée, change of constitution, etc., they would still welcomed by practically every Haitian.

Senator KING. Yes; by the majority; there were a large number opposing—

Mr. EVANS. Quite a number who misunderstood our intentions, and when we landed our marines; yes.

Senator KING. The occupation; or would have opposed the contemptible majority of the Haitian people themselves?

Mr. EVANS. There is a difference in being controlled by a foreign by a majority party of your own. As emphasized this morning your questions indicate that you have forgotten some of my replies, these you refer to, as well as Haitians in general have for years been against America and Americans and told by German and other European gandas to beware of us; that all we wanted was a foothold, to take their rich island and reduce them to the position of forced laborers and slaves; and when we entered some were honestly doubting our intention to-day the majority have been convinced that the Germans were able

Senator KING. What I am trying to develop, if it be a fact, is, has in that country for many years an element that should not be satisfied with the kind of government, even the best government, that their own people have?

Mr. EVANS. I hardly like to say that, and if it is true as you have the same situation in the States and other countries. Haiti, whether white or black, is very much alike in these things. Haiti deal of energy and much time also on their hands, and there has fortunately not much under any government in Haiti that can satisfy and intellectual and Christian progressive people among this nation.

Senator KING. Have there been revolutions there?

Mr. EVANS. Certainly there have.

Senator KING. And a great many men deposed from executive aut

Mr. EVANS. They term almost everything in Haiti a revolution, political activity.

Senator KING. Answer the question. Have there not been a large number of executives deposed?

Mr. EVANS. Yes.

Senator KING. And some killed?

Mr. EVANS. And some few killed.

would not call the government which they have——  
think, and two or so, the last 10 or 12 years.  
the past 50 years?

There have been others killed I believe during the last 50

would not call the government which they had in Haiti  
during the American occupation a stable government, would

not, and I have been trying to point out the reasons  
I have been for 20 years urging upon our Government at  
a friendly mandate and act the big brother toward these  
at them in laying down a firm foundation for a perma-  
intellectually and industrially help to train and develop  
them to understand the secret of a stable, peaceful, and  
in Haiti, but which the occupation has failed to do,  
of their mission in the Republic, according to the treaty.  
have been fewer revolutions, and there has been less  
since the American occupation than before, have there

have been no revolutions, but I have heard more about  
in Haiti since our American occupation, as well as  
heard of before during nearly 25 years, but of course the  
connected with those periodical revolutions referred to.  
had their arms, and the Haiti Government her army,  
a revolution to-day, I fear, that would have made it  
their senate and chambers and change their constitution.  
were the revolutions before this that resulted in the  
am?

ere the periodical revolutionists, which have simply the  
ernment in view. If the President, however, uses very  
own the revolutionists, and in desperation instead of quit-  
government resorts to wholesale executions, as I under-  
certain element goes raving mad and swear vengeance,  
a backward countries and among illiterate and quick-

cacos were revolutionists, were they not?

n the sense it is used in Haiti; they would be called ban-  
Haiti, and referred by you as attacking Port au Prince,  
ed in very large numbers by those driven into desperation  
s and brutalities and probably had escaped from the  
ng on roads, etc.

would you call those who have deposed the multitude  
been deposed?

h is proverbially known as the starting place of revolu-  
ose at the Cape and in the northern section are stronger  
certainly they are apparently more active and energetic.  
at an important reason is that it is more accessible to  
ic and can be easily reached, should something happen,  
le on horseback. It has been easier to land ammunition  
sible for the Government to get up from Port au Prince.  
be certain cacos that would join and follow the revolu-  
forward march on Port au Prince, and as these rebels  
ould be useful in doing some looting very likely. They  
nhabitants, with Haiti politicians at the head, and in-  
ghites.

at to know what the fact is as to the revolutionary con-  
fore the American occupation, for the 50 or 75 years pre-  
going there?

ave been many revolutions during the nearly 30 years I  
d some of the oldest people have told me about the real  
e past 50, 60, and 80 years ago. Unfortunately, there  
e men on the lookout to foment and exploit small, weak  
re merged in or cared for, protected, and otherwise re-  
leadership of a stronger, wealthier, and more developed.  
lead up to our landing in Haiti would probably be more  
bloodshedding and devastating consequences, as those in

Senator KING. Well, 50 or 75 years ago there could be no German in

Mr. EVANS. This has been true for the last 25 years, and other nations as England and France, have had their filibusters and political pirates

Senator KING. Without attempting to determine the cause, there have been frequent revolutions there?

Mr. EVANS. Yes; very many.

Senator KING. And public peace and order constantly disturbed?

Mr. EVANS. Yes; most seriously; and formerly there would be a swarm of Haitian exiles at Kingston, Jamaica, who were induced by whites, money and ammunition and small ships, to go back, land at night, and stir up political upheaval. There was another class who really sought to go into the government, but unaided, too weak. So I have often looked upon the birth pangs of this small nation, which seeks not only an independent life but even a larger life of greater and larger usefulness, but too weak to secure special assistance and protection.

Senator KING. I am not attempting to excuse, palliate, or condemn. I am trying to find out what the fact is. I do not want the impression to go from your testimony, unless you so want it, that whatever trouble has occurred on the island in the shape of revolution or disorder has occurred since the cacos went there.

The fact is, as I understand, that there have been trouble and revolutions for many years.

Mr. EVANS. Yes; this fact is well known in America and through all the world.

Senator KING. Inherent—I was about to say indigenous—to the island and the people?

Mr. EVANS. Yes; under present and past peculiar conditions, and all the intellectual people have been long sick and tired of it, as shown by the enthusiasm in reference to a normal and industrial school and the President Simon re concessions of railroads and banana plantations, etc.

Senator KING. And the Germans before and after the outbreak of the war fomented strife?

Mr. EVANS. Quite so.

Senator KING. And used the island as a base for German propaganda?

Mr. EVANS. Yes; they were for many years entrenched through the banks, etc., in and throughout Haiti.

Senator ODDIE. I just want to ask you what the cacos had to do with the adoption of the new constitution?

Mr. EVANS. The cacos?

Senator ODDIE. Yes; do you think they had any influence or anything to do with it?

Mr. EVANS. There was not much talk about the cacos previous to June 1919, and, for instance, when I traveled through the north in April I found little evidence of their existence, which I attribute to the wise and humane policy of Maj. Cole, who sought counsel with our French missionary and used him as an intermediary more than once, but which when suggested to them in January of 1919, when they had so increased in number and power, was tabooed with a sneer and took as an offense, saying he could handle them without the aid of a missionary or Gen. Catlin and his marines.

The arousing of the Haitians and creation of bitterness and hatred against the occupation and Americans confirmed, I should think, whatever cause they were in the north at this time; that the destruction of their Negro communities so as to give away lands all over Haiti to the white foreigners, confirmed in their previous belief that Americans were taking away their country from them, and therefore they were justified in their strong opposition. It has added large numbers to them, as well as create other bands around the outskirts of Port au Prince.

Senator ODDIE. What have the cacos had to do with this corvee system?

Mr. EVANS. Well, while the cacos have had absolutely nothing to do with the corvee system, but stoutly oppose it and denounce the occupation and Americans, the corvee system has much to do with cacoism. The forced labor on the roads, and catching, roping, brutal treatment, and killing, who tried to escape, not merely doubled, trebled, and multiplied many times the number and strength of the cacos by way of recruits, but it was, in the end, the clenching nail and proof positive at last not simply that Americans were taking their lands but had come there to bring them all back to slavery and horrors.

I want to ask you another question with regard to the men who were chosen by the marines?

Marines are chosen by the marine officers, I understand. The officer is strict, firm, yet sympathetic, as a rule he has a good name, with better behavior, and quite humane because of his position as a marine officer. Where, however, the marine officer is prejudiced against the colored, and curses and brutal. He is inferior and copy their white American captain or sergeant goes beyond him, especially when he finds that this is the officer.

Marine officers have confessed to me that when they were inexperienced, somewhat prejudiced, ignorant of the language (in the kind of interpreter), they often misunderstood them, and then.

Because of the language and the Haiti Negro's characteristic excellent results.

The chief of occupation see that not only their marine officers were of the highest American type, and should hold them responsible for the character and accountable for the conduct of the occupation—scandal—and providing the corvée was merely used in the occupation. Men were paid 25 or 30 American cents a day—this was the case.

The trouble is that when you are asked to explain one matter after another about our occupation.

Is it right here? I was told by Haitians and by American residents there that whereas Haitians are kindhearted, they are with regard to brutal treatment that would seem to be their other sympathetic characteristics; that they were tolerant of each other and did not seem to appreciate that the treatment of their animals, brutal in their treatment of their animals, and seemed to have no sensitiveness when the killing of animals was involved. What is the fact about

the fact that in many cases, and arising from the lack of training and being deprived of the civilizing and Christianizing influence, criminally neglected by us as Americans and Christians

They are not responsible for this. The Negro fiery feeling would have much to do also with this.

What Americans and America would be like if Christians were of church, schools, and in the homes were withdrawn. Simply, in my judgment, shows what care should be taken by competent marine officers, and after the special training for these important positions of authority they are

dealing with you, but I am now trying to get the characteris-

ing a great deal of truth about that, but, as stated, if a man is given any position of authority without explaining the responsibility of such, they will abuse their trust and soon lapse into doing this. They are, on the other hand, not only kind, but scrupulously honest, generally speaking, and would not bring Christian lands to shame. Seeing how these folks are vilified, the following from the New York Times for interesting, and may modify somewhat certain views as to the facts:

#### AMERICANS IN HAITI.

28.

Some time ago I was in Haiti on a riding trip in the interior of the country. I saw the French priests, who were our hosts, all testified to the peacefulness of the people, and I recall in particular the French priests, who said that you could drive a donkey laden with goods from one end of the island to the other in perfect safety.

It is interesting to learn why so many bandits have developed in Haiti under the present occupation. Is it possible that the term bandit has become a nationalistic?

ELSIE CLEWS PARSONS,  
Harrison, N. Y.

Senator KING. This was given me as an explanation for the alleged treatment of other Haitians by some of the gendarmes. They said they did not regard it as brutal treatment to strike some one; they did not think it was anything serious at all.

Mr. EVANS. The day before I called on our American marine officer at Riviere, who stated (and by the way lived in the Roman Catholic prison with the European priest) that the day before his gendarme had shot a prisoner. The prisoner had merely attempted to strike the gendarme in his brutal handling of him.

This shows the poor native who receives the blow is not insensitive to the brutal treatment he gets. Prisoners and corvée workers all over Haiti have been shot on showing resentment to the cruel way they are dealt with. The number during the last five years would run up into thousands and would double Gen. Barnett's figures.

Senator KING. To illustrate what I mean, I remember seeing a number of animals being brought in, those little burros heavily laden with wood, and of them, as it was approaching Port au Prince, fell from exhaustion because of the burden it carried—

Mr. EVANS. Yes; I have seen many of them.

Senator KING. There were several in the caravan, and as I remember and a woman came up, and instead of lifting the load they beat the poor animal and the interpreter; and they were very much annoyed and continued to beat the poor animal; and the interpreter insisted that they remove the load and permit the animal to rise, and very reluctantly they did it, and he said that the Haitians were very brutal to animals and, indeed, to each other. They seemed to be insensible to suffering and to the infliction of pain, either to each other or upon animals.

Mr. EVANS. Well, their moral sensibility has not been developed. These finer senses take a long time to develop. What you saw I have seen, but they were somewhat rare cases, I am glad to say. It is the other way with their nature I have most frequently witnessed. These donkeys, and mules, are somewhat tricky and often go down quietly, load, mother, and fall in a stream or river, and but with little weight. I have had this experience myself, in both water and mud.

Roads in Haiti have been wretched and impassable, and it is cruel to drive donkeys heavily loaded over them. The whole country, as you see, people, are in a very backward condition in spite of some very excellent work mentioned. It is a field with splendid opportunity for Christian statesmen as well as teachers and missionaries.

Senator ODDIE. Were you in St. Marc's prison in 1918?

Mr. EVANS. Yes; I spent the closing days of year 1918 and the opening of 1919 in the slave cell of St. Marc's old prison, strictly confined, and alone, not even members or officers of church, daring to come and see me.

Senator ODDIE. Did you see any acts of cruelty and ill treatment in the prison?

Mr. EVANS. Yes; while night after night, as well as during the day, I was always gasping for a breath of air, and expecting every moment at the door of the white, intoxicated, and raging, cursing American marine to be dragged like others before a "firing squad." I could hear the yelling and groans of native prisoners, as well as their being cruelly beaten and pounded by the gendarmes.

Many a time these yells and groans would suddenly cease, and then I would hear whispering, and the sound like if they were carrying out a dead body.

Through the small cross-barred window of my dark cell I could see more lined up about 6 in the morning to have coffee, at times without coffee to eat, and without the least provocation struck a terrible blow with anything the gendarme might have in his hand, until the prisoner was dead. I have seen them fall like logs in the prison yard from pure exhaustion, and the lack of nourishment.

After the coffee and under armed guard of gendarmes I have seen the prisoners marched for corvée work on roads several miles from the town of St. Marc. Between 2 and 3 I have seen them brought back to prison, roughly searched, and whatever they had taken from them; whether these had any pay for their work I don't exactly know, though I think not.

Often they would have to wait two and three hours without a bite of food. On occasions there were no food at all, the American captain having gone out with the keys or drinking.

I saw again and passed by under armed guard of the gendarmes dead men, if not bodies, in the farthest yard perfectly nude and covered with vermin.

prisoners and corvée workers stood and sat around. I saw their heads held under spigots by gendarmes and other. One day I was taken out under gendarme guard, after being hurt, and said American marine officer immediately commy imprisonment condemned as illegal and court decreed etc., for torture and agony suffered, a man just brought attached attended to by the native assistant local doctor. A Haitian had his back beaten into a kind of jelly and inquiring how it happened, was told that this American, Capt. is drunken rages had pounded this man.

Marc, at the home of the family of the late Judge Orius, made testimony that two or three prisoners had been taken from the command of the American captain a mile or so from their own graves, and shot into them. This, with my own experience several times under guard through streets, almost drove

St. Marc in the end of March or beginning of April of 1919, to church service, saw great excitement and persons running, backshacks, closing doors and shutters—as in revolutionary times, a fear, and was told that the gendarmes had just killed a man and toward our church and saw a dead body almost nude and other others, and swayed from one side to the other, limbs in a gruesome sight I ever witnessed, with an armed gendarme on their side.

When I was captured, I felt, to drive the already terror-stricken natives very crazy.

What captain a marine?

Are captains and lieutenants over gendarmes are American

captains of our marines?

It was Capt. Fitzgerald Brown in full and complete charge of the marines; the one conspiring with Gen. Williams, Port au Prince captain, and lieutenant Hang (St. Michel) had me arrested, etc.

Do you know of any other cases where the marine officers were very cruel?

It was Capt. Brown's own lieutenant boasted in the train before me at Port au Prince around February or March of 1919, to me and some natives, that he had just come back from hunting and had bagged several, and that as soon as he returned I believe he said—he was going back to bag some more. He spoke as if shooting game and without any apparent com-

He seriously talked to him of a humane method of dealing with the natives, which he admitted to be the right, and he believed to be the only way. He admitted that he was sick and disgusted with the life in Haiti and was quitting to go back to the farm in the Middle West for ever with this kind of life.

In court during the hearing of my case before the Negro court, the same evening he quietly came to the door of my cell. He said, "You are an 'insane fool,' or words to that effect; 'you will

In January of 1918 one of our members, in deep mourning, with me, informed me of her two brothers dragged out from the Cape Haitien for cruel torture, and somewhere had to dig their own graves and were buried by the American marine officers—Maj. Wells or his subordinates for years a deacon and local preacher with us at the

Ignoring of and defiance to Haiti court by the American captain (Brown) on being ordered by court to set me immediate adequate protection to life and mission work with military force, compelled me to go at midnight—that is, out from my cell—to go alone in an open boat to sea on the north to face another court there, under the notorious Maj. Wells. When the St. Marc high court declared emphatically in my case, and so-called mandates of Judge Obas issued at

the instigation of Maj. Wells and other American marine officers—St. Marc were not valid. (Illegal).

Senator ODDIE. Alone?

Mr. EVANS. Yes; only the Negro judge advocate employed by St. Marc to defend me, without my knowing, at the high court came with me for during the sea voyage, and intending to come all the way to the Cape.

Senator ODDIE. How many miles?

Mr. EVANS. Over 100 miles, probably, altogether, through the interior after a sleepless voyage we both landed the following afternoon at St. Marc. To my astonishment, if not amazement, as soon as Gonaives was reached the judge refused to come a step farther and accompany me through the interior and by land.

The wild and weird stories we heard here about how American marines and their gendarmes were cutting out the tongues of natives, taking them from their sockets, cutting their throats, etc., this educated and intelligent man not only got excited but became hysterical, and with tears he and other Christian natives of Gonaives begged of me not to venture; that I was a dead man. He therefore went back to St. Marc, leaving me alone to face the north and what now seemed positive death in the most barbaric and unchristian method, according to what these natives honestly believed.

On reaching St. Michael on Sunday morning our native members failed to recognize me with a prison-grown beard. When I explained they wept. I went to the gendarmerie headquarters here, when denounced by the apparently educated American marine officer (Lieut. Hange) whom 18 months before Russell had disciplined for drunkenness and other unworthy conduct. Lieut. Gen. Williams and Maj. Wells had reinstated.

With the wildest gestures, clinched fists, and terrible oaths this young-born American officer denounced me, walking and raving like a maniac, with fists up to my face, then turning around to grasp his revolver to curse God and religion and all missionaries, and warned me at the threat of imprisonment, if not death, to preach in the north, and all this in spite of an official letter of Mr. Lansing and the note I bore from Capt. Gilchrist, an American marine officer and chief of the St. Michel lieutenant, stationed at Gonaives, a gentleman and a young, educated and efficient American.

When at last, amid all the threats, I reached the cape and got my bearings, who would testify to the drunkenness of the lieutenant, whom Colonel Wells had reinstated in the interest of military morale and marine efficiency in Haiti? Disciplined, I found that on learning of the action of St. Marc high court (Negro judge) and that I had reached the cape with my witnesses, the conspiracy of the American marine officers alleged of drunkenness and other conduct was reversed to the occupation and United States mission and work in Haiti, and I had fallen and collapsed.

Maj. Wells was indignant that I refused to allow them to withdraw and insisted upon the Negro court therefore to receive my testimony, which I did and signed by myself under oath and witnessed by Rev. De Feu (white) superintendent of the London Wesleyan Missionary Society (British) and also Rev. Elie Marc, Baptist Missionary (white) and French superintendent.

This judge admitted there was no case, and that he was forced to act by American marine officers, as the judge of St. Marc petty court had compelled to condemn me at the instance of Capt. Brown.

Senator ODDIE. Did any of the United States marines at any time take part in the killings of natives?

Mr. EVANS. The lieutenant of St. Marc and the lieutenant of Petit Anse, already referred to. It was, however, common knowledge and spoken of generally among the natives as well as the whites throughout the whole of Haiti.

Capt. Kenny, stationed at St. Marc for some time, and at one time having a terrible reputation for brutality and the killing of natives, appeared at St. Marc to have reformed and greatly changed for the better. He was, however, by his inexperience, his lack of really knowing the true Haitian character, his reasons and excuses, but admitted his error, and now praised the natives as reliable and honorable if properly handled and trusted. Before he was sent to St. Marc, many more, to depend upon interpreters, and all these were aliens from the side of Haiti, with a great deal of jealousy toward Haitians.

Though a Roman Catholic in the States, he showed great appreciation for our mission work at St. Marc and voluntarily gave me the following permit, permitting Mrs. Evans and myself to regularly conduct service in the prison, with some 170 or 200 present and the greatest decorum.

also showed a growing and intelligent interest and as to the Bible and teaching. This was only a few was made captain and succeeded Kenny as chief American e of St. Marc company and my own arrest, etc.

FROM WASHINGTON AND TAKEN FROM L. TON EVANS BY CAPT. BROWN.

DEPARTMENT OF STATE;  
Washington, October 8, 1917.

PHILANDER C. KNOX,  
United States Senate.

I received your letter of October 3, 1917, requesting a letter of L. Ton Evans, of Lansford, Pa., to the diplomatic and United States of America in Haiti. I am in compliance with your request after Rev. Mr. Evans' request, for which purpose I inclose blank forms of application and support rules. In transmitting his application for a passport, Rev. Mr. Evans should refer to this letter. I have the

honor of your obedient servant,

ROBERT LANSING.

DEPARTMENT OF STATE,  
Washington, October 22, 1917.

Consular officers of the United States of America in Haiti.

In the instance of Hon. Philander C. Knox, a Senator of the State of Pennsylvania, I take pleasure in introducing to you L. Ton Evans, of Lansford, Pa., who is about to proceed to Haiti to assist in the Baptist missions.

For Rev. Mr. Evans such courtesies and assistance which you may desire, consistently with your official duties.

I am, your obedient servant,

ROBERT LANSING.

#### COPY OF FEW REFERENCES QUOTED.

From Lloyd-George, British prime minister, written at the time of his leaving Wales for the United States March, 1909, in support of the Baptist Union of Wales:

"I only wish I could comply with request to be at your meetings, as I am trying to keep down my meetings, to reserve all my time for the House of Commons. Here where the real battle will be fought. (This was against Tory Government's sectarianism, which was utterly defeated as far as Wales is concerned under the present and daring championship.) I am, yourself and friend Williams.

D. LLOYD-GEORGE.

From me would be of use in the United States or Canada and I am glad to give it you.

Wales.

Arthur, president of World's Baptist Alliance and late of

Rev. L. Ton Evans, of the Haiti Baptist Mission, is well known as a man of wide experience and varied ability and noble character; his unique work in the black Republic, and no other man in the West Indies with whom he is in helpful touch. He deserves the support of all lovers of humanity and disciples of the Christian

R. S. MACARTHUR.

Secretary of Baptist World (Ky.) and American secretary of the same, writing from Louisville, Ky., in 1909, urging this field

This morning our Louisville pastors' conference heard with deep interest (Theological Seminary) Rev. L. Ton Evans, field secretary of Haiti mission. He unanimously passed resolution urging southern Baptists to take up this close island. Brother Ton Evans is now at dinner with me, and I am touched by his thrilling stories regarding his work. Though a Welshman, he is a true American, full of life and on fire for the Christian cause. He will write to you.

Yours,

J. N. PRE

4. Dr. Cynonfardd Edwards, pastor of largest Welsh and Cong Church in United States, and internationally known and most highly on both sides of Atlantic:

I have known Rev. L. Ton Evans for more than 18 years while in  
as pastor of First Baptist Church of Edwardsville, and some years in  
neighbor. He is a born missionary, and wherever he may be, whether  
land or in Christian country he will find work to do for his Master  
been a most faithful servant of the Lord in this whole community, and  
behind him evidences of an active and consecrated life. He is the  
bravest, and most consecrated Christian advocate of temperance refo  
ever seen in this State. He has had a very wide experience and has p  
self equal to every emergency.

Sincerely, yours,

**T. C. E.**

3. From Dr. F. B. Meyer, secretary of National Federation of Free Council, Christ Church, Westminster, and ex-president of Baptist Great Britain and Ireland:

LONDON, *January*.

DEAR MR. EVANS: I have read your letter and reviewed the acco-  
private documents with profound interest and sympathy in all that  
suffered. I am glad to see that the new Government is likely to  
special commission to go thoroughly into the whole matter, and w  
President as Mr. Harding you can almost certainly reckon on a fa  
No one is more suited than yourself to conduct the case for the  
Haiti.

Cordially, yours,

**F. B.**

4. Hon. T. Ch. Moravia, legation de la Republique d'Haiti at Washington, D. C., under date April 28, 1919, wrote:

I am very glad of your letter and to find you still continue your efforts to secure for Haiti an educational institution and industrial school on a Christian basis and your present endeavor to have the Baptist denomination here to undertake the evangelization of my people.

We profoundly appreciate your interest in and sacrifice for our country. Over the last 25 years that I have been personally privileged to know you, your leadership, your splendid encouragement and support you have rendered Haitian students, and the way you have brought some of our young people and placed them in American schools to be taught.

These years of deep interest and untiring activities for the religious and industrial development of our Republic have won for you, dear people, entire sympathy, implicit confidence, and hearty good will of all our people.

With such intimate knowledge as you have of my country and our confidence and good will, should American Baptists enter the Haiti support your efforts you must succeed with God's help in saving Haiti wishes will ever accompany you.

I am, dear pastor,

Yours, very truly,

Т. Сн. М

5. Dr. Reynold Morgan, major in United States Army, who distinguished himself in France with Canadians, then under Gen. Pershing and has once associated in Christian and temperance work in Pennsylvania some clerical work for Haiti mission:

How can I express to you my admiration for the determined stand you have taken in the defense of the poor defenseless Negroes of H

you have manifested in working out this great problem in respect of all true Americans. Your great efforts will become manifested throughout the future generations will give you the credit and praise which you now while this work of yours is in progress. I am at any time you are this way and can spare a few minutes to treasure you in my memory as a great pioneer who has conquered the great wilderness alone and as one who has here ere long multitudes will follow.

Ever,  
pupil,

DAVID REYNOLDS MORGAN, M. D.,  
Major of United States Army Reserves.

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OFFICE OF THE ATTORNEY GENERAL,  
Washington, D. C., August 2, 1919.

Lebanon, Pa.

Re your letter of July 13. The matters complained of are as this department is able to do so.

A. MITCHELL PALMER.

Complaints of were "illegal arrest, and imprisonment with torture in a small, dark, narrow slave cell of a Christian American citizen, bearing an official credential from Robert Lansing (at request of Senator Philander Knox, State, from Pennsylvania), with request to know the responsibility of the United States Government for the marine officers and the American occupation, who were lame? No word was ever received from Mr. Mitchell

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ST. MARC, HAITI, WEST INDIES, January 22, 1919.

to the  
State, Washington, D. C.

I will be surprised, perhaps astonished, to learn that a marine officer, of our American occupation, and in spite of being a citizen, ordained minister of the Gospel and general of the colored Baptists of the States, morally supported by Baptists of America, and though bearing an official letter (given at your own request), I was recently and without being arrested in my own study; marched under armed guard, heavy guard through the public streets, searched, and then cast into a small, dark prison cell, where I was kept 10 days and 12 nights, etc., causing untold physical suffering, lack of food, and the mental strain and terrible agony through fear of being at any moment pounced upon or dragged before a "firing squad" as done in many of the cities, and elsewhere in Haiti, by command of American

officers, and again marched through public streets of the city. I was exposed to tropical sun (my shade having been roughly torn from me by a black corporal) and as a criminal, robber, or murderer I was taken to two tribunals, questioned, thence marched back under guard (gendarmes) to my small, almost lightless, airless, prison, where prisoners and criminals all around, yelling and groaning the whole night long and often during the day. A sentry was stationed before my barred door.

When I went into the cell, by the Negro guard of a native straw bed and Protestants of casava and other native food at their own lives, my lot would have been intolerable, with me like others (I saw) weakened, fainted, and dropped in a moment struggling for a breath of air, etc.

The following week I was again marched through the public streets armed guard, this time to the chief tribunal of justice, while the rest of the street fled in fear into their houses and shanties; trembled and saw their American missionary friend weak and wan with haggard appearance and by this, a prison-grown beard passing, followed by the American occupation's armed guard, where the white United States marine captain commanded by the high negro court to bring the prisoner for trial in an "extraordinary session."

No sooner seated than a Negro member of the church, and moved by the white pale face and apparent frail body of her pastor, and her mission allowed him through the streets with tearful eyes and at the risk of life to the tribunal, with hot coffee, milk, and sugar so as to refresh and strengthen which met with the strong approval of most present, and so after the judge that he smiled with a nod for the missionary to help himself.

Another expression of the natives' sympathy with the prisoner and of feeling and hatred against the occupation's tyranny was, that with knowledge, they had engaged a Negro judge advocate to help and defend me, but whom dared not visit my strictly watched and closely confined as nearly all are terror stricken, as set forth in the memorandum of Mr. Lansing and our President last October; and copies of which I sent to Chairman Hitchcock with for members of Foreign Relations Committee of the United States Senate last November and before I left Washington.

It was shown, of course, that there was no case; that it was mere possibility enough of a conspiracy of white American marine officers in Haiti to drink, encouraged and partly inspired in the States; may be, at the best, of all a determined and malicious attempt to drive me from the country, to crush and murder me, thus bringing all my missionary, Christian, educational and temperance work to an abrupt end. The exposure of such purpose and intention of such methods curb and crush my missionary efforts for the moral, and industrial development of Haiti and Haitians at this court probably the most favorable effect with exactly the contrary feeling against the poor Negro corporal and white United States superior marine officer, who wore a pompous appearance, but somewhat dejected at the abrupt adjournment of the court proceedings.

In my address I first asked the court for an official copy of the proceedings and verdict for my United States Government, which request was immediately granted, then went on to describe the exact nature of the duties in behalf of Haiti and Haitian people during the last 25 years. The plea of the judge advocate which followed, "praising my self-sacrificing and for the Black Republic and the Haitians, stating that Haiti constituted equal liberty to Protestants as to Catholics, which priests from Europe and some marine officers from the United States, seem to be either ignorant to ignore, and that President Wilson was a Protestant and a temperance reformer like the missionary, and supported war prohibition measures with the government; hence it could not be a crime in Haiti to-day, even the American occupation, to be either a Protestant or a temperance reformer which a Haitian, much more an American citizen and a Christian man should be arrested in his own private study without a warrant, detained and cursed, after being publicly paraded through the streets of St. Michel by a heavy armed guard, then at the bidding of an American marine officer of the United States Government cast into a dark, narrow cell, so strictly guarded that not one of his members dared see him, robbed of all liberty, food and light, with his own life in jeopardy every moment of the 13 day nights he remained there pining on the bare floor."

This caused almost a sensation, and the court abruptly adjourned the next morning, which they did (I understand) and declared the whole proceeding of the American occupation's captain illegal, demanded immediate reparation from the missionary with ample reparation.

Though this was Wednesday morning, it was not until Thursday morning and under armed Negro gendarme, that I was again paraded once more through the streets to the bureau of the American occupation, and there told (first) by the marine captain that I was free and given back the articles, photographs, including Mr. Ade's official acknowledgment of my memorandum to President Wilson, and our United States Government's assurance that under the conditions, then directly brought to their attention "were actually at that time being seriously considered," etc.—taken from me, on being searched, in the afternoon, December 28, 1918—just before I was thrust into my

and the strong iron bar banged heavily behind me at the very own United States Government's white marine captain! The advocate that evening I was informed of the judgment in my favor against the United States marine officer and all conspired with him, declaring arrest and imprisonment unstable, that I am entitled to substantial indemnity calling for release, and commanding the Haiti Government to give me permission work engaged in, ample protection.

However, and in spite of my pleading for one night's rest, and the high court's decree, I was driven under threat of military American marine officer in a small open boat to the wide route for Gonaives and north to face another court (where official marine conspiracy operated), and on a supposed court of St. Marc had emphatically declared the day beyond so forth.

From the interior of the north to the cape, another white American recently disciplined by Col. John H. Russell for drunkenness, as Lieutenant in another town and over an important second found the St. Marc captain and others in collusion, dared missionaries, denounced Christianity, and in his rage, and led, and before a number of our Christian natives, and irritating him Mr. Lansing's letter and a note from his superior (which letter and note he could not read); again and again and attempting to reach his revolver to shoot me, so under such conditions inflaming the minds of the poor natives, and the United States and everything American, obstacles created in my way to return to Pennsylvania and Kingston, my live.

I profoundly appreciate your own personal service as our Senator, as well as an ex-Attorney General of the United States, without the cooperation of Senator Lodge and others in, not only my own safe return unmolested, but also Government and protection to bring three or four leading and re-think me, whose presence may be essential to me in the States

and almost unthinkable, I still maintain (though the late at, the great friend of Haiti and much lamented throughout strongly believes to the contrary, with others throughout that somehow the real and vital facts concerning conditions and murderous treatment of natives, etc., are studiously finally withheld by somebody, or somebodies, from Secretary Lansing, and our President, who repeatedly denounce defunct diplomacy.

My memorandum presented to the President, nothing but the special commission—by Mr. Wilson on his immediate return through the influence of the Senate—will convince Haiti of, and honor of the United States, and restore absolute comment and American people's humane, benevolent, and even those according to our treaty.

Knowing this will reach you safely through our "censor" and cable, and if possible by cable.

Fidelity to Government, country, and flag, and still for Christ,

L. TON EVANS.

mental distress and souls agony in the States can at this from the following quotations from certain letters which censor and reach his friends, etc.:

That my dear husband was in prison I could have done some-release. Oh, that awful thought! Yes; awful that he, most self-sacrificing friends of Haiti, who has given his public and its suffering people, should be so cruelly and finally I feel I can never again say the word Haiti without anger piercing through my heart.

Added to his imprisonment? How is he now, and where at became of the impending second trial in the north? He letter from me since he has left, and I have written him

every week since he left the States. Shameful conduct! What are the laws trying to do to my dear husband and the faithful and tender my two darling little boys (Adoniram Judson and William Carey in the graph taken from him in prison)?

"Won't you tell him (if you dare visit and talk to him, and if he that I have written him regularly? He must know I can never forget him. Had I known about his case, I fear nothing would have from coming right on. Oh, what I could have spared him, had I immediately—of agony and anguish to him, for I would have gone to limit of the law of our United States to obtain his instant release.

"I shall myself go at once to Washington unless a word is received immediately. Am sure our President and responsible officials in the Government do not know the barbarity and treachery carried on in Haiti! What I expect, however, from the low and degraded character of many of the American officers, gendarmes, and corrupt type of representatives of the country there. Tell dear madam and sisters and all the dear ones to beg them to join in prayer for my dear one's life and liberty. Oh, it is so full to bear all this! God alone can lift this terrible burden from my heart, indeed, from your own hearts as well.

"I feel I can never tell my two boys about this horrible and dreadful treatment of their dear papa in Haiti, and at the hands of white marines of my own American Government and under our own Stars and Stripes in the black Republic!

"If you can possibly see my dear husband, tell him not to worry here in Pennsylvania, but let him know that it will certainly be the happiest moment of our lives, when he is safe back with us here again. I think for a moment the Lord would have him to suffer this cruelty, claiming still his promise—

"The angel of the Lord encampeth around about them that fear him, to deliver them." (Psalms 34, 8.)

Let us, therefore, pray, pray, pray, for the Lord can as miraculously deliver His children to-day from prison as he did Paul.

Again, writing two days later, in answer to a note which had been sent so as to reach her home at Kingston, Pa., and thus elude the strict control of Mrs. Evans says:

"DEAR HUSBAND: It seems years, indeed, have passed in the last three months. So much has happened and events have crowded that I can not imagine I am and what I really am. When your letter of January 9 came I was no longer withold my grief from Martha, my sister, for it seemed that it would really break. Oh, how dreadful to think, Dear Papa, that you would to suffer such humiliation and barbarity at the very hands of your own called American countrymen. Then to think you were alone, strictly isolated and receiving no mail from me, and I have written every week since you left.

"The grace of God alone kept you from desperation and death. So I really wish we had been there with you in Haiti at the time, and to avenge that the two little lads and myself could never have stood it. I fear we would have killed us all. But when I think we were so comfortably in the States at that time, and you, Dear Papa, at the St. Marc, little town, being physically and mentally tortured and all but starved—even now force themselves into a convulsive cry."

The missionary's smuggled note in English and Welsh of January 18, which by a circuitous route at last safely reached Kingston, Pa., was received hastily and tremblingly about midnight of the day the high Negro court commanded his immediate release, and the Haiti Government's protection of life and mission work, but which the white captain of the United States marines, still and immediately in defiance of the high Negro court, and threat of military force, compelled to take—at midnight—a small open boat thrust out to the Caribbean open sea, en route for Gonaives, and thence far interior to face another court in the north, and on so-called cleared by St. Marc court as illegal, etc.

Judge Advocate Stucco, engaged without the missionary's knowledge natives to defend him at the St. Marc high court, accompanied the missionary on that lonely voyage, but on reaching Gonaives the afternoon of next day hearing the wild and weird stories of the natives after landing—"indiscriminate killing" and pulling out of eyes, of tongues, and of throats of Haitians by white marine American officers and their soldiers throughout that section of the interior and north—this educated, in-

ing attorneys, absolutely convinced of the truth of what only excited but at the thought of being butchered and a marine officers and the gendarmerie at their bidding, refused, refused to come a step further, and ere he deserted fate to return to the little boat and back to his wife, this judge advocate and others with tearful eyes im- burn with him and not attempt the journey through the

ISONMENT OF REV. L. TON EVANS, GENERAL SUPERINTENDENT  
F BAPTIST MISSION, ST. MARC, HAITI.

was illegally arrested without warrant in his own private visit, on Saturday afternoon, December 28, 1918, paraded police through the public streets of the town, and confined prison cell for 13 days and 12 nights, not only so as to liberty and public rights as an ordained minister and well as an American citizen, but further with malicious cal harm, repudiate, crush, if not murder, as repeatedly ened by one Capt. Brown, and a demand for heavy

made on Saturday, December 28, 1918, at his private Mme. Orius Paultre and family (widow of Judge Orius Haiti, and while he was engaged at the time in the dis- missionary and pastor, preparing on the typewriter his church and mission stations.

he missionary on thus being suddenly arrested by the (ive police) to show his authority by way of warrant or the cause or causes of such strange procedure on the aid Brown, the white American officer, was not only out afterwards construed by above captain as constituting on against public authority on the part of the Baptist

he way and under arrest and proceeding to the head- own, American officer in Haiti, another request of the m it now dawned he might be taken to prison—namely, he key of the private study, which had been locked—and hopes for distribution on Sunday to the officers of the passed, and so as to return it to Mme. Orius, was also further construed by Capt. Brown as a criminal attempt hands of public authority. The same gendarme, who and as if under the influence of Taffia, had amid the native soldiers or police violently taken the umbrella onary, and thus exposed him to the burning tropical sun. the headquarters of this white American captain under these two charges were excitedly read to him by above med under the influence of liquor, then the missionary ed on account of his devotion to Haiti and his efforts to ly, morally, and industriously develop its 2,000,000 Negroes. e would degrade him lower than the lowest "nigger"; and missionary he, captain, would have him repudiated and pointing repeatedly to his revolver excitedly added, "The missionary was dumbfounded, for this officer had eted toward him entirely the reverse.

ary was sent under same armed guard to prison, where he ything taken from him, such as official letters from the Department re official investigation conducted by the ment into alleged misconduct cruelties, and other crimes officers and gendarmes in Haiti. A photograph of the two little boys, as well as that of President Wilson—in vere on the missionary when arrested, were taken from into prison.

re this search was through the missionary was cast into a most lightless and airless, the small door banged and iron dous force as if to say, there he is safe and shall never help these people any more. An armed Negro was kept

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marching day and night before the door. Thus for 13 days and 12 nights the missionary laid on the bare floor of cement surrounded by some 100 prisoners with their yells and groans day and night when set upon provocation and half killed and sometimes actually murdered by certain of Negro officers, and in fear every moment the light flashed upon his window he heard the tramp of the feet of the armed gendarme, or the drawing back of the iron bar of his prison cell door, that they had come for him before the "firing squad," like the British nurse, Edith Cavell, for whom he was taken by the Germans.

7. On Tuesday the missionary was led through the public streets, under guard, to court of justice (Negro) and then to the court of public opinion, both of which being under the influence and dominion of American officers, and dreaded white officers of the gendarme in Haiti. He was charged under the two aforesaid charges preferred against him by the white captain in spite of his own evidence to the contrary. The missionary was taken back to his cell, where he would have starved but for the fruit brought to him stealthily by the Negro prison officers (and by Negro Catholics and Protestants) when the American white captain was to be seen about.

8. On the following Tuesday, January 7, 1919, pale, haggard looking, a prison-grown beard, Missionary L. Ton Evans was again paraded through the streets to the high court (Negro), where he was to be tried at a special extraordinary session, the case having created not only such a deep interest but caused a profound sensation. This court went carefully into the charges preferred of rebellion and attempt to escape, which, after all, was an occasion or pretense for this captain and other white American officers in Haiti, who were in some cases Catholics and rum drinkers and conspiring maliciously to destroy the Christian influence and great religious and moral usefulness of the Baptist missionary, and to absolutely crush the influence of the Haiti constitution granting the same equal freedom and rights to Protestants as to Catholics; and that a very strict prohibition had been claimed throughout the Haiti Republic, printed in all the papers in both French and English and posted at every hotel and liquor store, signed by Captain Evans in supreme command of all American forces in Haiti (both marine and gendarmes), and as direct representative of the United States Navy, forbidding, prohibiting under very heavy penalty (though not at present enforced) the sale of liquor to any officer or gendarme in uniform, etc.

9. After a very careful examination of witnesses and a thorough investigation into all charges, and the so-called mandate from the court in Haiti and alleged defamation of a white officer seen drunk on duty, the court found certain officers on this account, and owing to the fact that Col. Evans was compelled as the officer in supreme command to exercise rigid discipline in violation of the spirit and letter of the prohibition order of other officers in the interest of American occupation, efficiency, and to secure respect and influence from United States Government in Haiti, the court in question made therefore the following declaration in their verdict:

- (a) There was absolutely no case. All charges had failed against the missionary.
- (b) That the arrest without mandate was both illegal and unwarranted.
- (c) That the missionary must be at once liberated and given the full freedom of the Republic in life and labor there; and
- (d) Further, he was entitled on demand to the most substantial compensation.

The missionary has been suffering ever since his confinement, lying in bed, and mental agony he has gone through with when exposed to bodily punishment day and night, and taken before a firing squad by a Negro gendarme, and the command of white American Government officer in Haiti.

B.W. THYN, WYOMING, PA., October 1919

DEAR SENATOR HARDING: Accept sincere thanks for self and nearly helpless Negroes of Haiti (who, sad to say, have been worst exploited, brutally butchered under our "American occupation," especially the last few or more years, than ever in time of German filibusters, etc.) for your description, only far too mild.

For over two years I have placed information with President and Secretary of State and Senator Hitchcock, but officials have either withheld or President, Secretary of State, etc., have proved blind, adamant, if

man disgraced, exactly as stated in yesterday's Ledger.

United States Government, under our President Wilson, for imprisonment, etc., decreed against United States and by the high Negro court of St. Marc (Haiti), who felt all upon the Haiti Negro Republic that a white American missionary should be pining in a French old slave cell, white officials of United States of America to at once trial, etc.

Daniels in March and again last week, and unless immediate and commission appointed, then am coming to Marion, with full, complete account of the "infamous rape," which, if true that it emanated from Hon. Frank Roosevelt, prospects for any responsible office under our American Vice Presidency.

Washington, D. C., this afternoon. Your letter may find me Sixth and Pennsylvania Avenue.

known until I see what Secretary Daniels does on this

Mine is the case of the American Edith Cavell, the from the jaws of death under God by the Negro high

ate, illustrious friend, ex-President Theodore Roosevelt come to you and Republican Party immediately I failed, etc., in adjusting Haiti's wrongs.

BWTHYN, WYOMING, PA., November 9, 1920.

ING.

*the United States.*

cr: Heartiest congratulations, with the millions more unheard of victory in the annals of this great Republic. cor, physically and spiritually sustain and signally blessing of office, as Chief Executive of this mighty Nation.

sent administration after years of incompetency and heartless betrayal of Haiti as well as the honor of this own clarion call—has awakened to the seriousness of the the Black Republic, and have appointed a Navy court, has again demand that I should be asked to accompany attorney, not merely so as to prove the cases I definitely nation's officers to have committed, and those mentioned letter to Judge Advocate Dyer, October 30—but also to y of missionary superintendent, etc., among them for s—to ass't the natives, to place their grievances, produce the judge advocate to the court.

ttled to this assistance and protection, otherwise I fear tion, their brutal treatment, rape of their constitution, by United States marines, and their gendarme officers, tion, fear, and hatred they will not feel free to come nistration's side will be cared for.

sibly be done, then rather than the Haitians, should be Navy court, and present limited and of necessity one-line, not to say either satisfactory to the United States ican people, I respectfully urge, that you—

ate statement to this effect, that a congressional commisuplated, and a thorough and complete investigation will

of this shall be sent to, and at once be published in EngMonitor and other Haiti papers.

nity to every Haitian, from the President down, to the and Catholics alike, and of all shades of politics to testify States Government will provide an able attorney, assisted ble them to gather reliable evidence all over the Republic, pper order before the congressional commission.

4. That every witness shall be protected, and necessary expense will be incurred on account of distance to where the commission will sit, given and paid by the United States.

5. Also, every Haitian confined in the prisons of the Republic on suspicion shall, on the coming of the said commission, be allowed his freedom. Am sure this will be profoundly appreciated at the present and as coming from the United States President elect, in fact, it will be to them with a new confidence and hope for themselves and the future of the Negro Republic and actually look upon the recent election here as proof, and, indeed, yourself as the savior raised of God at this time to deliver the country.

Am sending the inclosed copy of letters to Major Dyer and Secretary to Senator Lodge, and am sure he (latter) would fall in with something of the lines I am here suggesting. It will be a master stroke as far as peace is concerned.

Your letter to us as ministers re the enforcement of the constitutional benefits of temperance to our American homes, etc., was most thoroughly satisfied the most ardent temperance and Christian male and female, throughout the commonwealth, hence most heartily by all of us as your supporters and admirers.

It is significant that the President of the greatest and most civilized Christian Republic in the world, as well as the prime minister of the most democratic, and progressive Christian empire, should be both so loyal Christians and Baptists at this time in history, and so as to be reconstruction not only of America and Britain but of the world. God the speedy healing of humanity's wounds.

Should you go to Panama from Texas, I sincerely trust you can call, either in going down or on return voyage, in Haiti. Am sure to receive, in spite of all, a royal welcome from these misunderstood and misrepresented but kind-hearted people. In such case, if not there with the mission, I would certainly like to join the party and act as guide, etc.

With best wishes, and hoping you can even bring influence to bear on administration so as to secure through the present court most independence, and by my presence with an attorney prevent tampering for political purposes with some of the leading Haitians.

Fraternally and most heartily, yours, for Christ, Haiti, and humanity.

#### MISSIONARY ON ISLAND PROTESTED TO WILSON AND LANSING IN 1918—FINDS NO ACTION.

AMERICAN MARINES AND OFFICIALS TREAT NATIVES LIKE DOGS—PREACHER IN JAIL—HIS APPEAL TO AUTHORITIES TO END CRUELTY MEETS WITH NO REPRISAL.

[Special dispatch to the New York Herald.]

NEW YORK HERALD TRIBUNE  
Washington, D. C., Oct. 10.

For almost two years the Wilson administration deliberately has withheld full and accurate information of deplorable conditions brought about in the Republic of Haiti by the American occupation.

The evidence shows clearly that the slaughter of 3,250 natives by the U. S. Corps in the last two years, which was admitted officially only after the Harding laid bare the Haitian scandal, is due chiefly to the strong American feeling engendered in the island republic by the methods of the occupation, which has destroyed any vestige of independence there.

These conditions are described by an eye witness who is now in Venezuela, ready and eager to give his testimony, already long in possession of the attention of the Navy and Navy Departments, to the naval court of inquiry named by Secretary Daniels after the attention of the court was brought to the small the little Black Republic by Senator Harding.

This man is the Rev. Dr. L. Ton Evans, a Welshman by birth, with the recommendation of David Lloyd-George and from prominent American circles, including the late Theodore Roosevelt. He is a naturalized American, 25 years had been engaged in Baptist missionary work in Haiti.

## FIRST REPORT MADE IN 1918.

and correspondent has in his possession documents which first brought this deplorable state of affairs in Haiti to the Department in the fall of 1918, more than three years since the marines were landed there. Other documents show the neglect of the Navy Department and other branches of the Government there. Absolutely nothing has been done, so as to better these conditions, and a specific request made for an unbiased nonmilitary and nonpolitical commission to investigate the wrongs under American occupation was ignored after the "misuses" to do something about it.

Secretary Daniels and others representing the administration soon as any irregularities in Haiti or any complaints of neglect or attention are disproved. Dr. Evans came to this country in 1918, bringing to the attention of President Wilson and the Government in Washington this state of affairs in the island Republic. These conditions would be permitted to continue if once responsible Government officials in Washington.

## LETTER FROM STATE DEPARTMENT.

Letter showing that he laid the facts before the State Department:

WASHINGTON, November 2, 1918.

Dr. Evans, Kingston, Pa.

Dr. Evans has received your memorandum upon conditions in Haiti No. 1, addressed to the President of the United States, and that it is receiving the serious consideration of this department and the various other branches of the Government concerned. We are pleased to communicate with you at a later date after the matter contained in your memorandum is terminated.

Your servant, for the Secretary of State,

ALVEY A. ADEE,  
Second Assistant Secretary.

that the "careful study" given to the matters mentioned in the memorandum consisted of pushing it into some already overfull file and forgetting all about it, if, indeed, it was not Department waste basket which is cleaned out by the

mentioned by Assistant Secretary Adees letter of November 1, 1918, in person by Dr. Evans to an official of the State Department, then in charge of the Latin-American section of the Department, especially detailed to handle Haitian affairs. The facts were laid before Senator Hitchcock of Nebraska, then chairman of the Committee on Foreign Relations.

Dr. Evans has endeavored repeatedly, but without success, to recognize the situation in Haiti. He has several times written Secretary Daniels, his last letter being dated as late as October

that a mere naval board of inquiry never will be able to get to the bottom of the American people. He said to-day that the American military and the so-called gendarmes—officers in the regular white men from the States, have so overawed the natives that they are afraid of their own shadows in criticism of their white superiors or of any of the

in the pay of the white officers. In the state of affairs he told about his own arrest on trumped-up charges of a conspiracy formulated by a white captain of gendarmes, he had made a personal protest in the private office of the commanding officer of the marines, because of the bad treatment of the natives in a certain village by his mode of command. He was brought before the high court it was at once dismissed on a scintilla of evidence, and the officer who made the arrest was put in a vile native jail for thirteen days with the

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Negroes, was informed abruptly there was no authority in the first arrest of Dr. Evans. Nevertheless on his release he again was ordered by the same officer under threat of rearrest to go in an open boat a long distance to another point on the island to face again the same officer which again turned out to be groundless in every particular.

It is the first belief of the native population, as the result of the occupation since July 28, 1915, that the United States is trying to re-establish the system of slavery which their forefathers knew. Dr. Evans believes at high time the American people were fully informed of what is being done by their Government in Haiti in order that this helpless little Black Republic should be the sort of civilizing and humanizing it deserves.

Dr. Evans says the amazing number of indiscriminate killings of natives, of which the Marine Corps officials have confessed and which is the subject of the present investigation is but a small part of the case.

More important than anything else, in his opinion, is the terrible blow given to American prestige not only in Haiti but elsewhere in the Western Hemisphere by the American countries, to which stories of the American military men getting abroad, despite every effort on the part of the military overlords, of everything unfavorable to their régime from reaching unfriendly channels.

#### DOCUMENTS REVEAL SCANDAL.

The New York Herald is able to present herewith extracts of the documents in the possession of various departments laying bare the whole Haitian scandal and which will be brought to the attention of the Daniels inquiry board as submitted by Dr. Evans himself. Dr. Evans is waiting in Washington for the committee to pose and is willing and anxious to appear before this committee or before that may be named and to go with the committee to Haiti. He expects to be able to counsel to assist him in presenting the case in an orderly manner.

Dr. Evans, in a memorandum submitted to the State Department, in consultation with Senator Hitchcock and which bears the date of October 21, 1918, makes it clear there is no animus behind his charges.

At the beginning of this memorandum Dr. Evans assures the President of the State Department of the "genuine gratitude shared by every loyal and patriotic Haitian native, both educated and uneducated alike, because Admiral Sigsbee landed his American marines at Port au Prince, thus rescuing them from the iron grasp and selfish greed of Germans, who for years have financially and murderously exploited them by aid of Berlin money and ammunition."

#### SUMMARY OF THE CHARGES.

Here briefly is a summary of the charges quoted verbatim from Dr. Evans' memorandum of October 21, 1918, as submitted to the State Department in order to make his statement more impressive these charges were embodied in an affidavit sworn to by Dr. Evans before a notary in Washington, which is in the possession of the New York Herald correspondent:

"1. The forcing of a new constitution upon the people under military occupation of armed gendarmes (native police) of the American occupation of the island of June last, so as to put in a clause in favor of the white man and to accomplish this by methods which have been declared in the United States and all civilized countries to be both illegal and fraudulent. The Haitian people, ignorant and terrified, connected with the Government of American occupation by fear and trembling, were compelled to vote or be dismissed or imprisoned if they refused, very aptly described these humiliating processes as 'the dagger at the very heart of our own Negro Republic.'

"2. The closing on two separate occasions of the senate and chamber of deputies at Port au Prince; the turning out by military forces under the American occupation of the Haitian people's only representative bodies and the closing of the doors again them, just as the late Czar did with the Russian Duma, and while these officials were openly friendly to the United States and favorable to our American occupation, merely, it is said, because they were opposed as illegal and unconstitutional a change of what they considered the vital clause of their constitution—namely, the clause which withholds ownership of land from the white foreigner and the speculator. Haitians who declared this to be illegal are said to have been either driven out of the country or imprisoned or both, in spite of the fact that under the old Haitian

or colored, could hold real estate in Haiti by becoming  
 enough force and with much brutality by ignorant, immoral,  
 es in the employment of the American occupation of inno-  
 even native preachers and members of their churches,  
 all habitations or from their work and cruelly roping them  
 arching them as African slave gangs to prison. The writer  
 itnesses on a Sunday morning in June last to the treat-  
 prisoners who had undergone this experience by the occu-  
 s which had gone unhealed for many weeks and months.  
 doctors said these cases were very frequent.

natives in large numbers in their homes and on the small  
 m work on new roads under armed gendarmes for merely  
 n cents) a week, without furnishing them with food."

#### ALL PROTESTS ARE IGNORED.

State Department, Dr. Evans finally turned his attention  
 nt and to Secretary Daniels, the official in control of the  
 who have been acting jointly with the State Department  
 ation. He wrote to Mr. Daniels on March 27, 1920, calling  
 hat he had apprised the State Department in the fall of  
 g on in Haiti without anything being done about it. He  
 teen months before he had suggested to Mr. Adee the  
 biased commission to inquire into the situation and was  
 at the department was "seriously considering the grave  
 n his memorandum. In the same letter he told Secretary  
 had promised to let him know the result of his investi-  
 done so.

ld correspondent quotes the following extracts from this  
 Dr. Evans to Mr. Daniels on March 27 last:  
 ve elapsed since the receipt of the above assurance from  
 vord from our United States Government.

however, conditions have been allowed to grow rapidly  
 offering, oppressed, enraged, and terror-stricken people,  
 he riots between the marines and gendarmes, not to say the  
 rring raids by the so-called bandits, or cacos, who are  
 gth and numbers and who are at the same time gaining  
 more and more of the moderate, intelligent, educated, and  
 s, who have lost respect for our American occupation.

e, therefore, on the wane and our prestige and power all  
 ives and integrity as a democratic, civilized, not to say  
 pected and impugned. It is no wonder that a staff cor-  
 w York World, who visited Haiti a little over a month

umbered that there are many educated and substantial citi-  
 e who are no more cacos than Henry Cabot Lodge is a  
 one the less desire a complete change of administration  
 present occupation."

March 27 Dr. Evans has had other correspondence with  
 the subject of Haiti, and up to the last few days he  
 to have faith that a proper inquiry would be made and  
 ed. He sent Mr. Daniels, under date of October 5, 1920,  
 of the whole matter.

#### LEJEUNE'S INQUIRY BELITTLED.

ans said:

reading of the quotation from the official statement or  
 Lejeune's hurried visit to Haiti, after my letter to you  
 fail even to touch the vital points. I candidly state that  
 cious from the commencement, three years ago, to keep  
 politics in missionary and Haitian matters, and if I had  
 ong criticism and the severe condemnation of the Presi-  
 of the Navy, still firmly believed that you both sincerely  
 e past and present wrongs of this administration in poor  
 ly, after reading this morning's statement, have imme-

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diately given a startling reply to the Associated Press and at once my steps to Marlon and the headquarters of the Republican Party. I was pointedly convinced that further efforts on the part of Haiti and myself were utterly futile and a mere waste of time."

The New York Herald correspondent has before him a complete and detailed and painstaking statement of Haitian conditions brought up and mailed to Secretary Daniels on October 5, 1920, by Dr. Evans. It contains upward of 6,000 words. It will be undoubtedly placed in evidence on Mr. Daniels's naval board, and if any attempt is made to suppress it will be brought to light before a congressional investigation committee.

In the meantime the New York Herald presents herewith some of the startling passages from it:

"Is it not sad, indeed, to have to state that after nearly five years can occupation in Haiti and under our Democratic administration the little black Republic sincerely and firmly believe that the real United States Government and the American people there is to recognize slavery in their midst once more; to abrogate and annul the work of l'Overture (who is their Washington representative) just exactly nineteenth century Napoleon tried to be the tyrant of France and years the German Kaiser attempted to be the ruler of the world?"

Dr. Evans then described how he hastened to write to President Wilson to his personal friend, ex-President Roosevelt, from Haiti in June, complaining the terrible blow to American prestige in Haiti and throughout America that was resulting from the actions of the American marines. It was as the result of this letter that ex-President Roosevelt stated in his message to Congress in October of the same year in his criticism of Wilson's 14 points that "the Negro Republic of Haiti is nonexistent under the Democratic administration in spite of their treaty."

Dr. Evans here tells an almost unbelievable story, which he is prepared to substantiate in every particular, of how he was arrested on a charge by a drunken white captain of gendarmes employed under the command of the Marine Corps, paraded through the streets, and openly insulted by a white officer. So far as he is able to learn, although he was refused the benefit of the charges against him, the basis of the whole conspiracy was the determination to punish him for pleading in his capacity as white man for the natives and against certain methods and the immoral and brutal behavior of Americans connected with the occupation.

He was confined in a filthy native jail and forced to bathe naked with male and female prisoners by orders of this white captain. He said that the judges and other officials whom he knew personally were eager to condemn him but were prevented under threats of death. He was accused by the white officer with resisting arrest when he asked for a copy of the charges and official summons or any other official authority for the action.

#### CHARGED WITH ATTEMPT TO ESCAPE.

When he asked permission to give to a native the key to a building used in his missionary work a charge of attempting to escape was made against him by the same white officer. He was finally released by the court and immediately taken by force by the same white captain to the Haitien, in the extreme north, by night in a small boat in the open Sea for another trial.

Dr. Evans said he was released on the statement of the court that there were no charges against him.

The so-called voting by the people of Haiti on the constitution proposed in advance for them and rammed down their throats by the Wilson administration is ridiculed by Dr. Evans. He thus describes it to Secretary Daniels:

"The procession of voters (!) resembled funerals in their silence, and mournful character as these people passed along like sheep into the jaws of justice (?), which were turned that day all through the country into slaughterhouses. Each was especially guarded by the gendarmerie. For the sake of giving a little color to the affair and thus perfecting the farce, a commissaire, or dummy officer, sat in the chair by the side of the white officer."

"When entering the court a small white paper stamped with the word 'Police administration' and bearing date, June 11, 1918, and also the word 'oui' (yes) was placed in the trembling hand of the native. He was then motioned—no word being spoken or question being asked—to the

American officer in supreme charge, with a native dummy as a bundle of pink papers bearing the French word 'non' (no) tightly remained tied together on the table. Thus terrorized these people sorrowfully and slavishly submitted, as might be expected in from small villages guarded and closely watched."

#### REVELATIONS ON HAITI PROMISED.

MOVES TO DELAY EXPOSURES UNTIL AFTER ELECTION—  
—AMERICAN-MADE CONSTITUTION FORCED DOWN THROATS

(Special dispatch to the New York Herald.)

NEW YORK HERALD BUREAU,  
Washington, D. C., October 25.

High officials of the Wilson administration to smother true conditions in Haiti under the American occupation failure. Even their immediate efforts to postpone until tomorrow which is sure to follow an unbiased investigation ought.

Inquiry headed by Rear Admiral Mayo, which was apparently Secretary Daniels, after Senator Harding first directed the inquiry to results of the American occupation of Haiti, is want of alacrity in proceeding with the investigation—it will be particularly significant, in view of the fact that it is being put off.

They have evidence in their possession which widens the net beyond the narrow limits to which Secretary Daniels confined. The special province of the Naval Board, by the order creating it, is an investigation of the killing by the hands of 3,250 natives during the last two years, already admitted by the Marine Corps. Terrible as this is in itself, the incident in the forthcoming exposure of the manner in which the administration has destroyed the independence of this country to be its best friend and the protector of small and weak where.

A special committee to-day employed a lawyer who will assist Dr. Evans, who was shown in the New York Herald's dispatches to have tried for nearly two years to induce the Government to set up an unbiased nonmilitary board of these deplorable acts to light. It is the purpose of Dr. Evans and the committee to prevent any further suppression of the facts by any other board which the present administration may attempt to meet the charges of Senator Harding.

#### RECORD SHOWS RULE OF FORCE.

Today that the acts of the Wilson administration in Haiti, the original cordiality of the natives toward the Americans, are in a large measure, if not wholly, responsible for a situation which may permit the Navy Department after five years of "justification" to offer some semblance of justification for the such large numbers.

Now comes to light that the "indiscriminate killing" of many high officials of the Wilson administration, was merely the inevitable result of the following acts of the American occupation:

the throats of the unwilling natives of a constitution of this country by the Wilson administration and taken

by the same methods adopted by the marine officers in charge that the natives had by their own ballots indorsed this constitution, which the natives did not want, because it

specifically killed the clause in their own constitution against foreigners purchasing lands from the ignorant natives.

3. The actual voting on the new constitution with American officers at each ballot box with the bundles on the table in front of them, containing ballots marked "Yes" and the other containing ballots marked "No." The officials handed only ballots marked "Yes" to the ignorant natives, the bundles marked "No" remaining unopened on the table.

4. The cruel and inhuman treatment of natives in prisons presided over by white officers.

5. The imprisonment of Dr. L. Ton Evans, a white American minister who had preached to the natives for 25 years, by white officers, on trumped-up charges. Dr. Evans had merely sought to protest in an orderly fashion against the action of other white American officers in command of gendarmes. These officers were setting a bad example to the natives, by openly displaying immoral habits, in various towns and villages throughout the island.

6. The actual expulsion by the American marines of the Senate and the House of Deputies because they objected to the "rape" of their Government by the constitution by the Wilson administration, which professed to represent a civilized country on the globe, headed by the author of the doctrine of "manifest destiny," and the locking of the doors of the House of Parliament on occasions by American officers when the native senators and representatives sought to return and exercise their constitutional functions.

#### CONSTITUTION WRITTEN IN UNITED STATES.

In the article published in the New York Herald this morning a complete and brief portion of the suppressed evidence which Dr. Evans in the last year has laid before the State and Navy Departments was printed.

It now seems that the so-called constitution that the Wilson administration foisted on the terrorized natives in a manner by which they sought to appear that the Haitians wanted it—when the native efforts at independence, as well as now, showed that they did not want it—was actually written in Washington, probably by Franklin D. Roosevelt, then Assistant Secretary of the Navy and now vice-presidential candidate for the Democratic Party.

Critics of these inhuman and un-American methods of the Wilson administration in Haiti are prepared to produce eyewitnesses to this destruction of Haitian independence. They have not the slightest hesitation in issuing to the New York Herald a challenge to Franklin D. Roosevelt, who was in authority of the Navy Department at the time these political crimes were committed, to deny that this constitution was prepared in Washington and that there was every intention on the part of the Navy Department that natives of Haiti must be "induced" to adopt it. In fact, there is in the possession of the Republican national committee to show that Roosevelt has openly boasted that he wrote it himself.

#### THE HAITIAN KILLINGS.

SENATOR M'CORMICK SAYS THERE WILL BE A REAL INVESTIGATION.

To the NEW YORK HERALD:

I have just seen in your issue of Monday the Washington dispatch of the 22nd. It will not meet the needs of justice or satisfy the American people to make any other inquiry than that now being conducted by a board of officers appointed by the Secretary of the Navy and subject to his orders and to the President, who, with the Secretary, of course, is ultimately responsible for whatever may have been done in Haiti.

A committee of Congress must review all the charges made and a report of evidence to be submitted to the board of inquiry, as it must hear all the charges and any new evidence which may be adduced after it shall have been provided for the appointment of the congressional committee.

MEDILL M'CORMICK

CLEVELAND, OHIO, October 26.

by to President-elect, Warren G. Harding, national Republican chairman Henry Cabot Lodge, of Senate Foreign Relations, as the United States Congress.]

# HAITI SCANDAL AND AN EARNEST PLEA FOR A NONPARTISAN THE NEWLY APPOINTED NAVY COURT OF THE PRESENT ADMIN-

is of the opinion that the official number given out by American marines and their gendarmes in the open about one-half actually killed by the American occupable violence, brutality, and murder under the corvee (by American occupation) and taken out from their prison and silence of the night at Port au Prince, St. Marc, Cape Republic, as natives, if given a chance and with proper ent protection, are only too eager to testify.

CENTRAL UNION MISSION,  
Washington, D. C., October 30, 1920.

M. C.,  
Court of Inquiry  
of American Occupation in Haiti.  
Navy Department, Washington, D. C.

onished and concerned to learn from an article in the yesterday, the 29th instant, of a statement attributed to dated calling me as a witness before the court of inquiry, nal knowledge of the incidents referred to, but had agreed ons in Haiti who had supplied me with information, and persons would be examined.

I have no personal knowledge of unjustifiable acts of ice perpetrated against citizens of Haiti or unjustifiable to their property by marines is, of course, wholly untrue. recall that in the several interviews I have hitherto had dated I was prepared to testify from personal knowledge dable acts of oppression, violence, and assaults to citizens amage and destruction to their property by gendarmes and of United States marines during the American occupa-

smuch as a number of necessary native witnesses, both corroborate my testimony were known in some instances an names and others only in the localities in which they y should be taken in Haiti, where these crimes and atroci-

may be no possible ground of misunderstanding now, I ness to testify in Haiti, to establish from my own personal g specific acts:

uring the last week of June and the first week of July, City of a Baptist missionary and superintendent inspect- is in that section, I saw a number of natives whose arms the flesh reduced to jelly as the result of having been roped is slaves to prisons and for work on the outlying roads.

eing attended by a white doctor of the occupation forces, o I can identify if still in the service, who stated to me y called upon to render treatment of this kind to these and that their condition was an outrage and a shame.

ng my stay at Jacmel that one-half (or so) of the male Church were absent from holy communion and in hiding ain districts in fear and terror of the cruelties of the ed and imprisoned natives, subjecting them to the grossest d to produce as witnesses before the court the pastor of ct and two or more of the officers of that church.

District of Leogane, on the last Sunday of June, 1918, old service at the Baptist mission in company with the aw men and women stopped by gendarmes and turned eir place of divine worship. At this time I further saw 10 natives roped tightly together and marched like slave k recognized members of our mission and our native

I inquired from the corporal in charge what crime these men had committed and he answered nothing, but that he was determined to rope them together and take them away. I later appealed to the white lieutenant of the United States marines, over the gendarmes for that section, and demanded that a hearing be made, the natives be at once released, and the black corporal dismissed. The lieutenant promised to make the investigation, but never did so. I will testify, if given an opportunity, the pastor of this mission, with several officers of the church, to corroborate this statement.

4. During my imprisonment at St. Marc prison, in the Artibonite section, between December 28, 1918, and January 9, 1919, I saw the grossest brutality practiced upon native prisoners and women.

I saw them repeatedly set upon and beaten in the jail yard and by the gendarmes, whose captain and lieutenant were members of the Marine Corps. I have seen a number of them beaten into insensibility, felled like logs on the hard floor; others lying dead in the jail yard, occupied by prisoners, and the bodies remained two and three days, naked and covered with flies and eating vermin. I frequently heard in my own cell, night after night, the groans of native prisoners who were constantly beaten and atrociously treated.

5. During my imprisonment I also saw each morning probably 1000 or more natives, less, ill treated and compelled, under armed gendarmes, to march to the prison, several miles away, often without food other than a little coffee, there to be put under supposed corvée system.

These men would be returned in the afternoon, searched and roughly treated, and made to wait hours in some cases before the first bite of food be given to them. I have seen on many occasions as the result of this a number of prisoners fall to the ground from sheer weakness and exhaustion. On every occasion, the opportunity, I will produce a number of native prisoners (if still living) to corroborate these statements.

6. On January 9, 1919, the day I was discharged from prison and was being taken into the cell in a condition of insensibility, and whose back had been beaten into a jelly. He was attended by a native assistant doctor of the American occupation, who stated that this man had been beaten by the white captain, one of his drunken rages. If given an opportunity, I will produce the doctor (if not shot) and several native witnesses who saw the man in the condition described.

7. That if afforded an opportunity, I will testify also to indignities and cruel treatment accorded me during my imprisonment—and by this captain of the United States marines. I would have starved to death but for the fact that food smuggled into my cell by prisoners and natives on the outside.

8. While I was at St. Marc, about March, 1919, an old native was executed by being ordered or burned to death, with hut destroyed, in Mme. Orius's house. Three natives alleged to be implicated in the crime were arrested and imprisoned. Several nights later these three men were taken out of prison at night, being first compelled to dig their graves, then were shot by the gendarmes in the presence of their white captain, and their dead bodies fell into the hands of the natives they themselves had made. I did not witness the murders myself, as I was in the place in the dead of night, and everybody in a state of fear and trembling. I was staying at the home of Mme. Orius and children and saw the execution and horror produced among the family and in town, and heard details of the graves.

9. On or about the second Sunday of April, 1919, and while on my way from church at noon, I heard commotion and cries in St. Marc streets. The gendarmes (of the United States marines) had shot two men. Immediately on my returning toward the church, I saw a dead man, naked, carried along the public streets on a sack by four natives, with an armed gendarme by their side. The body was rolling from side to side, and was the most ghastly sight I ever witnessed. The purpose of thus carrying this dead body was to further terrify the people, who were already hiding and in dread of their lives.

10. That at St. Raphael, about April, 1918, while as superintendent among our Baptist churches of North Haiti, I found the white lieutenant of the gendarmes in charge of American occupation at that point, a United States marine in a shocking, drunken condition, and was told many stories of the Christian natives and others throughout the village of his intemperate and scandalous conduct. I am prepared to give name of the lieutenant

will produce witnesses, both white and native, to cor-  
ts.

1919, at Cape Haitien (in extreme north of Republic) I per-  
number of marines in broad daylight engaged in open orgies  
men in the streets. I saw them enter huts for immoral  
r services held in the churches of the cape, several of the  
ne Corps have confessed again and again concerning the  
inking going on, and awful temptations by-way of immor-  
n boys had to contend with in Haiti.

the American occupation I have witnessed at Port au Prince  
e Republic drunkenness and dissipation on the part of our  
s. If given an opportunity I will corroborate this state-  
both white and colored.

suggest that the court summon Dr. Samuel Inman, execu-  
missionary cooperative committee of Latin America, at  
en visited Haiti last year in behalf of both his own com-  
Union Home Missions' Council of North America (New  
vitation, and for the express purpose of a careful survey  
establishment of religious and educational work in the black  
refore personal knowledge of the very low moral standard  
es, and as stated in more detail in his able and informing  
situation in Haiti in this month's number of the Journal  
tions, published in New York.

night to my home at Wyoming, Pa., where a telegram or  
and shall hold myself in readiness to respond to your sum-  
iti and testify before the court to the foregoing facts.

e, that due arrangements for my transportation to Haiti  
ranged by you, and that upon arrival there full authority  
given me so as to locate and produce the witnesses to cor-

y.  
her advices,  
uly,

L. TON EVANS.

WYOMING, PA., November 2, 1920.

ELS,  
Navy, Washington, D. C.

ANIELS: An investigation into Haiti affairs such as you  
ple of the United States may know as well as yourself as  
y the whole truth concerning the Haitian activities of the  
s, everything, the good and bad brought out, the responsi-  
whole thing cleaned up once for all—is utterly impossible  
court you have just appointed, though headed by such an  
officer as Admiral Mayo, unless a careful, searching, as  
try is made by the said court into the following funda-  
uses of the present situation in Haiti, resulting in un-  
ression, violence, assaults, and killing of Haitian citizens:  
enate and chambers (parliament) of the people under the  
American marine occupation.

what is known as the rape, of the Haiti constitution by the  
and methods and force used by the United States Marines  
s to adopt the new constitution, which gives away their  
d American corporations.

orking of the so-called corvee slave labor by American  
their gendarmes, whereby, in spite of treaty, citizens of  
of their rights, robbed of their liberties, oppressed, as-  
s, with the inevitable result that the Negroes of Haiti gen-  
fierce anger engendered, and bitter hatred against the oc-  
d States Government, finding expression, now that their  
titution are gone, in open fighting and defiant rebellion  
nly believe to be the determined and treacherous effort of  
through the United States occupation in Haiti, to bring  
ery, with all its horrors.

al and direct factors in the absolute failure after five  
n Government, through its marine occupation, to pacify

Haiti, establish peace and good will, not to say secure the natives' co-operation, anticipated by the treaty between America and Haiti, economical, industrial, and social development of the black republic people, the present Navy court should have the right and authority to thorough and searching investigation into the nature and extent of the between marine officers of the United States, at Washington as well as with American corporations which followed the "occupation" to the public, and the European special delegate of the Pope (a foreign priest sent to Haiti during the present American occupation, with the European bishop, bishops, priests, freres, and nuns, etc., of the Roman Catholic Church in Haiti and all of whom are paid their salaries like officers and members of American marines and the native gendarmes from the United States government, money, loans, etc., to the little bankrupt black republic, and through the hands of the United States financial adviser.

5. In such thorough and searching investigation the Navy court should have the right and authority to determine what influence and power such as exist with corporations and close relation of the Catholic Church with the present government and the American occupation of the United States government, as now exists in the Republic of Haiti, has been responsible for the appointments of American marine officers to and removals from Haiti in the present occupation; for the demoralization of the United States marines from their usual high standard of military discipline and moral efficiency; the deflection also of the administration at Washington, or officers of the War Department, as well as the American occupation on the island, from its purpose of the United States Government's special mission in Haiti, and to the terms of the sacred treaty, to apparently serve financial interests and sectarian ends.

In requesting that you should reemphasize the importance of making the present investigation thorough and searching, and to authorize the Navy court to include the foregoing fundamental causes of the present sad situation in Haiti affairs, I hereby quote from the statement and the earnest plea of my personal friend, Dr. Francois Delancour (Port au Prince) in Current Events for the month of December, 1919,:

"All intelligent Haitians know that American statesmen and leaders of opinion are not aware of what is happening in Haiti. The American occupation is too great and too good to tolerate such infractions of political morality which in July, 1918, entered the confraternity of the allied nations by declaring war on Germany, is with the approval of the American officials (occupied in a state of anarchy, anarchy of legislation, anarchy of administration, no parliament (senate and chamber) to discuss the living interests of the people, with no freedom of thought, of speech, of action. Deprived of justice and legality, also undermined by disorganization of labor and by paying that the Haitians are driven out to Cuba to look for work in large numbers or remain to starve."

The inclosed letter to Judge Advocate Dyer, of the Navy court you have appointed to investigate affairs in Haiti, will show that as the person appointed years ago prepared by way of a memorandum and sworn affidavit and definite charges against the American occupation, etc. I have offered myself as a witness to personally testify in Haiti, and so as to establish from my personal knowledge such specific acts as related therein through him in court.

As I have had no reply from Maj. Dyer, I hasten to repeat my offer to the Secretary of the United States Navy, responsible for the creation of the board and, of course, to the Government and American people for a court in Haiti, namely, to hold myself in readiness to respond to your summons to the above Navy court to appear in Haiti and testify to the facts as stated in the letter to Maj. Dyer, judge advocate of said Navy court.

As assumed in that letter, you will see to arrangements for my transportation, authority, and protection given both to myself and witnesses in Haiti, any necessary expense the witnesses may have to incur for attending to the matter in various sections of the Republic, so as to corroborate my testimony.

Very sincerely, yours,

L. TON

THE SECRETARY OF THE NAVY,  
Washington, November 4, 1920.

Sirs: I have your recent letter concerning Haiti. I thank you, and the same has been given to the court investigating

s,

JOSEPHUS DANIELS.

DOCTEUR HECTOR PAULTRE,  
St. Marc, Haiti, 25 novembre, 1918.  
Kingston, Pa.

Votre lettre du 25 octobre m'est bien parvenue. Je n'ai pu venir partager le Loupe du Lcycier avec vous scion ce que vous. Il m'a écrit le 5 septembre pour m'annoncer qu

le mois passé une école primaire de jeunes filles avec le Directrice: Mme. Hector Poultre; professeurs: Mme. Poultre et Mathilde Gresseare; surveillante: Mme. David maintenant 30 élèves mais nous espérons en avoir beaucoup. Nous faisons tous nos efforts pour ouvrir sans trop tarder les garçons.

Je vous habitiez, j'ai eu de nombreuses difficultés avec Mr. même au recours au Yeige de Paix. Aussi j'ai été obligé de la remettre le 20 septembre en transportant vos effets de Mr. Cambell chez moi. Le garde donc à vos ordres et votre arrivée ici je vous chercherai une maison.

Je vous vout bien y'ai été une seconde fois à la Grande plantation de faire une petite prédiction.

Je vous prie de vos bonnes salutations et implorent pour vous de Crés Haut.

Éla.

HECTOR PAULTRE.

ST. RAPHAEL, June 8, 1911.

of Haiti Baptist Mission.

EVANS: I am profoundly glad that you have brought to the pastor, deacons, and church of St. Raphael last Sunday the consecration to Christian work of our Sister Christine at under God, in addition to what you have already done. I am glad to take her with you to the United States and to place her in college as Alice Pierre, our Haitian daughter, whom I heard of years ago from our midst, and to study so as to serve the people. I have employed Christine some years as my assistant in the Government school for girls here, and, as you know, I can see her deep interest and faithfulness in her work and her especial aptitude as a teacher, even when she was staunch, if not bigoted, in her views. Now since her conversation to the Protestant faith and her residence in Banaha River in October of 1910 her active service in the Sunday school, as well as the part she takes in our open-minded sincerity, quiet, steady, consistent, and loyal Christian life, and her persecution of the priest and even of her own mother. I give the above testimony that in my opinion Christine is specially fitted for work in Haiti, and with the training such as you provide in the national Negro Baptist college for girls in the United States. I believe herself, if life and health are given her, a most efficient worker when among her own people and sex in this morally and materially destitute country.

Give you, my beloved, for your splendid efforts in behalf of

Christ,

ELIZA MENARD.

Menard, directress of Government school for children at (see page 269.)

HAITI BAPTIST MISSION—APPALLING NEED OF 3,000,000 PERISHING SOULS  
GOSPEL.

A MISSIONARY PIONEER AND HIS EFFORTS COMMENDED TO CHRISTIANS OF GREAT BRITAIN AND AMERICA BY ONE OF JAMAICA'S BEST-KNOWN PASTOR EVANGELISTS—SCHOLARS—YEARS OF MISSIONARY ZEAL AND DEVOTION UNDIMMED AND UNDEMANISHED—ENCOURAGED TO PROCEED "ISAIAH-LIKE ALONE TO A WORK WHICH HE CALLED HIM."

"Go ye into all the world and preach the gospel," etc.—Christ.

Letter from Rev. George E. Henderson, M. A., graduate at Madison University, New York, that years ago conferred the degree of doctor of divinity. Rev. G. E. Henderson is pastor of churches with a membership of 1000. He has been a member of the Jamaica Baptist missionary executive for 34 years and was president of the Jamaica Baptist Union and chairman of mission committee when Rev. L. Ton Evans was under that society as its chief missionary for 18 years ago and previous to his resignation through his late wife's death. Mr. Henderson, who is considered a profound Bible student, promoter of the higher spiritual life, and leader in the island's missionary activity, is well known in the United States among the following Baptist leaders: Dr. H. M. S., Dr. Robert S. MacArthur, Dr. Edward Judson, Dr. Bittin, Dr. Newton Clark (Rochester), Dr. Leighton Williams, Dr. J. A. Francies, Dr. Thomas S. Barbour (A. B. F. M. S.), Dr. Charles Watson, Dr. (Philadelphia), Dr. W. M. Lawrence, Dr. John S. Love, Hon. Mornay (New York), and others.

THE CHAIRMAN.

*Browns Town, P. O., Jamaica, West Indies, August 1888.*

Rev. L. TON EVANS.

MY DEAR BRO. TON EVANS: Having a keen interest in your desire to preach the gospel in the neighboring island of Haiti, and with the keen knowledge of your plans, your efforts, and discouragements in this great enterprise, with an intimate personal acquaintance with yourself for many years, I thought that a letter from me may be of some use in helping you to overcome the difficulties that are likely to oppose you in the mission to which God has called you for the extension of his Kingdom in a land hitherto neglected.

In saying this I know of the efforts put forth by the Wesleyan Missionary Society many years, and also by the Baptists of England, and after of Jamaica, who have taken my part in all that our society has done in Haiti. \* \* \*

My heart goes out toward you, as I found that zeal and devotion were burned in your heart 18 years ago, when you were the missionary of the Baptist Church to Haiti, is still undimmed and undiminished, but has manifested itself through the intervening years (though much occupied with your own churches in South Wales, and after in Edwardsville, Pa.) in awakening others, both individuals and societies, to take up the evangelization of Haiti.

He who fed the fires through all these years will, I believe, still be alive until your efforts meet that success which we all desire, and Haiti, like her sister islands of Jamaica, Porto Rico, and Cuba, is not only waiting for the gospel, but dotted over with churches from which God's message of salvation to all mankind is proclaimed to "every creature."

I could wish that your efforts to awaken some of the great societies of the Baptist denomination in Great Britain or the United States of America should be more successful, and trust that this will ultimately be brought about.

I say this as it is only natural that left to work alone as a sort of missionary at large you are likely to be misunderstood and misapprehended even by (certain) brethren. \* \* \*

On this account I trust before long you will succeed in securing the sanction of some responsible Baptist society to shoulder the (whole) work of evangelization on to the success that awaits those who are ready to respond to "Whom shall I send, etc.?" This I know is your earnest desire also, and as it is brought about I can only encourage you to go on Isaiah-like alone to a work to which God has called you, and He will lead.

Some misunderstandings have already arisen and some criticisms made, but you have had the advantage of hearing these (and refuting them) from

\* \* who have misunderstood some of your actions. Our accounts (1) that has recently been made, which is to satisfy some and remove their strongest objection, and from myself to Mr. Wilson (London) will satisfactorily remove the entirely misunderstood, (2) and trust will tend to remove the impression he had formed as to your generalship.

Our visit to Jamaica (1908 and 1909) has tended to revive the Jamaica Missionary Society in Haiti, our first foreign field, (account) already in our taking over the support of Brother Samuel, etc. \* \* \*

of my own deep interest in your work and my desire to the extent of my ability, and allow me also to say that I pledge of almost every step you have taken in this great work to the confidence of Christian brethren who may not yet do.

so far, and He will guide you still. I am not unknown to our brethren in the States, having been graduated from New Colgate, in 1875, and if this letter can be of any service in whatever way you wish, and believe me always, your comrade in the gospel,

GEO. E. HENDERSON.

My, but I hope you will be able to decipher what I have

who was resting in the country after a very severe illness and has since greatly improved.

From the Rev. George Henderson he says:

He says that your spirit is equal to the changed attitude of the Mr. Wilson broached the matter when he and Mr. Penny was not surprised when I saw the decision in the Herald, there is any ultimate loss in dissolving an arrangement that is contrary and that was likely to bring friction as long as it

that God, who opened up India by Carey and China by the societies threw them over, is also equal to open Haiti. He finds ready to be His instrument. 'It is nothing to you or by few,' and when He works by few and by feeble is all the more conspicuously His."

all have been issued, viz, 1,000 in 1908, 1,500 in 1909, and 2,000 (Welsh) in 1910, which were sent at the time to all our friends in Wales, America, and Jamaica, at a cost of our scanty funds, not to mention the labor entailed on addition to his work as organizer, deputation, and mis-

Mr. Henderson feel the injustice and injury inflicted upon our people among contributing churches in Wales, Jamaica, as well as Haiti, that he wrote a strong letter not only to Rev. C. E. Penny, Esq., chairman of West Indian English Committee, and Rev. Leonard Tucker, M. A., of the B. M. Mission, tutors at Calabar Baptist College, in Jamaica, complaining of a brother engaged in the same kind of mission work, who was a healthy religious organization at his back.

Rev. L. Ton Evans has urged the Jamaica Baptist Mission to have this brother, ordained by him in 1894, but through the influence of the churches, etc., they have not been able to do this until personal visits referred to, and the influence of Rev. George

two consecrated and certificated teachers from Edwards-ville Baptist Church studying at the Women's Missionary School, preparing for Haiti, and two more, Miss Bailey and Miss (latter from Browns Town, Jamaica, West Indies), who had and taken their B. A. degree in the States, seeking to enter a Baptist missionary school, with the intention of laboring in the public. This is in addition to Miss Alice Pierre Alexis, the one taken by the field secretary to the United States, etc., and for missionary work in her own island, at the National School for Girls, Lincoln Heights, Washington, D. C., and the leadership of Miss Nanule Burroughs.

## NEW HAITIAN RAILROAD—RATIFICATION BY SENATE AND PRESIDENT

News has just been received in Kingston, Jamaica, and New York of an important contract between McDonald & Co., and the Haitian Government recently passed by the chamber of deputies has now been adopted by the President and signed by President Simon. This carries with it a Government concession of an interest in the banana trade and other fruit interest and the construction of factories. It will be proceeded with as soon as possible, and opens up new areas of undeveloped, rich land and create new industries. It is said that a large and bitter fight has been waged for this valuable concession between the French, and especially German, firms, opposed to American and Protestant influence. The sum and substance of this is that the present is the most important epoch in the history of Haiti, and hence a special call to the great Baptists to strongly establish themselves in the social, moral, and spiritual life of these long-neglected people.

L. TON

SEPTEMBER 15, 1910.

## AN ISLAND SADLY NEGLECTED OF GREAT AND UNIQUE BAPTIST OPPORTUNITIES

BRIGHT PROSPECTS OF A WELL-SUSTAINED AND ORGANIZED CHRISTIAN ENTERTAINMENT  
PERSONAL TESTIMONY AND HEARTY RECOMMENDATION OF MISSIONARIES  
MISSION BY A POPULAR AND EMINENT COLORED MINISTER WHO HAS VISITED THE  
BLACK REPUBLIC ON SEVERAL OCCASIONS.

"And how shall they believe in Him of whom they have not heard?"

"Your visits and touching appeals have awakened renewed interest in Jamaica. But what is one missionary among millions?"

Letter from Rev. Hon. and Rev. W. M. Webb, a member of the Legislature, founder and managing director of Westwood College for the island, pastor of churches with a membership of nearly 1,000, ex-president of Jamaica Baptist Union, member of missionary board for 45 years, special deputation of the denomination to the island of Haiti, and old-time (colored) Baptist minister in Jamaica, West Indies:

WOODLANDS, STEWART TOWN POST OFFICE  
Jamaica, September 15, 1910.

Rev. L. TON EVANS.

DEAR BROTHER EVANS: Having visited the island on separate occasions twice as a deputation from the Jamaica Baptist Missionary Society, and into the spiritual condition of the people and report on difficulties, and status of the mission work there (many years ago) you will know how interested I am in Haiti and the social, moral, and religious welfare of its inhabitants. I deeply deplore that the efforts of the B. M. S. of London and subsequently those of the Jamaica Baptist Missionary Society—were so inefficient, and short lived—and that such a large island, with over a million people who are trying to find out the true system of Government, and hitherto failed for lack of the evangel among them, should be so engaged until now in the cruel bondage of Romanism, witchcraft, etc.

I am, dear brother, greatly interested, therefore, to learn of your successful efforts to give these people the pure gospel, and from my own knowledge of such natives (Christians) as Dutreville Lamour, Hector Lamour, Jaques, Osiris, and Sisters St. Aude, Lamour, Louise Holder, and others there I am sure that any well-sustained efforts put forth in the evangelization of this island and its interesting people and under God's blessing will result in abundant success.

As one of the oldest members of the Jamaica Baptist missionary society I remember well how deep was the regret felt by us when, through my dear wife's illness, we were compelled to accept your resignation of which you had so loyally and enthusiastically filled some 18 years of missionary of our society.

During the intervening years, however (though actively engaged in evangelistic work in Wales and America), I am thankful to learn you have had your heart and kept in personal touch with the natives and given me of your deep sympathy with the evangelization of that dark land.

Your visits also and touching personal appeals have awakened interest among us in Jamaica, and only at our last annual union meeting

resumed in a small way (after giving up entirely for a through sheer poverty, etc.) its work in Haiti by the (active) Brother L'Herisson, etc. We recognize this as the labors and answer from God to your faith and prayer. Brother (receiving a salary and devoting the whole of his life) among the perishing priest-ridden and superstitious people? What everyone who loves the kingdom of God and desires that petition, "Thy kingdom come," desires to see for a Christian mission founded upon a strong, sympathetic, and efficient organizer with funds behind him to employ best methods and sympathetic foreign agents (white missionaries) to reach the people now waiting and longing get a chance to hear

of the knowledge of the Haitian (character) I am satisfied we have received the gospel \* \* \* they will not only be a happy and prosperous people, but will largely and rapidly respond and assist in giving the (same) gospel to other parts

we have much regret that your request made to the Baptist Convention (England) for a grant of £300 (\$1,500) a year for five years had been created or the cooperation of a strong organization and to be made good from the collections of Welsh Baptist churches (and resolutions to do this) interested in the Black Republic and its visits and advocacy of the special and imperative needs responded to.

And much more which is urgently needed I must leave to you and your efforts to all who know the grace of God in the Baptist and Protestant churches able and willing to help by their gifts, and prayer.

In contact with you on several occasions, your residence with me at my home, your pulpit ministrations that I and my family have enjoyed, as well as your deep sympathetic spirit with the hopes for their future material, social, and spiritual progress, and the long ago of the high motive and good faith of the evangelization of the Black Republic.

Remember, that knowing Him and His power, in Whom you have placed your trust, do, no misunderstanding of your aim by some and by others will discourage you in what you conceive to be a direct call from God.

And in our northern and southern Baptist brethren in the field, most generous sympathetic helpers, who will not fail to sustain you by their organized gifts, counsel, and noble aim to give poor Haiti the gospel.

For your and missionary worker I highly esteem you and only trust that you will be able to show in a more practical way the results of your efforts.

May the Lord raise up for you generous helpers among Christians in America and America.

Wm. Evans.

W. M. WEBB.

The parentheses are not a part of original letters, but inserted for clarity.

ENDORSED BY NEW YORK MINISTERS.

Accepted by New York Baptist Ministers' Conference (See Examiner.) Revs. S. J. Arthur, Harvey Wood, and E. T. Stanford, special Haiti committee, formed for the delivery of a missionary address by the field secretary, to show the spiritual destitution of Haiti, proximity to America, and the need of Christian aid.

Reported to consider and report on the matter of Baptist aid to Haiti by the committee, and having listened to the report presented by Rev. L. Ton Evans, and confirmed unto us in the field, and the personal testimony of Rev. G. A.

House, who has spent 25 years on the adjacent Island of Jamaica is intimately acquainted with Mr. Ton Evans and his work), having already received the hearty indorsement of the northeast ton, and Huntingdon Associations of Pennsylvania, and the sylvania Welsh and the Turnbull Associations of Ohio, as well as and Louisville Ministers' Conferences. We, the New York Baptist Conference, respectfully and earnestly petition the officers and committee of the Home Mission Society to respond to this call of but awakening Haiti, to the end that these two and a half million doors may enter on the heritage of a New Testament Christian privileges of an enlightened civilization."

Contributions should be sent toward missionaries' salaries, schools, or bells to Councillor W. P. Thomas (chairman of East G. Welsh Baptist Association), Gorphwysfa, Treorkey, South Wales Haiti mission, treasurer in Wales; or Rev. J. E. Daires, M. A. (east Baptist Association of Pennsylvania), Nanticoke, Pa., Un America, treasurer in America. French, Spanish, and English to and periodicals to be sent direct to L. Ton Evans, field secretary Haiti, W. I. All moneys, if forwarded to the latter, must be in reg

[Rev. L. Ton Evans's interview in Wilkes-Barre, Pa., Evening News, Aug. 21,

**A REMARKABLE CAREER OF A BAPTIST MISSIONARY—TELLS OF STRUGG  
FIERCELY ATTACKED BY DEVIL WORSHIPPERS—A WHOLE CITY  
SAVED FROM BURNING AND BUTCHERY BY AMERICAN GUNBOAT—B  
MAKING GREAT EFFORTS TO BATTLE WITH SOCIAL AND FINANCIAL  
PROPOSED INDUSTRIAL COLLEGE.**

Rev. L. Ton Evans, field secretary of the Haiti mission, is before the Southern and Northern Baptist Conventions, and the World's Baptist Convention in Philadelphia, at which he spoke as the official representative of

Rev. L. Ton Evans left the Welsh Baptist Church of Edwardsville years ago to preach the gospel to 3,000,000 spiritually dark and untutored Negroes of Haiti.

Like George Whitfield, the eighteenth century evangelist, he was a saloon in Wales, and on account of family relations and other advantages might have easily been to-day, had he chosen, one of the liquor merchants and brewers in that principality.

His parents having quit the hotel, their youngest son became a seaman and after his conversion, college training, and entrance upon the ministry he eschewed all, gave up entire property so as to devote himself to his sacred calling and consecrate all his energy to the work of

While in the large seaport town of Barry, as a pioneer in Christian work, and where he was the means of forming five Baptist churches, was one of the best known temperance reformers in the whole of Wales, been the recipient in this capacity of many tokens of esteem and honor from leading men, irrespective of religious denominations and political opinions, although he himself is a strong Baptist and a staunch radical or, as we here would term prohibitionist-democrat. He is a free trader in the active part he played while pastor of First Baptist Church of Edwardsville. Temperance reformer will not be soon forgotten when, in one year, his friends closed up about one-half of the saloons and reduced the revenue from that source alone some \$4,000. The dastardly dynamite outrage against the Congregational Church is well known to have actually been aimed at Rev. L. Ton Evans's church and people.

Like the reformers of his type he has been bitterly attacked, threatened many times, but all of which simply act as a tonic to strengthen him in what he conceives to be his duty to God and man.

#### INTERVIEWED AT HOME.

After locating the missionary at his West Side American home, and gone into certain preliminaries, he expressed his willingness to answer any question relative to himself and his special work and the black Republic.

"How long have you been in the island and what is the nature of your work there, Mr. Evans?"

comes in Barry, Wales, to go to Haiti in connection with the same work, 18 years ago. Owing to repeated sickness of my wife, I leave and return in two years' time, but before I left I created native brother, Nosirel L. Herisson, ordained and settled in the church and southern portion of the island, and whom I have known, though until two years ago he had not been in receipt of salary. In 1908, without a society really at my back, I left my home some 60,000 miles over sea and land, and spoken at many associations, conventions, etc., in Wales, Jamaica, West Indies, and States in behalf of Haiti. I have during the same period traveled throughout the Haiti Republic, and part of the Dominican Republic, and months at various cities, towns, and villages of the interior, as field secretary, or general missionary, my special work being to secure some financial aid to college trained natives and to establish stations, has been to visit churches and stations systematically, to marry, ordain native brethren of special ability and character, and so as to arrange for regular preaching in our out-of-the-way places in the interior. In addition to this, I have secured financial help for new church buildings, rent, and other expenses, and financial aid altogether for five missionaries, etc. When I consider the very long distances between these churches and stations; the lack of roads, and that one must go for days and often weeks through deep mud, thick bush, flooded rivers, and on the edge of the coast, sleeping during the nights on the hard ground, I give you some idea of the difficulties and hardships of a missionary in Haiti, and also enable you to understand how the natives appreciated and enjoyed my going and living among them. Every man, white or black, has traveled so much and experienced all classes, and is in a position to really understand the work. I have been openly and personally attacked by the priest and the military, on top of Gros Morne, between Jacmel and Port au Prince, in the city of Jacmel in November of 1908, when about to be executed and cruelly butchered by soldiers and officers of late Alexis, and for not preventing ex-President Simon entering Port au Prince, and for the American gunboat *Eagle* that sailed with me into the harbor. I have financially supported brethren on the field, and through the efforts of the Baptists of the island of Jamaica, I have succeeded in financially supporting two more, making a total of five. We have 15 Baptist Churches and 17 stations, 5 financially supported preachers, 5 native preachers, 600 members, baptized last year 100. We have 1,200 baptisms, and 1,200 converts in our churches and stations throughout the island. Also a number of day schools in cities, towns, and districts, but the latter for some years and to our great regret for want of funds."

#### DEFINES PLAN.

you in mind when starting out, and how far have you come to the next asked.

city of Jamaica Baptists, and difficulty with the Baptists of our Negro Baptists in the States, who have helped us with the Baptist Churches of this valley (Wyoming Baptist Association), to do what has been done in the States, do effective work in Haiti and develop the mission, one of our American Baptist missionary societies must take over the work as they do their work elsewhere, with schools and that young men and women could be trained for work in

population of 3,000,000, that is, 2,000,000 more people than more than even Cuba, is only 1,000 miles from New York to the coast of Florida. In addition to our proximity to the American interests in the Caribbean Sea, the Baptists of the present operating missions in Porto Rico, Cuba, and Canal Zone. Again, Haiti is a Republic, and so can be better understood by American Baptists than by the more conservative, if not by the English and Jamaica. Our American missionary

methods have the great advantage also of being more aggressive and both on the foreign as well as the home field.

"It may not be known the debt which the United States owes to Haiti. The obligation this country is under to the black Republic. It was the debt incurred by Haiti and defeat of Napoleon and France by Toussaint L'Ouverture. It was the debt incurred by black forces in their securing freedom from slavery and independence for Haiti. France at the end of the eighteenth century that compelled Napoleon to give up 1,200,000 square miles France had in North America to our Thomas Jefferson in 1803 for 2 cents an acre. Apart from the Louisiana Purchase, the United States to-day would not have had any Pacific slope, Alaska, Philippines, nor Panama Canal to boast of. Hence, in the providence of God, authentic history attests, Haiti has materially helped to make the United States the leading world power it is. Yes, I am perfectly satisfied, and I put everything into consideration I really feel delighted at the bright prospect of real success so far achieved. I came up from Haiti through Cuba, where I saw the splendid work of our Northern and Southern Baptists, and so as to the convention held at Jacksonville, Fla., this May. After hearing of Haiti's needs, the convention immediately called the attention of the board to this field, with authority to act. The board have planned for the coming year their corresponding secretary, to come down at once to visit the country in accordance with the convention's desire.

"Exactly a month after, namely, in June, our Northern Baptists at Philadelphia also decided to make an appropriation of from \$5,000 to \$10,000 and to increase of their budget and through their Home Mission Board, and so as to include their work to include Haiti."

#### SOCIAL PROBLEMS.

"What, in your opinion, are some of the reasons which account for the lawlessness in Haiti and the constant revolutions on this island?"

"Perhaps there is not a people in the whole world misunderstood and misrepresented as a whole more so than the people of this black Republic. I have long experience and intimate knowledge I can safely say that there are more kind-hearted and generous natured people anywhere than the people of Haiti. The immediate cause of discontent which crystallizes into revolutions and upheavals, undoubtedly is the widespread poverty arising through lack of money, and industries in the country. Men and women in sheer want are easily worked upon by certain political factions, and so-called leaders whom themselves again are in penury; and are used by certain white capitalists who have an eye to business, and make great profits to themselves from these revolutions and financial embarrassments of the Government. There is a system of corruption and spoliation carried on often by those around the President, and people in official positions, especially at the administration of the treasury and finances. Hence the treasury becomes depleted, soldiers, officers, and others are not paid, often robbed in other ways. The people become discontented and even bitter, and at times driven to desperation.

#### GOSPEL THE REAL NEED.

"The chief want of Haiti is the Gospel, the religion of the Bible, the Christianity of Jesus and the New Testament.

"When dissatisfied with political and social conditions (and no Christian much less educated, and Christian man should be satisfied with conditions in Haiti) unfortunately instead of having recourse to the ballot and the ballot box, they begin to plan and plot a revolution and appeal to the gun rather than to justice, reason, and common sense. The Gospel is the civilizing factor of any age, and this alone in its wide and far-reaching influence can satisfactorily solve the Haitian problem. When the teaching of the Gospel of God, and principles of Christianity find a lodgement by faith in the heart they change conduct as well as character. There is a new vision of hope, in fact, an altogether new life, finding expression not only in the thrills and spiritual throbs, but in fresh and actual daily activities. The man and drudge becomes something worth while; and one's whole life through the new motive power is lifted entirely from its old ruts. The whole man is brought into harmony, morally, intellectually, physically, and socially with the will and divine purpose of God in Christ. New conception of duty, devotion to wife and family, and community follow as the day follows

honest, sober, and thrifty. They want, however, to be taught so as to make the best of these new powers and

#### SCHOOLS THE BASIS.

day of Sunday and day schools for the young and middle advanced in years, as well as in other ways to accomplish of my being now in this country is to interest our leading Christian philanthropists in the States to establish a college on a large scale; and so that the most promising, many of whom will go out again as teachers to lead example on lands, in homes, etc., and create respect for really build an industrial system of sound and practical make them self-supporting and independent, thus materially on of a complete Christian character."

#### CARE FOR SMALL NATIONS.

believe that Haiti should be annexed to the United States by political solution of the problem?" "All nations, in my opinion, have a place in the plan and very often, if not always, like Israel and Wales for instant destiny to fulfill. The United States has never yet. Had she helped Haiti as she has helped Cuba, and the Dominican Republic, I am certain America would. The great powers concede that the interests of the amount to the combined interests of all other nations; and that according to the Monroe doctrine and the humanity, that the strong should help the weak—the United could befriend Haiti, not only by restoring order, or against their will and by force, but by establishing permanent confidence. By a little effort on her part to explain the true situation, and the purity and nobility of only Haiti would raise no objection, but really welcome protection, and encouragement to open up industries, etc.

#### PROMINENT MEN ENLIST.

signatures of senators, deputies, judges of supreme and generals, magistrates, merchants, inspectors, cultivators, on that only 20 per cent of our people can read, and but will see that the petition comprises actually the whole can be got at. When the objects of this school were explained to me by myself in French and patois (the speaking of the natives) as well by many of my helpers in plain young men and women in skilled labor, useful in that it would effect eventually great political, social, moral, that would be far-reaching in its effect upon the island; foodshed, send three out of every four of our starving, to their homes and habitations (small farms) in the confidence in one another, etc., they became deeply enthusiastic at the very idea of such an institution for the and daughters in Haiti with such benign influence. In figures named and support mentioned, I have received words from mayors and councils of the leading cities and officially for my deep interest and real love for their and expressing their sincere hope that the earnest prayer be responded to and answered by educationists and of this country and true friends of the Negro. Though ability of this most important and further great understood. I naturally feel a little proud of being the first white such a mission; and especially that this whole black in character, so opposite in their religious creeds, so ant and opposed in politics, should consider me worthy and a true and genuine friend of Haiti and its

"May I finally ask you the effects of the last disturbances in the will the change of President and cabinet and overthrow of late government by the revolutionists since you left Haïti, in any way interfere with you or change your plans?"

"I think not. In fact, I expect the present new government to give greater help. It may not be known that though Romanism is the State religion according to Haïti constitution, there is liberty for all, and none is persecuted for the Baptists. It is true, however, that certain Roman Catholic priests from time to time caused warrants to be served on me and my nation for preaching on ground claimed by the Catholic Church to have been created by them; and that they have seriously threatened us for publishing in rivers and sea those who once were prominent in the Roman faith. It is only fair and just to state that never has the Haïtian (Negro) been the instigator in these cases. Moreover, in every case we faced or officials asserting our legal as well as moral rights as Baptists, and representatives of Christ, the authorities and Government, strangers have always stood by and supported the radical Baptist missionary."

"The leaders in Haïti are at least beginning to understand that Baptists are for the liberty of the individual to think and to act in all matters of politics and religion. The right to read the Bible and interpret it by the Holy Spirit and without the interference of State, priest, or person of influence, Leconte, and Senator Dr. Laroch, the new minister of public instruction, were the first to sign the petition and are ardent supporters of the Friends of Gen. Firmin are not a bit less in their desire and with Gen. Firmin himself, whom I know as a learned man, and an author of ability and influence, but was absent from the island when the petition was gotten up, with his influence, support everything in the way of education and religion for the real emancipation of his country and people from ignorance, superstition, and slavery."

#### WILL DRAW HAITI TO UNITED STATES.

"In addition to the advantage of this industrial institution as above, such an excellent college as this established among them in the midst of the petitioners and which petition is written in French—will be a small, but heroic little nation under a lasting obligation to the general factors, and more than all else draw Haïti closer than ever before in to the United States and serve as a means of uniting the two Republics in real sympathy and genuine good will."

Rev. Condillac Jean Jacques, Cape Haïti, a graduate from Newton Theological Seminary, Massachusetts, and also attending the Baptist world's alliance, is also seen and questioned:

"Do you know much about Mr. Ton Evans and his work in Haïti?"

"Most decidedly. We look at him there at Haïti's best friend, and in the esteem, Christian affection and confidence of all classes, and we welcome him coming among us as God's direct answer to our prayers. No white man has traveled more extensively and become personally acquainted with our intellectual and spiritual needs than Mr. Evans himself. Hence he speaks with real authority based on personal knowledge. The moment we saw his project of a normal and industrial college to teach my countrymen the value and dignity of honest labor, we (myself and a number of other leaders) at once fell in love with the idea, and at great risk during the political associations associated ourselves with him and rendered what support we could. It was that Rev. L. Ton Evans, whom we often call, on account of his reputation in Haïti, and esteem for him "Nègrè blanc" (the white black man) who gave support of all the leaders of the Haïti Republic. The success which he has attained through his undaunted courage and incessant efforts which we all in Haïti, has been most marvellous. As stated in the petition to the President and Government and senate and chamber will only be given the necessary aid required, as well as do everything else to encourage this grand project."

#### APPRECIATE THE MISSIONER'S WORK.

"You then agree with Rev. Ton Evans, that the people would appreciate such an institution, and that as he maintains, it will go to establish peace and concord in your island, and unite the two Republics in sympathy?"

a large number of our best young men and women are here, and prepared to make great sacrifices so as to equip themselves for vocations in life, and I do not see how such a college as successful as Hampton and Tuskegee, with which Mr. [unclear] acquainted. Such a training would enable my people to work as well as our rich soil, and give them a taste for something that would bring contentment to the whole island and help to develop its industries, as well as make in my opinion all the educational work more effective and permanent. I may also add that on the part of educationists and Christian philanthropists such a college would never be forgotten by my people. The college training of young men and women, year after year would be a long proof of your generosity and good will toward us, and toward the United States as nothing else could; remove all obstacles that exist among nations, and especially a small nation like Haiti, to become a large and powerful one. On account of these blessings I am earnestly praying that God may give success to Bro. L. T. [unclear] of the Negro with you here will do what they can make a noble effort to free little Haiti and its people from ignorance by giving an institution that will give them a sound and useful education and shall enable them to take their stand among other nations of the western world eventually."

## STATISTICS OF HAITI BAPTIST MISSION (1911).

-----	14
-----	8
Missionaries-----	2
-----	17
-----	5
being built-----	2
built-----	4
not paid-----	4
of Baptist College, unpaid-----	2
Assistant missionaries unpaid-----	25
-----	600
Port-----	100
for baptism-----	105
Churches and stations-----	1,200

Above there are the following day schools languishing for want of money. Country schools among the very poor have had to be given up.

For boys' and girls' grades, conducted by missionary and with Jacmel, six country schools.

(capital), one day school conducted by missionary. Has the Government.

girls' school conducted by aged wife of missionary and converted from Romanism. Received financial support from

school conducted by member of Baptist Church. Given help.

school conducted by member of Baptist Church. Given help.

The young men's school conducted by Baptist missionary and into a preparatory school to train native preachers. Government financial help.

HEADQUARTERS NINTH COMPANY, G. D. 'H.,  
District of St. Marc, June 25, 1918.

under, St. Marc.

St. Marc Prison.

Sunday afternoons.

Dr. Evans, has permission to enter the prison at St. Marc for the purpose of holding a service for the prisoners. Services will be held in the mess hall and order will

be maintained at all times. Prison cell doors will be opened, and who wish will be allowed to attend services.

CHARLES E. K.  
Captain Ninth Company,

Mr. EVANS. May I put in letters from and to Senator Knox, I others pertaining to matters here dealt with, etc.

Senator ODDIE. Yes.

(The letters referred to will be printed in appendix.)

Mr. EVANS. I would be decidedly opposed to any idea of withdrawing from Haiti, but urge through this committee the establishment of a civil government with sufficient high-grade American marines for administration purposes.

That a scheme of popular instruction should be launched as soon as possible with compulsory free education, and both in the English and French language, being that Haiti is so closely allied to the United States as to do away with need of interpreters.

The lands should be preserved for the people and developed under the vision of the United States, but with hearty and active cooperation of the Haitian Government, functioning through its Senate and Chamber of Deputies, its constitution restored.

Senator ODDIE. And you feel sure that in your opinion there are no marines down there who would make very worthy men, and it would be to retain?

Mr. EVANS. Yes; I believe there are some excellent officers there who have degenerated through drink and other forms of vice, so prevalent unfortunately, in such a backward country as Haiti is. These marine officers, however, should have a high-class gendarmerie and less expensive administration through the employment of more qualified Haitians all through the country, and fewer but stronger white American officials who are prejudiced against the colored, and must have faith in the future under proper and favorable conditions.

Senator ODDIE. But the conditions have been trying on many of them. Have they not?

Mr. EVANS. Quite so. They have been neglected both by the United States Government and by the Christian churches of America and the Y. M. C. A. Prohibition should be extended so as to include the manufacturing and sale of all intoxicants, and to the civilian white and colored, as well as the gendarmes. Drink and immorality have been the serious undoing of our young men who have come to me at Cape and also at Port au Prince for their complaints.

If Col. Russell and Gen. Cole and others had a free hand in Haiti, the relations and the Roman Catholic influences there would have been better record to-day. Without separation of Protestant and Catholicism from the Government there can be no spirituality and power in honesty and efficiency in the other. *This is absolutely necessary.*

If the civil occupation is established and the Haitian Government restored only such minor changes and modifications made to harmonize new conditions, and the treaty is going to be carried out in its educational and industrial phases, the confidence of Haitians will again be restored and under the sympathetic and efficient leadership of capable American officers, yet take her place before many years among the Republics of the world, prove a credit to our own Government, and cemented in the closest friendship and good will with her fostering as well as protecting neighbor, the sister Republic of the United States.

Senator ODDIE. Well, I think that covers everything. We will adjourn until Tuesday at 10.30 o'clock a. m.

(Whereupon the committee adjourned until Tuesday, October 10, 1915, 10.30 o'clock a. m.)

#### AGREEMENT REGARDING THE GENDARMERIE.

The undersigned, duly authorized thereto by their respective Governments, have this day agreed:

1. That the constabulary contemplated by Article X of the treaty between the United States of America and the Republic of Haiti, signed at Port au Prince on September 16, 1915, shall be known as the Haitian Gendarmerie.

amounts to be expended for pay, rations, and expenses  
be as set forth in the following table:

	Per annum.
per month-----	\$3,000
at, \$200 per month-----	2,400
month-----	9,600
month-----	16,200
master, director, \$200 per month-----	2,400
master paymasters, inspectors, \$150 per month-----	3,600
0 per month-----	2,400
\$150 per month-----	3,600
month-----	32,400
0 per month-----	25,200
pital corps), \$100 per month-----	3,600
\$60 per month-----	28,080
machine gun), \$50 per month-----	4,800
ospital corps), \$60 per month-----	4,320
per month-----	5,700
month-----	26,880
month-----	47,160
per month-----	4,800
month-----	252,000
	<hr/>
	\$478,140
men, at 10 cents per diem-----	92,455
per month-----	1,200
dant, \$45 per month-----	540
t commandant, \$45 per month-----	540
month-----	1,200
month-----	5,940
	<hr/>
	9,420
ints-----	40,000
	66,000
target practice-----	15,000
, etc., per month-----	10,000
aps, office supplies, intelligence service, -----	35,000
and repair of barracks, tools, kitchen etc., per month-----	20,000
	<hr/>
	186,000
	<hr/>
forces-----	768,015
	<hr/>
ost of maintenance:	
0-----	3,600
\$1,200-----	4,800
	1,104
\$216-----	864
	4,680
	<hr/>
	15,048
	20,000
	<hr/>
	35,048

service shall be established, operated, and maintained as  
the gendarmerie, under the direction and control of the  
gendarmerie, and in addition to the annual expenses here-  
um of P75,000 shall be allotted for the purchase of the  
vessels for this service. These vessels may be used for  
troops, Government employees, and the supplies of all  
secretion of the commandant of the gendarmerie, subject  
President of Haiti.

Officers of the gendarmerie shall be appointed by the Presi-  
dination by the President of the United States, and will

be replaced by Haitians when they have shown by examination, as provided in Article X of the treaty, that they are fit for command.

IV. The gendarmerie shall be considered the sole military and police force of the Republic of Haiti, clothed with full power to preserve domestic order, the security of individual rights, and the full observance of the provisions of the treaty. It shall have supervision and control of arms and ammunition, military supplies, and traffic therein throughout the Republic. It shall be subject only to the direction of the President of Haiti; all other officials, except the services of the gendarmerie, shall be required to submit requests for the nearest official of that organization.

The private guard referred to in article 175 of the constitution of Haiti shall be composed of 100 men of the gendarmerie, chosen by the President of Haiti, which men shall wear distinctive insignia while employed on that service.

V. All matters of recruiting, appointment, instruction or training, discipline, examination, discipline, operation, movement of troops, clothing, rationing, and equipment, quarters and administration, shall be under the jurisdiction of the commandant of the gendarmerie.

VI. The gendarmerie shall be organized and officered as provided for in article 175 of the treaty. The clerical force of the gendarmerie shall be Haitian citizens.

VII. Rules and regulations for the administration and discipline of the gendarmerie shall be issued by the commandant, after being approved by the President of Haiti. Infraction of these rules and regulations by members of the gendarmerie may be punished by arrest, imprisonment, suspension from duty, or pay, forfeiture of pay, or dismissal under regulations promulgated by the commandant of the gendarmerie and approved by the President of Haiti.

VIII. Other offenses committed by gendarmes will be investigated by the gendarmerie officers as directed by the commandant of the gendarmerie. If the behavior of a gendarme is unjustified, he may, at the discretion of the commandant of the gendarmerie, be discharged from the gendarmerie, if his guilt is established, be punished in the same manner as other Haitian citizens; or, if not discharged, he will be punished as provided for in Articles VIII and IX of this agreement. Officers and enlisted men of the United States Army and Marine Corps serving with the gendarmerie will continue to be subject to the laws of United States for the government of the Navy.

IX. A tribunal, consisting of five officers of the gendarmerie, is authorized to try the trial of gendarmes charged with conspiracy against the Government of Haiti. This tribunal will be ordered by the commandant of the gendarmerie and in case of conviction is authorized to inflict the punishment or such other punishment as the tribunal may adjudge and deem proper, in accordance with the laws of Haiti. All sentences of this tribunal, after being approved by the commandant of the gendarmerie, must be confirmed by the President of Haiti before being carried into execution.

X. Persons violating the laws governing traffic in arms, ammunition, or military stores shall be punished by a fine not exceeding P. 1,000 United States currency, or imprisonment not exceeding five years, or both.

XI. The Haitian gendarmerie shall be under the control of the President of Haiti, and all orders from him pertaining to the gendarmerie shall be transmitted to the commandant through the minister of the interior. All other citizens desiring protection or the services of the gendarmerie will make application to the senior officer of the gendarmerie in the locality.

XII. The sum of P. 801,063, United States currency, shall be appropriated annually for pay and allowances, equipment, uniforms, transportation, rationing, and other current expenses of the Haitian gendarmerie. All other needs of the gendarmerie shall be made from this sum by the commandant, but the total of such allotments in any month shall not exceed one-twelfth of the total annual appropriation: *Provided, however*, That not more than one month may be allotted in subsequent months.

XIII. Reports of expenditures shall be made by the commandant of the gendarmerie to the President of Haiti.

XIV. The laws necessary to make effective the above provisions shall be submitted to the legislative body of Haiti.

In witness whereof the undersigned have hereunto signed their names and affixed their seals in duplicate.

Done at Washington, D. C., this 24th day of August, 1916.

SOLON M.  
ROBERT L.

## SERIES OF ENGINEERS ATTACHED TO DEPARTMENT OF PUBLIC WORKS.

by authorized thereto by their respective Governments, that the engineer or engineers to be charged with the direction of the sanitation and public improvement of the country shall be nominated and appointed as stipulated in article 11 of the treaty between the United States of America and the Republic of Haiti, signed at Port au Prince on September 16, 1915, shall each receive annual salary not to exceed seventy-five hundred (P. 7,500) dollars United States currency.

pending further arrangement between the high contracting parties, the President of the United States shall appoint such official or officials as may be nominated by the President of Haiti, pursuant to article 13 of the convention hereinbefore mentioned, from the service of the United States and receive compensation from the Government of the United States, the Government of Haiti shall be obligated to remunerate such officer or officers not to exceed one-half of the above-mentioned total annual salary of fifty-five hundred (P. 7,500) dollars.

That should such officer or officers be appointed other than citizens of the United States the total annual emolument of each such officer shall be paid by the Government of Haiti in the following proportions:

P. 4,500 United States currency per annum for salary.

P. 3,000 United States currency per annum for personal expenses.

The undersigned have hereunto signed their names and

in duplicate, this 27th day of June, 1916.

ROBERT LANSING.

## SPECIAL ADVISER, RECEIVER GENERAL, AND ASSISTANT RECEIVER GENERAL.

by authorized thereto by their respective Governments, that the following officials, to be nominated and appointed pursuant to article 11 of the treaty between the Republic of Haiti and the United States of America, signed at Port au Prince on September 16, 1915, shall each receive annual salary not to exceed seventy-five hundred (P. 7,500) dollars United States currency.

P. 4,500 United States currency per annum for salary and P. 3,000 United States currency per annum for personal expenses.

Customs: \$5,500 United States currency per annum for salary and P. 3,000 United States currency per annum for personal expenses.

Port of customs: \$4,800 United States currency per annum for salary and P. 3,000 United States currency per annum for personal expenses.

That pending further arrangement between the high contracting parties, the President of the United States shall appoint, upon nomination by the President of Haiti, such official or officials as may be necessary to assist in the collection of customs properly to collect, receive, and apply all customs duties and exports accruing at the several customhouses and in the Republic of Haiti: *Provided*, That the total salaries and emoluments of such officials and employees herein mentioned shall not exceed one-half of the total annual emolument of each such officer or officers, unless by agreement between the two Governments.

The undersigned have hereunto signed their names and

in duplicate, this 27th day of June, 1916.

ROBERT LANSING.



# OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

TUESDAY, OCTOBER 11, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Washington, D. C.*

at 10.30 o'clock a. m., pursuant to adjournment, Senator  
(Chairman) presiding.

McCornick, Oddie, and King.

Ernest Angell and Mr. Horace G. Knowles in their repre-  
sentation hereinbefore indicated; and Maj. Edwin N. McClellan,  
Corps, representing the Navy Department.

REAR ADMIRAL WILLIAM B. CAPERTON, UNITED  
STATES NAVY, 714 MONTAUK AVENUE, NEW LONDON,

Admiral, will you give your full name and rank?

Rear Admiral William B. Caperton, United States Navy,

in your own way, Admiral, will you tell the committee of  
the land and the circumstances which attended not only your  
issue of the orders to land, in Haiti?

I landed several times. I do not know to which particular

one I should start with the first and end with the last.

Yes, sir. I did not know what you wanted. I do not  
wish to repeat verbally my orders?

You will refer to them and give them to the stenographer  
in brief, that will be sufficient.

Yes, sir. One is not very brief.

What is here printed in full, as follows:)

JANUARY 5, 1915.

Commander in Chief, United States Atlantic Fleet, U. S. S. *Washington*,  
Commander in Chief United States Atlantic Fleet.

Orders—*Washington*.

For as soon thereafter as practicable, proceed with the  
Santo Domingo City, S. D., stopping at such ports en route as may  
be convenient and men.

San Domingo City, S. D., communicate with the diplomatic  
United States and acquaint yourself with the political con-  
ditions.

After such stay at San Domingo City as you may deem necessary  
to proceed, proceed to Port au Prince, Haiti, where you will also  
communicate with the American minister and acquaint yourself with the politi-  
cal conditions. After such length of stay at Port au Prince as you may  
deem necessary, proceed to Habana, Cuba, via Guantanamo, for coal and

After such stay at Habana, Cuba, communicate with the American minister and  
ascertain the political conditions existing in Cuba.

After such stay at Habana as you may consider necessary for  
the purpose, proceed with the *Washington* to Vera Cruz, via Tampico and

Tuxpam, acquainting yourself in each locality with the political conditions of Mexico.

6. The department desires that you conduct a military inspection of the units of your command as the *Washington* may fall in with from time to time and as opportunity offers.

7. The department will be pleased to receive any suggestions or recommendations you may consider it necessary to make in connection with the protection of West Indian and Mexican waters.

JOSEPHUS

Also the following by radio on January 19, 1915:

Rush. Ten p. m. Tuesday. Department directs you proceed to Cape Haiti, without delay to report conditions. Under what orders direct to-day for Guacanayabo, Gulf of Cuba.

The CHAIRMAN. Let me ask when did you land first and where?

Admiral CAPERTON. I landed first at Cape Haitien.

The CHAIRMAN. And when? Was it in July, 1915?

Admiral CAPERTON. I was just thinking whether I landed before or after July was in July; yes, sir. I do not think I landed before. I mean I did not land with my forces before.

The CHAIRMAN. The report of the department reads that the American consul at Cape Haitien—

Admiral CAPERTON. That is what I was trying to find.

The CHAIRMAN (continuing). Requested that a warship be sent to Cape Haitien in compliance with this request, the U. S. S. *Washington* arrived at Cape Haitien on January 23, 1915.

Admiral CAPERTON. Yes, sir; I arrived at Cape Haitien at 9.30 a. m. on January 23, 1915.

The CHAIRMAN. Had you had any communication with the department at that time relative to the landing or the prospect of landing?

Admiral CAPERTON. My original orders directed me to proceed to Santo Domingo, Haiti, Cuba, and Mexico. I proceeded with the U. S. S. *Washington* to Portsmouth, N. H., on January 10, 1915.

The CHAIRMAN. When did you reach Haitian waters?

Admiral CAPERTON. On January 19, 1915, I received a radiogram from the commander in chief of the United States Atlantic Fleet directing me to proceed to Cape Haitien without delay and report conditions.

The CHAIRMAN. Where were you when you received the radiogram?

Admiral CAPERTON. At sea.

The CHAIRMAN. En route to where?

Admiral CAPERTON. Well, I was en route first to Santo Domingo. My orders, I may explain—

The CHAIRMAN. Admiral, you need not go into the orders particularly. Just give us a running story. You received a radiogram?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. While you were on board the *Washington*?

Admiral CAPERTON. I was on board the U. S. S. *Washington*.

The CHAIRMAN. You proceeded to Cape Haitien, did you?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. What transpired after your arrival at Cape Haitien?

Admiral CAPERTON. On the 20th of January, 1915, I received by radio a message from the Department of State, for delivery to the American consul at Cape Haitien, Haiti, which was delivered on arrival there. I have inclosure here, Inclosure C, if you wish it.

The CHAIRMAN. Is that the code or a translation of it?

Admiral CAPERTON. I do not know whether I have it translated or not. I think, perhaps, that would be the code, sir.

The CHAIRMAN. What is Inclosure C?

Admiral CAPERTON. By reference to my report before me, I see it is the Department's code. I did not translate it.

The CHAIRMAN. Then, it is immaterial if you have not got the translation. What transpired when you reached Cape Haitien and met the consul?

Admiral CAPERTON. At 10 a. m., January 23, 1915, the *Washington* arrived at Picolet Point, Cape Haitien, Haiti. I immediately sent a staff officer to communicate with the American consul. As the weather was very rough,

ul's coming off to the ship, but I received a report of the  
 aff officer sent ashore. The consul sent off to me a copy  
 ten to the American minister, Port au Prince, Haiti, out-  
 the 20th of January, 1915.

re you got the letter?

I have, sir. Shall I read it?

It is not very long you may read it at this time.

It is two pages.

Well, read it.

Thereupon read the letter referred to, as follows:)

CAPE HAITIEN, HAITI, *January 20, 1915.*

BLANCHARD,

*Minister, Port au Prince.*

rior to report that on last Friday, the 15th instant, Gen.  
 n, the delegate of the departments of the north and north-  
 ion of the civil and military officials and many of the  
 Haitien, and exposed to them the situation, stating, as I  
 that the town was threatened by a revolutionary army  
 le for him to resist because the Government had failed to  
 means of resistance; that the only arms and ammunition  
 posal were those sent here to the minister of the interior  
 ed; that in view of this condition of affairs he felt it to  
 e the influential citizens of the town in order that the  
 might be taken to safeguard the general interests. At  
 eminded his hearers that it was generally known, and  
 ad, that he was a candidate for the Presidency.

tion a proces-verbal was drawn up giving the delegate  
 the general good, and this document was signed by all  
 eral senators and deputies and intimate personal friends  
 e proces-verbal, with the names of the signers, was pub-  
 y in the Cable, the local journal, a marked copy of which

ng Gen. Metallus, with about 1,000 men and a few pieces  
 town, lined up the whole force in front of the cathedral,  
 t to the temple of worship, made a tourney of the town.  
 as those already present, have up to the present time  
 ffect discipline, and I have not heard of a single act of  
 remains in an entirely normal condition, no flags have  
 business pursues its regular course. This is entirely excep-  
 ary incident.

(the 19th instant) Gen. Metallus fired a salute of 17 guns,  
 med Gen. Vilbrun Guillaume Sam as chef du pouvoir

day (the 19th) published an ordre du jour by Gen. Vil-  
 is the name by which he is generally known), dated the  
 sures had been taken to preserve order and asking the  
 A marked copy of this paper is also inclosed.

he whole of the Departments of the North, Northwest, and  
 and that Gen. Guillaume has been very generally accepted  
 he presidency.

radelhomme (?), of the Zamor party, and formerly the  
 ex-president, have written him letters accepting his can-  
 heir support. A delegation was sent on Sunday last to  
 occupying Fort Liberte, and Gen. Bertan Codio, who is  
 and it is expected that both will accept, as they have  
 pondence with Gen. Vilbrun. The delegation is expected

ephone message came here from Gonaives stating that it  
 t a Haitian warship would be sent there with troops to  
 delegate there, Gen. Misael Codio, has also offered his  
 un.

ng date of the 13th instant was delivered to me yester-  
 mediately went to the delegate and made a complaint. He  
 recently given orders not to accept any telegrams without  
 promises to give orders that all my telegrams be accepted.  
 and made up a long telegram to you in code. When I

sent it to the office the operator refused to accept it. The young man went to the office of the delegate and made a complaint. The delegate sent his son with him to the telegraph office with the necessary orders. The delegate replied that there was no communication and returned the telegram to the telegraph office the next morning. I have no means of verifying the facts, and, as I am writing the contents of the telegram, I do not deem it necessary to inclose a copy.

Mr. Marsh asked me to beg you to deliver the inclosed note to Mr. B.

As the agents of the French steamer refuse to accept private correspondence and the post office is not sending any mail to Port au Prince, I am taking the liberty of inclosing to your address one important business letter of mine and three left by Mr. Marshand and Mr. Edwards, which I would think it very much to deliver.

I am, sir, your obedient servant,

L. W. LIVINGSTON  
American Consul

The CHAIRMAN. Admiral, will you tell us, without any unnecessary reference to the record there, how you came into contact with the consul, and what led to your landing, whether it was events, or the suggestion of the consul, or a decision on your own part?

Admiral CAPERTON. Yes, sir. Well, as I recall it now—this was some time ago—as I recall it now, without looking at my notes here, I am of the opinion that I did not land any force at that time, on my first visit to Cape Haïtien.

The CHAIRMAN. You left without landing any force at that time?

Admiral CAPERTON. Yes. I went myself—if you would like a little more detail—it went myself to call upon the consul, and we discussed the conduct of the affairs.

Senator KING. Mr. Chairman, has Admiral Caperton already testified to this hearing?

The CHAIRMAN. No.

Senator KING. Or has he submitted a full statement of what he did at that time?

The CHAIRMAN. The only statement we have is the department's statement, with which you are familiar, of the history of the occupation of the two Republics.

Senator KING. Yes.

The CHAIRMAN. You left without landing. When did you return?

Senator KING. May I inquire, is there any controversy as to the department's statement? Does not that embody all that Admiral Caperton would testify to or any other witness?

The CHAIRMAN. Well, I would not have called the Admiral if I had thought he might throw some light upon the circumstances under which he landed and upon the orders which led to his landing.

Admiral CAPERTON. I have all those orders, sir.

The CHAIRMAN. Now, tell us, Admiral, when was it that you returned to the land? Was it in conjunction with the arrival of the French ship *Du* in June?

Admiral CAPERTON. That was several months afterwards. In the meantime I had gone to Port au Prince, and I followed Mr. Gillaume Sam arc on the coast, in order to impress upon him the importance of carrying on the government trying to think of the word for the kind of warfare.

The CHAIRMAN. Moderate warfare or civilized warfare?

Admiral CAPERTON. Civilized warfare. That is the word I was trying to think of.

The CHAIRMAN. You mean he was not carrying on the electoral campaign for the presidency, but a military campaign?

Admiral CAPERTON. Yes, sir; but you will understand that their method was quite different from those of civilized people.

The CHAIRMAN. That is interesting.

Admiral CAPERTON. I had been informed by the consul that it was the habit, if any man disobeyed, or did anything to displease him—I do not know to what extent—he would order him shot.

The CHAIRMAN. You mean to displease the commanding officer?

Admiral CAPERTON. Yes; Gen. Vilbrun Gillaume Sam.

The CHAIRMAN. Who is the consul, Livingston?

Admiral CAPERTON. Yes; Mr. Livingston.

The CHAIRMAN. Is he a white man or a colored man?

Admiral CAPERTON. A colored man.

o Livingston himself, who is a colored man, told you that if a man offended the commanding general he was shot?

v. Yes, sir; words to that effect, and he suggested that I name Sam unofficially, because he did not wish to recognize "chief of the executive power," and after discussing the

Was there another president in Port au Prince at this time?  
v. Yes, sir. This was a revolution. He was forming a  
y usually form them, in Ouanaminthe.

they started in Ouanaminthe as a rule?

. In Ouanaminthe. The cacos live in the vicinity, and the  
ionists, who afterwards proclaims himself "chief of the  
ceeds to Ouanaminthe, gathers in the chiefs of the cacos,  
eir men, and in a short time he has formed a revolutionary

You followed him then, as chief of the executive power,

. Yes, sir.

Where did you head in again, at St. Marc or some place like

. Gonaives is the first place I think I touched. Understand,  
r procedure in this warfare.

they take one place after another?

. Yes, sir; and they take them consecutively along the

you make it clear that this Gen. Sam was a revolutionary  
harge of the army of the recognized de facto and de jure

. I do not think I have yet, sir.

ll, what was he?

Shall I just read a few lines on that, that will explain the  
ms that shortly after Davilmar Theodore, the then presi-  
nt at Port au Prince, Gillaume Sam, in view of his strength  
mandated to be, and had been appointed by Theodore, as a  
rtment of the north and northeast, and had taken up his  
e Haitien. About the middle of January a revolutionary  
men appeared before Cape Haitien. This is the force I  
ago. And as it eventually turned out, he pretended that  
the city; in fact, he had nothing to defend the city with,  
appealed to them to make him the chief of the executive  
rds, he appointed himself there, the chief of the executive  
ng with the generals in the north and northeast for this

n he betrayed the President?

Yes, sir.

ed the Government, and organized a revolutionary party  
elf as the head of it?

Yes, sir.

ed he was well on in his revolutionary movement around

Yes, sir.

ctioneering by force, and attempting in a revolutionary  
resident of the Government?

Yes, sir; and carrying out the usual routine of taking  
taken by all revolutionary forces. Strange to say, they

s the president able to do anything to preserve order and  
n the dignity of his office and the Government against this  
ent?

He was not, to a satisfactory extent.

ere was he during the movement?

He was in Port au Prince, the capital.

no attempt had been made up to this time to oust him;  
st him from the capital?

No, sir. They, the Government, carried on the usual proc-  
nd waiting for him to come around. The President of the

Republic eventually sent troops around to meet him at these different places and as he advanced he took these places, because the forces that the Government had were not sufficient to hold these cities.

The CHAIRMAN. Now, let us get, if we can, Admiral, as promptly as possible to the events which led to your first landing. Gen. Vilbrun Gillaumeau on his military electoral campaign and moving toward the capital?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. He took the capital, did he, or not?

Admiral CAPERTON. He took these various cities all the way around from Cape Haitien to Port au Prince, via Gonaives, St. Marc, etc.

The CHAIRMAN. I understand that.

Admiral CAPERTON. And finally, when a revolutionary general or commander reaches a place called St. Marc, about 60 miles from the city, if he takes that city, the capital falls immediately, and the President then makes arrangements to get out.

The CHAIRMAN. To go to St. Thomas?

Admiral CAPERTON. To go anywhere he can, unless he is murdered in the capital.

The CHAIRMAN. Who took St. Marc?

Admiral CAPERTON. Vilbrun Gillaumeau Sam.

The CHAIRMAN. Then what?

Senator KING. Was there a real battle there?

Admiral CAPERTON. No, sir; there was no real battle. The force withdrew after a slight battle, when Gillaumeau Sam arrived, and when everybody was his friend. They turned and went to him.

The CHAIRMAN. There are analogies between Haitian and American history after all. However, after he took St. Marc, then what?

Admiral CAPERTON. After he took St. Marc Gillaumeau Sam moved toward Port au Prince. Everything was in great excitement, and at that time, at 9.30 a. m., on Wednesday, January 27, 1915, the U. S. S. Wolverine arrived at Port au Prince.

The CHAIRMAN. You arrived at Port au Prince, and what did you find? You did not land at Port au Prince at that time?

Admiral CAPERTON. No, sir. I am trying now to follow up this revolution.

The CHAIRMAN. Had Gillaumeau Sam come into Port au Prince when you were there?

Admiral CAPERTON. Not at that time. He arrived much later. I sent headquarters from Cape Haitien, as things quieted there, as his army moved out in the circle of march, and as I saw that my presence was demanded in the capital, I went there with my flagship, leaving the other ships under command to look out for the different cities where I knew there would be trouble.

The CHAIRMAN. What were these ships, gunboats?

Admiral CAPERTON. Yes; gunboats.

The CHAIRMAN. You left them back in the various ports?

Admiral CAPERTON. I left them in the various ports and gave them orders to meet the general outside of the city and make him again promise that they would not loot or burn down the cities or fire in the cities, because I considered that not humane. The cities were all undefended, and they were poor, generally speaking, and unarmed.

The CHAIRMAN. These were campaign pledges that you were exacting?

Admiral CAPERTON. Yes, sir. He gave me the first one in Cape Haitien. I was not satisfied with it. I met him at each one, and so he finally let me say to him, "I do not see how you know where I am going. Every time I enter a city I find your representative outside with some question, asking me to behave myself." He promised to do so, and upon the whole he did very well, considering everything. He kept his word very well in that respect.

Senator KING. Were your movements approved by the Government?

Admiral CAPERTON. Every movement, sir; every single movement.

Senator KING. And you were not interfering with the functions of the Government that was in control of the island?

Admiral CAPERTON. No, sir.

Senator KING. I do not speak of the revolutionary movement.

Admiral CAPERTON. No, sir; I understand.

Senator KING. And all that you were trying to do was to exact pledges from the revolutionary commander that he would not sack, burn, rape, despoil, or loot in the towns and cities which he conquered?

Admiral CAPERTON. Yes, sir. That is what they usually do.

miral, right at this point, did you familiarize yourself antecedent history of the island to justify the statement that they usually do those things in a revolutionary war? Yes, sir.

Why did not have civilized warfare there in those former events?

No, sir; to my knowledge there has never been one, up the history of many and have heard of many and

as savage warfare?

Savage warfare; that is, uncivilized warfare.

You know whether in any previous revolutions there were wars, before taking the capital, in which men were injured

Oh, yes, sir; later on, when the next general came around. Detail. I was ashore then, having landed my forces to preserve order."

Was this excursion was taken later by another?

Yes, sir.

On several questions asked me in regard to fighting at they were taken by the revolutionists, also concerning the Haitian Government in regard to the "service of the treasure ships sailing for Port au Prince on the 26th of January, I added the following remarks: I had decided to remain in line after the departure of Guillaume Sam in order to that time; but the commanding officer of the *Wheeling*, reported that the Theodore government had declared a blockade of northern Haiti, but was unable to enforce the blockade, and no coal; that the American schooner *Alice Pendleton*, in the harbor alongside the wharf with 600 tons of coal for the Haitian Government. It was known that the Government's treasury was still in a low state and that they had been unable to purchase of this coal. Moody further stated that the Government had made attempts to obtain money from the Haitian bank upon the refusal of the management of this bank to deliver money, and that the Government had made threats to seize the bank. *Wheeling* further reported that our minister had received threats from French and German Legations for an American man-of-war to protect the protection of foreign interests. The *Wheeling* also reported relative to landing an armed force to protect the bank, and this threatening attitude on the part of the Haitian Government, the safety not only of the bank property but for American property general at Port au Prince, and especially for the schooner in view of these conditions, and also in view of the appeal of the minister to protect American and foreign interests at St. Pierre, I decided to concentrate what forces I had available and in view of these conditions. In reply to the *Wheeling*, I informed Commander Moody that the American minister, use discretion relative to property, and also to protect the schooner *Alice Pendleton*. I informed the Navy and commander in chief of the Atlantic Fleet immediately.

On the morning of the 27th of January, 1915, at Port au Prince, I called the minister with my staff, and found that although the Government to seize funds in the bank had not been successful, the situation was far from easy. Previous to my arrival I had learned that officials had again visited the bank and demanded gold, and that the Haitian Government as part of "retrait" the bank director of the bank, refused, and reported to the legation that the same authorities would return and again renew their demand, and that he would again refuse, and was afraid the authorities would take the money by force.

In view of the critical condition of the Theodore Government their urgent needs, the lack of coal for the gunboats, the exposed position of the *Alice Pendleton*, the approach of the revolutionists, and the general situation at Port au Prince, I decided to keep in constant touch with the minister and watch events. In view of the distance of the

Washington from the legation, I mounted a field radio set at the Legation for purposes of communication.

Because of the report that the Government forces were threatening St. Marc if they were forced to retire from that place, our ministers French and German ministers were somewhat worried and requested to send a ship to that port.

On January 28, 1915, I received the following message from the State, via the Navy Department, in reply to my request of January 27 for immediate instructions relative to the protection of bank property at St. Marc:

"State to the Government of Haiti that the Government of the United States of America can not consent to the removal of funds that belong to the bank and getting which funds it is not possible for the bank to comply with contractual obligations it has assumed. You will issue to that Government a warning that any attempt that might be made to remove the funds from the bank will compel you to take into consideration means to prevent violation of foreign stockholders' rights."

Shortly after this I received the following message from the Secretary of the Navy:

"If deemed necessary in cooperation with minister land marines and the Navy I also received from the commanding officer of the *Wheeling* on the following message describing conditions at St. Marc, Haiti:

"Government force 300. Revolutionists greatly outnumbered are fighting 4 miles from town back of hills. Consular corps in body call. It is stated it is feared Government forces will be defeated again and driven into town and then fear they will burn town to-night unless I call for Government expects reinforcements about 2 p. m., Thursday. Minors and interior now in town and I will have interview this afternoon. Town itself quiet now but practically deserted by population except few on account of fear. More later.

On January 29, 1915, the Theodore Government published the following proclamation changing the depository for customs and tax receipts from the National Bank of the Republic of Haiti to such business houses or places as may designate, etc.:

[Translation.]

PROCLAMATION—JOSEPH DAVILMAR THEODORE, PRESIDENT OF THE REPUBLIC OF HAITI

[See art. 97 of the constitution.]

See that the seals have been fixed to the National Bank of the Republic of Haiti, on a value of 95140 dollars (P or 95140) that by reason of the expiration of the 18th and 23d of December, permitting the running use of certain values for the State.

Considering that it is of moment before the illegal opposition of the State that these definite values should be at the disposition of the Government, considering that the extreme rarity and scarceness of gold renders the payment of taxes in gold, paralyzes the importation and exportation and creates a situation very prejudicial to the public treasurer, that it is to provide against this case with major force of which the gravity is

With reference to the second new paragraph of the first article of the 23d of December, 1914, aiming at the resumption of the secret treasury under the direction of the secretary of state of finance and commerce and the advice of the councils of the secretary of state.

ARTICLE 1. After the publication of the present proclamation all the duties of exportation and the additional 45 per cent tax of gold on imports will be deposited to the credit of the State at Port Jacmel, Cayes, Jermie, Aquin, Miragoane, Petit-Goave, and St. Marc. business houses and at such banks which will be designated by the state of finance, this and the amount of 95,140 dollars will belong to the State actually under the seals at the National Bank of the Republic of Haiti. The value fixed by the two laws of the 18th and 23d of December, 1914, portion of the mortgages deposited designated to the home debt deducted from the moneys received and held at the disposition of the bank

by the State of the value of the moneys before defined the reimbursement to the interested accounts by means of the official seal and as fixed by the laws of the 18th and 24th of

ations and the surtax of 45 per cent will be deposited one half, one half in treasury bonds, or in the notes of the new bank at the rate of 5 plasters for \$1.

That proclamation will be published and executed under the signature of the secretary of state, of finance, and of commerce. Given at Port au Prince, January 27, 1915, and the one hundred and first of the independence.

DAVILMAR THEODORE.

*Minister of State of Finance and of Commerce.*

I had been in consultation with the American minister at Port au Prince. On Saturday forenoon, January 27, I received from him that the final answer of the Theodore Government had been directed made by the State Department in its telegram had not been received; that he expected such reply in a few days. About 1,000 Government troops had collected at Port au Prince coming from the south.

The American minister informed me that he was assured by the Theodore Government that no attempt would be made to forcibly remove the French bank, and that in all dealings in connection with these funds would be followed exclusively.

February 5 I received a radiogram from the commanding officer, Gen. Defly, who, as stated previously, had gone to Gonaives, that Gen. Defly, with about 1,000 men, had entered Gonaives without opposition that day and had been received with a 21-gun salute.

The commanding officer of the *Wheeling* urged on Guillaumette necessary measures to avoid injury to life and property at Port au Prince.

In the present phase of the bank situation at Port au Prince relative to the withdrawal of funds Port au Prince had been quiet, in so far as the bank was concerned; there was a suppressed air of uneasiness among all the prominent men were preparing to take refuge in the legalistic rumors of the doings of the revolutionists and Government officials there in the town were constant.

In connection with the minister relative to the situation.

Gen. Monplaisir came to Port au Prince, and there was also at this time Gen. Defly, at one time general of the Arrondissement of Port au Prince. These men were undesirable characters. Defly had an illegitimate son, a general of the Arrondissement, and Monplaisir, while despotic and arbitrary in his methods. Both were consequently

not the best Haitians. There was coming to my notice complaints by Defly and Monplaisir for getting control of the situation.

It is possible from information that I had gathered in Port au Prince that Monplaisir or Defly might attempt to force intervention by creating such insufferable conditions in Port au Prince as to land for the protection of foreign life and property.

From what I could learn, thought that if they were in the United States and that if the United States should decide to interfere in view of their high official positions at the time we

would probably be kept in office by the United States and would readily pay and support. Further, in connection with the

of 10 senators had attempted to approach me with the intention to prevent Guillaume from entering Port au Prince so that he might be elected President, their ideas being that the United States should have a government to be. It is needless to say that I ignored

and that I refrained from showing by any word or action in favor of any man or party in Haiti.

A strong man, but feared by the better class of Haitians on account of his methods and crooked tendencies. He had already served a long sentence imposed for falsifying government financial statements.

Large overissue of bonds the proceeds of which he had been using for his own use.

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In view of the conditions in Haiti which I believed were unusual, because of the excessive number of plots and counter plots among the Haitians, the excessive continuation of revolutionary movements and disturbances throughout the country, the rapidly approaching fall of the Theodore government and the consequent chaotic conditions that would occur in Port au Prince on the approach of Vilbrun Guillaume with about fifteen hundred men, of whom were many cacos, the lawless men of the north who were very much feared; in view of the representations made by the United States with reference to the customs and other matters; in view of the possible violation of Haitian neutrality by belligerent ships of European powers; in view of the unsettled condition of the bank question which, although assuredly, had been received that no forcible attempt would be made to remove funds from the bank yet far from settled owing to the breaking of the contract by the Theodore government; the changing of the depository for customs receipts, and the action taken by the directors of the bank in connection therewith; in view of the disturbed conditions in Santo Domingo; and especially in view of my knowledge of the policy of the United States Government, which, without doubt, might demand of me to take prompt action in that vicinity; I decided that an expeditionary regiment of marines be sent to this naval station, to Cienfuegos Bay, Cuba, together with the necessary means of transportation and that both the Marines and the transport be subject to my immediate orders.

On February 18, the commanding officer of the *Des Moines* reported that St. Marc was in the hands of the revolutionists; that about eight of them had been killed in the town during the night; that casualties were few; and that a number of the Government forces were drowned while trying to get off to the north. On the 19th and that Monplaisir, the Theodore minister of the interior, was reported to have been killed. It was afterwards found out that Monplaisir had been stabbed in the back, presumably by one of his own men in the boat getting off to the north.

In the midst of the foregoing events on February 8 the commander of the *Wheeling* reported that ex-Minister Bobo was on board the *Pacifique* and that he had been invited to organize and lead a new revolution.

During this time Port au Prince was becoming more disturbed. Up to this date, February 18, 1915, there had been no outbreaks. On that date, however, several changes were made by Davilmar Theodore in his cabinet, among which was the resignation of Mr. Norno, minister of foreign affairs.

At 7 p. m., Saturday, February 20, the commanding officer of the *Moines* reported that the Dutch steamer *Prins Frederick Hendrik* had arrived at St. Marc from Cape Haitien with 70,000 gourdes for Guillaume, and a little; that all was quiet at Cape Haitien and Ouanaminthe; and that the *Pacifique* had recently been at Puerto Plata.

As I believed that Guillaume had the situation well in hand at St. Marc and would preserve order, and as he now had received considerable money and had paid his troops, and as, therefore, the pressure on the customs at St. Marc was relieved, and as the situation was rapidly approaching a normal condition at Port au Prince, I decided to concentrate all my forces at Port au Prince and accordingly ordered the *Des Moines* to that place.

The arrival of the Dutch steamer *Prins Frederick Hendrik* had been expected for a day or so prior to arrival, and it was believed that President Theodore would take passage on her, this being in accordance with the long honored custom of procedure in the abdication of Haitian Presidents who were exiled.

After the departure of President Davilmar Theodore on the *Prins Frederick Hendrik*, and after the occupation of Port au Prince by the Guillaume government on February 23, a beneficent effect was noticeable. Business was resumed, the Stores, which had been closed for several days, were reopened; the schools were reopened and the country people began bringing produce into the city. The water was turned on in the city again; and excellent order was preserved. It was reported to me by men who have witnessed these revolutionary changes in many years that this change of government in Port au Prince was the first time had been occasioned by the least disturbance of any time for many years.

On February 26 I received a radiogram from the commander in chief of the United States forces, directing that the *Tacoma* or some other vessel proceed to Santiago de Cuba, meet Gov. Fort and Mr. C. C. Smith, representatives of the State Department, and then convey them from Santiago de Cuba to Port au Prince, Haiti, and stating further that these gentlemen expected to arrive at Santiago de Cuba on the evening of March 8.

4, the Haitian Congress, in a joint session of senators Albrun Guillaume Sam President of Haiti.

March 5, the *Tacoma* arrived from Santiago de Cuba. Mr. C. C. Smith, commissioners to Haiti from the State

at Port au Prince and throughout the Haitian Republic had a constitutional government was established on shore in order and gaining the confidence of the people. The relations between the United States Government and the Government of Haiti were in the hands of the American minister and a special commission. There seemed, therefore, to be no need of a naval force in the vicinity of Port au Prince as I had never, I decided to leave one vessel at Port au Prince to maintain relations and report thereon and to furnish such aid to the mission as it desired.

Washington on March 8. Throughout my operations I had endeavored to ascertain and follow the Government's policy to that island, and in view of its great economic importance to the United States, its vital strategic importance in this our most threatened area, and the complications that arise with foreign powers growing out of its chaotic situation, I attached myself to especial care in all operations in that

now, proceed, Admiral, to the events which led to your departure from Haiti, at Cape Haitien.

Then, as I understand, you do not care to hear any further

not in detail. Sam took the capital and made himself

es, sir.

chairman would not object, I would be very glad to hear what became of the president, very briefly.

es, sir. I have all that written down here, if I can just

ry, Washington's birthday, I remember—I would like to know what it takes me so much time to do this—

do that.

want to do it, in justice to myself. Every move I made was made by the forces of the Government and the press reported daily, and sometimes twice a day, to the department, so that I have all this down chronologically. It is fresh my memory, as I have about 20 of these volumes.

I have gotten down to when Guillaume Sam arrived. About the 23d of February. I have not looked at these and I have not refreshed my memory because I have not wanted to make it plain that there was fighting at these different times generally, during Guillaume Sam's march from Cape

always vanquish the forces of the Government?

es, sir; generally he was successful. He had more money and he managed to get ammunition.

did he get his money and his ammunition?

was said that his uncle, a previous president, gave him money as president. This I have heard discussed in Port au Prince is a fact. He did not have all of this at that time, for instance—I think it was St. Marc or Gonaives—he managed to get some of his friends who were bankers.

foreign or native bankers?

Well, they are very much mixed up, sir; it is hard for me to say now of some native people who loaned him money.

there any German bankers who loaned him money or money?

I think there were in St. Marc. I had quite an experience in all that is all detailed here in my report. It would take some

Senator KING. He did not conceal the fact that he was trying to the Government, did he?

Admiral CAPERTON. No, sir. This was a regularly organized revolution can be termed such. The moment he acclaimed himself "chief of the power" he became the chief revolutionist in the island and the next to-be if he were successful with his revolution.

Senator KING. That was a violation of their constitution—his motion.

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. Well, he got to Port au Prince?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. Do you want to say anything about his actions in the city?

Admiral CAPERTON. Yes, sir; I would like to make a few remarks to that. During Sunday, February 21, 1915, the three parties of revolution under Hilaire, Zamor, and Guillaume Sam, continued closing in on Port au Prince. These people had joined with Guillaume Sam, one on the east and the other from the south, so that he had, finally, three bodies of troops advancing on Port au Prince. At this time General Vagues was spoken of as the head of one of the parties of revolution. The French consulate or French Legation, having taken refuge when the president went into office, and he had been there for four or five months, not able to get out, during which time he was fed and clothed by the French minister's family, with whom I talked much about this subject on a later date.

At 11.30 o'clock Sunday evening, the minister of war, Vagues, sent to the *Wheeling*, in Port au Prince, and through him applied for General Vagues on board that vessel the following night, stating he intended to board a Dutch steamer, the *Prins Frederick Hendrik*, the next morning. It seemed that it was arranged to delay this entry into the city of Port au Prince until this steamer arrived, and it was presumably understood that General Vagues was to leave on this steamer, which it turned out was a fact.

The CHAIRMAN. You mean that just as these revolutions are functioning their progress so also it is customary to allow the outgoing President to leave the country before the arrival and the inauguration of the new one?

Admiral CAPERTON. Yes, sir; sometimes he is allowed to do so, but unfortunately, like President Guillaume Sam, who was assassinated in the capital.

The CHAIRMAN. Yes; I understand.

Senator KING. There have been others who have been killed, have they?

Admiral CAPERTON. Yes, sir.

Senator KING. If they did not get out, they were killed?

Admiral CAPERTON. Yes, sir. They usually took asylum promptly in the French Legation, which was divided from the palace by a large wall. There was a door with a key about that long [indicating], and if they had not rusted between the time the previous President had run to the Dutch steamer, they would make his escape all right, but on this occasion, with Guillaume Sam, they could not unlock the door, and he had trouble getting over the wall. He finally got over; they assisted him over the wall. That I will come to later.

The matter of asylum—I do not suppose you want to know how it was dealt with?

The CHAIRMAN. Did you receive the general?

Admiral CAPERTON. No, sir; we informed him that there were two of his men-of-war in the harbor, two of his own men-of-war, and he could go to the Dutch steamer. This Dutch steamer was expected the next morning at daylight, and she actually arrived on time, and in this instance she did arrive on time, and General Vagues went aboard from his hiding place that night. I did not consider it sufficient danger to grant him an asylum. I knew he had other plans, as stated to him above.

The CHAIRMAN. Let me interrupt, Admiral, to ask during all this time you were reporting, as you have said, to the department?

Admiral CAPERTON. Yes, sir.

The CHAIRMAN. Did you receive from the department messages during this time?

Admiral CAPERTON. Yes, sir. They are all in the record here.

Senator KING. I would like to ask, if I may, what did you understand was there for?

Admiral CAPERTON. For the protection of foreigners and foreign property.

ou think that your presence and the presence of the protect lives and property?

Yes, sir; undoubtedly so.

Had not been there, do you think that not only American but other foreigners would have been taken?

I fear so.

Former revolutions resulted in the massacre of foreigners

Generally speaking, no. I think they had not been in danger of foreigners. I think that is a matter of history. But they had no property and the business of the cities, and no one knew the time. I will show you later, when I really landed, the circumstances and things that did take place in the city.

ou have sufficient contact with the people, the Haitians, the Government, and the foreigners, including Americans, to form the belief and the conviction that your presence

Yes, sir.

For the protection of the lives and property of foreigners?

Yes, sir; and especially property, because they always join a revolutionary army, it goes without saying that they steal, loot, or do whatever he likes to the natives, which they fed themselves all the way along, and lived on the

ou talk with Americans there?

Yes, sir.

They state to you that their lives were in danger, and

Yes, sir; they insisted upon my landing, and when I landed I will tell you why I landed. I had a conversation with the chargé d'affaires of the English Government, who was then really the secretary of our legation. You in contact with the President of the Government from

Yes, sir; I was, in a manner, but we had not recognized him. I had not met him, but my officers talked with some of them a little time, but we had not recognized him, so that I had not called upon any of them officially.

He was de facto as well as de jure President?

Yes, sir; he was de facto President.

Any movements of your war vessel around the island there, or were they not; what is the fact, from what you could

From what I could learn; yes, sir. He knew I was trying to be as civilized in warfare as near as possible.

Protect life and property and to prevent massacre?

Protecting property and protecting lives; and the President went out to beseech the then revolutionary chief not to do his

me interrupt there with a specific question that will go with the Admiral.

Cases, of your own knowledge, were there, either in the revolution, or others, of injury to the property of foreigners by foreigners at the hands of the revolutionists? Can there a foreigner was killed by the revolutionary or Government property was destroyed?

I do not believe I can, sir. You must understand that foreigners are not allowed to own property by the constitution.

They are not allowed to own real property?

No, sir.

Do you know of any case where any of them were ever

I do not know that I can recall now, sir.

It is all on that point, Admiral.

On the morning of the 22d of February I sent an officer to the legation to ascertain the news. From this officer I

received the report that there had been considerable firing throughout during the night.

I might say that during this time they shut off the water from the revolutionists did—so that the citizens were crying out for water in the street. The French minister made a protest to the officer in control relative to this, and had received assurance that the water would be turned on again as soon as the revolutionists took control.

Furthermore, I was informed that Gen. Prædel and Gen. Polynice were in charge of the city and were making arrangements to turn same over to Gen. Gillaume, and that Davilmar Theodore had been informed by the revolutionists that he would be given until noon to make his departure. This was on the morning of the 22d of February.

I may say that Gen. Polynice and Gen. Prædel and four or five others were in the habit of taking charge when the President was about to leave. They assumed authority to handle the police and the soldiers as best they could, constituting themselves a committee of safety.

The CHAIRMAN. That was their usual function there?

Admiral CAPERTON. Yes, sir. On many occasions before, and while I was here, with two Presidents, they both had the same position.

The CHAIRMAN. Did they hold office in the intervals between the sessions of this authority?

Admiral CAPERTON. No, sir; Gen. Prædel, I think, did, but Gen. Polynice was a business man—I do not know his business, because none or few of them had any business. I do not think he was a lawyer, even. Many are professional men, but they are not business men.

The CHAIRMAN. Well, his business was to take charge in the intervals?

Admiral CAPERTON. At that time he always took charge. They always looked to him; they looked to him to take charge.

The CHAIRMAN. Did he save enough during that short time to hold office in the interval?

Admiral CAPERTON. I suppose so. He had a very nice home there and was a very nice man. They always went to him and expected him to bob up, and he came up things quieted down more or less in the city when he took charge. He was the man I went to later when I had to go in myself, as I will explain when I reach that part of my testimony.

At 11.45 a. m. on this same day, January 22, Port Alexander and the water front fired a salute, and Davilmar Theodore, accompanied by a guard, went aboard the *Prins Frederik Hendrik*, unoccasionally by day of any kind. With him went only two or three of his cabinet.

The CHAIRMAN. Accompanied by whom?

Admiral CAPERTON. Accompanied by the ex-Minister of War Vague, whom I met with my glasses. They made quite an imposing march down the wharf with their long frock coats and silk hats. He was then going aboard the *Prins Frederik Hendrik* leaving the country. He was accompanied by the Minister of War Vague, as I said before, Locean Baptiste, Mr. Geraud, and two sons. I know it to be a fact that the old man, Mr. Theodore, had hardly a sufficient amount of money to buy his ticket out of the country, as he appealed for money to help him to go where he wished as it turned out he only went to Santo Domingo.

The CHAIRMAN. Now, will you not move on to the events which followed this occupation? I think that is what we want.

Admiral CAPERTON. You wish to know how the President came in? The then President, as I have said before, Mr. Gillaume Sam got in? The then President, as I have said before, Mr. Theodore, left the country in the Dutch steamer.

The CHAIRMAN. In a plug hat, on a Dutch ship?

Admiral CAPERTON. Yes, sir; leaving the city without any government, and the only people with any authority whatever were those two, Gen. Prædel and Gen. Polynice, who appointed themselves a committee of safety, as they usually called themselves.

The city became more quiet as soon as Theodore left, Gens. Prædel and Polynice being in charge, working until the arrival of Vilbrun Gillaume Sam.

Senator KING. Where were the revolutionary forces then; how near the city? Were they in the city then, some of them?

Admiral CAPERTON. Not yet. About 800 revolutionists arrived in the city the following day.

Senator KING. You said they had been firing.

Well, on the outskirts, a mile or so out, but there was some everybody fires there on an occasion of this kind.

President left, according to custom the Government forces finally turned over and joined forces with the new man commanded to be paid, and they would be paid under this prominent had some forces at this time up in the northeastern bound near Ouanaminthe, where they went after Gillaume on this tour of his.

On the 23d of February about 800 troops of Vilbrun Gillaume entered the city from the north. A committee of administration met on the arrival of Vilbrun Gillaume, and publicly assured peace.

On the 25th of February, Vilbrun Gillaume entered Port au Prince with 600 men on foot and 400 mounted. His entry was occasioned of any kind. It was now estimated that about 5,000 troops were there. These men, or troops, had very few clothes. They were irresponsible, with no education, and simply did what they pleased to a certain extent.

Cacos constituted a large part of the troops, did they?

Yes, sir; they are all cacos; all the revolutionary fellows in the northern hills, and they have chiefs, as I said, and are paid by the new Government. I might say that in the not being on shore at this time I do not know how many days they paid them off a few gourds, 5 or 10 each. Eight gourds were equivalent to our dollar. They pay these troops off with their rifles, and sometimes they pay them a gourd or two. They proceed back to their hills again, waiting for the next

unable to get a quorum of the Congress, so that he was not in several days afterwards.

Is that a formality usual under the circumstances?

Yes, sir. I might say there is always a kind of "perpetual session." This committee can meet and call the congress into a special session?

Yes, sir.

And it is usual for a man, when he has come to the end of his term to the capital, to be confirmed in the position of power by the Congress?

Yes, sir. So this committee met and sent out a call for a meeting but they were not able to get the delegates together—they did not—so that Guillaume was not inaugurated until the 7th, of March.

Never mind the date.

The situation at Port au Prince and throughout the country has now become tranquil. A constitutional government was established which was maintaining order and gaining the confidence of the people. I merely mention this to explain my next move. I therefore took the opportunity available for me to withdraw what vessels I had in the vicinity and order them to Guantanamo for target practice, and to take advantage of the lack of opportunity for such work during the year preceded by all vessels of the cruiser squadron.

On the 1st of March, two days after the President was inaugurated, I arrived at Guantanamo. Upon arrival at Guantanamo the commander in chief of the fleet informed me that conditions were not very settled at that time, so that that I would have to order me to that station, so that that I would have to order me to that station, so that that I would have to order me to that station.

In accordance with orders of the Navy Department, stating that I had landed at Cape Haitien, Haiti, and that I was to be received in Washington to thank the French commander and take with me "protect property and preserve order," I arrived with the *Albatross* at Cape Haitien at 9.30 a. m. on Thursday, July 1, 1915, coming from the north. In order to better estimate the situation at Cape Haitien I went with the general situation in the Haitian Republic. I went to the department to send the *Eagle* to Port au Prince for the purpose of seeing the situation. At Cape Haitien I found the French cruiser *Descartes* and exchanged salutes with that vessel. At 10.30 a. m. the commander of the *Descartes*, Capt. H. Lafrogne, paid an official

call on me. The commanding officer of the *Descartes* stated that he had landed at Cape Haitien, coming from Jamaica via Port au Prince, on the early morning of June 19, at the direction of the French minister at Port au Prince; that time a revolutionary force under Dr. Rosalvo Bobo, minister of interior in former President Davilmar Theodore's cabinet, was in charge of the town and the Government troops entered; and that on that day, for the protection of foreign interests, the *Descartes* had landed a force of 50 men, mentioning them at the French consulate, the French monastery, and the Commander Lafrogne further stated that he kept these men on shore from June 24, guarding foreign interests and otherwise aiding foreigners. He stated that he had sent some flour ashore for the use of the French citizens.

The French commander further stated that when he arrived in Haiti, he found the French minister at Port au Prince had received an official protest from the Haitian Government against the *Descartes* remaining in Haiti, on account of the violation of neutrality. He further stated that the French minister in Port au Prince had protested to the same and to the Haitian Government.

Senator KING. All your inquiries supported the statements made to me by the French commander?

Admiral CAPERTON. Yes, sir.

Senator ODDIE. Were there any foreigners or Americans hurt or killed at Cape Haitien at this time?

Admiral CAPERTON. I think not, sir. The French commander stated that he placed himself at my disposal and orders.

The CHAIRMAN. Excuse me. May I ask about what time you are leaving now?

Admiral CAPERTON. July, when I was about to land.

The CHAIRMAN. Your ship is lying off—

Admiral CAPERTON. I had left Vera Cruz under orders, and I had arrived at Haitien waters.

The CHAIRMAN. Where?

Admiral CAPERTON. Cape Haitien, and there I met the *Descartes*.

The French commander stated that he placed himself at my disposal and orders while at Cape Haitien for the protection of foreign interests. He told me if my instructions interfered with his remaining at Cape Haitien, he would leave him that they did not. He stated that he would probably have to leave for coal.

The CHAIRMAN. Did he tell you that property had been injured or goods landed?

Admiral CAPERTON. No, sir; but another revolution had started. Government troops had left, or vice versa, I do not know which, and they come in and the other gone out, and when they do that they always sack things, you know, and shoot up the town, and the people were fighting, and asked for French aid, and he landed.

Senator KING. There were foreigners residing there?

Admiral CAPERTON. Yes.

Senator KING. Americans as well as French and Germans?

Admiral CAPERTON. Yes, sir; Americans, French, and Germans.

Senator KING. Many nationalities?

Admiral CAPERTON. Yes, sir; many nationalities.

Senator KING. The French had done nothing other than protect the interests of foreigners?

Admiral CAPERTON. That is all, sir, and sent some provisions ashore when the people were starving generally.

The CHAIRMAN. You landed then?

Admiral CAPERTON. Yes, sir—not just yet, sir. I do not suppose you care to know how the revolutionary forces came in. You understand that Bobo was the minister of interior under Davilmar Theodore, the President, and had just left Haiti. He became dissatisfied, I might say, in the meantime resigned from the cabinet and went north to become President himself.

Senator KING. He started another revolution?

Admiral CAPERTON. Yes, sir; he did. This was in about two months.

Senator KING. And he had gathered a considerable force, had he, or vagabonds and cacos?

Admiral CAPERTON. Yes, sir. We will get to that. Even on the 2d of July with a revolutionary force of 500 men under Gen. Bobo, he had arrived



feeling and without any desire to appear as a threat, but it is made so that he may know exactly what to expect of him. The admiral is here to protect the lives of foreigners. This he will do if necessary, but he sincerely hopes that he believes that there will not be occasion for him to do anything. The admiral knows that there are armed revolutionists near Cape Haitien, and the possibility of a conflict between these revolutionists and the Government.

"The admiral believes that the lives and property of foreigners residing at Cape Haitien will be threatened and insecure should there be fighting in the city itself or near the city. Therefore the admiral states that there must be fighting in the city or near it, or he will have to take means to protect the lives of foreigners. He therefore suggests that all fighting must take place at a reasonable distance from the city, and that under no circumstances shall foreigners be endangered in life or property."

In reply to this the commander stated as follows:

"I thank you for your kindly sentiments. Express to the admiral my compliments and my appreciation for his message."

Senator KING. That was the representative of the Government?

Admiral CAPERTON. Gen. Blot, the representative of the Government.

Afterwards I wished to confirm this, so I wrote the following letters to Gen. Probus Blot, commanding the Haitian Government troops at Cape Haitien.

The CHAIRMAN. Put them in the record as they are. You do not need to read them.

(The letters referred to are here printed in full, as follows:)

CRUISER SQUADRON, UNITED STATES ATLANTIC FLEET,

U. S. S. WASHINGTON, FLAGSHIP,

Off Cape Haitien, Haiti, July 2,

Gen. PROBUS BLOT,

*Commanding Haitian Government at Cape Haitien, Haiti.*

SIR: In confirmation of the conversation you had with Capt. E. L. Beardsley, chief of staff, this morning; I have the honor to state that the United States naval forces are present at Cape Haitien for the purpose of protecting the lives and property of American and other foreign citizens.

In view of the number of lives and quantity of foreign property in Cape Haitien, it is impossible for fighting to occur in that town without seriously endangering these lives and property. In view of the situation of Cape Haitien, the whole attack and defense of that town can take place well clear of it; and victory to one faction or the other there decided. I must, therefore, insist that no fighting whatever take place in the town of Cape Haitien, so that the contending factions fight their battles well clear of the town, so that bullets will not fall therein.

In furtherance of these ends, and to aid the local authorities in maintaining order and guarding property, if it should become necessary, I am prepared to land United States forces at Cape Haitien.

I have no intention of questioning the sovereignty of the Haitian nation, or of maintaining any but a neutral attitude toward the contending factions.

I trust that, by confining your military operations to the country, well clear of Cape Haitien and by continuing to maintain order in the town, you will make it unnecessary for me to take action.

A letter similar to this has been sent to Gen. Rosalvo Bobo, commanding the revolutionary forces in the vicinity of Cape Haitien. I am,

Respectfully,

W. B. CAPERTON,

*Rear Admiral, United States Navy.*

*Commanding Cruiser Squadron, United States Atlantic Fleet,  
and United States Forces in the vicinity of Cape Haitien.*

Substantially the same letter was sent to Gen. Rosalvo Bobo, commanding the revolutionary forces in the vicinity of Cape Haitien.

Senator KING. Gen. Blot approved of your course, did he?

Admiral CAPERTON. He approved of my course.

Senator KING. And the foreigners approved of it as well, and the Americans?

Admiral CAPERTON. They were satisfied, I think, but I stated further to the gentlemen that if they would fight out on the plains outside of the city I would recognize the man who won, and I would see that he afterwards took possession of the city.

ould so so in an orderly manner. In other words, I did not  
nting to stop this revolution, or as taking any sides one way  
ou were just establishing rules like those of the Marquis

Yes, sir.

you learn from the American consul, the French consul,  
was danger to the lives and property of foreigners, except  
rench marines, or the maintenance, at least temporarily,  
essel in the harbor?

Yes, sir. I do not think I can hardly describe the dif-  
in the city by merely having a few foreign troops there  
n they came in, these fellows, especially the revolutionists—  
perhaps more or less revolutionists—the Government had  
y did as they pleased, ransacked everything, took what  
the town, and were entirely unruly.  
ting and violence?

Yes, sir; no order whatever.

were the lives and property of foreigners jeopardized by  
movements?

I should think so, sir. They are certainly a very dis-

sent an order to Gen. Bobo?

Yes, sir; the revolutionary general.

ow who he is. Did he respond to your suggestion that if  
g that it be removed from the town?

I think he did, sir. I have his reply here.

he make any objection to your suggestion to him?

No, sir.

15 o'clock p. m., a recess was taken until 2.30 o'clock p. m.)

#### AFTER RECESS.

ssembled at 2.30 o'clock p. m., pursuant to the taking of

ow, Admiral, let me recapitulate. At the moment that  
our views to Blot and Bobo, the French marines had re-

Yes, sir.

at yours had not been landed?

No, sir.

u did not land forces immediately upon the reembarkation  
was an interval between?

Yes, sir; an interval there of several days.

nd your forces been landed at the time that you dispatched  
Bobo and Blot? Were you in occupation of the city or  
at that time, do you remember?

No, sir; my men had not landed. I landed them first on  
nk this happened on the 1st of July, the 1st or 2d.

want to be sure whether I have got the date of the com-  
Bobo. Under what date did you write them?

The letter was written on the 2d of July, about their not

the city?

Asking them not to fight in the city; yes, sir.

d you landed on the 3d?

I landed my troops on the 3d, and I give my reasons here

on and give them.

This was on July 3. In order to facilitate the communi-  
merican consulate and the U. S. S. *Washington*, I estab-  
tation at the railroad station on American property—we

nderstand.

And landed a party of 1 officer and 11 marines, and 1  
operate the radio set. I informed Gen. Blot of my inten-  
n, and he made no objection.

On July 3, 1915, I informed the commanding officer of the *Descartes* Blot of my intention, and on July 5, the ship in full dress, fired a salute in honor of Independence Day, and in order to close this incident up say that on the day I fired the salute I was very much surprised to see Guillaume Sam Government had two ships in the harbor and they fired with us, being also in full dress.

The CHAIRMAN. What date was this—the 4th of July?

Admiral CAPERTON. On the 5th it was done; the 4th was Sunday. That the feeling between the Government at that time and ourselves was

The CHAIRMAN. Very good?

Admiral CAPERTON. Very good; yes, sir.

Bobo's minister was also seen. He stated that the revolutionists did not fight in or near Cape Haitien, and that they were very anxious to avoid foreigners. The minister of war further stated that unless the Government forces came out to fight, the revolutionists would move up to Cape Haitien Wednesday and attack the Government forces.

On July 8 Gen. Blot informed me that he had received orders from Guillaume Sam in Port au Prince to extend to us all courtesies. I expressed my appreciation of this message through an officer and myself.

As an engagement between the Government and the revolutionary forces was not taken place, and as the revolutionary forces were still within 3 miles of Cape Haitien, and as occasional shots were occurring in the vicinity, indicating further fights in the near future, and in view of my announced intention to prevent fighting within the town of Cape Haitien, I decided to take precautionary measures to prevent a sudden rush of both factions into the town, their consequent fighting therein before I could land to prevent such a rush. *Washington* could not lie closer than 3 miles of the town, and trade with the town was becoming difficult. I learned from residents of the town that on two occasions outside forces had entered the town without warning, and fighting had occurred therein, and my experience of the past winter also indicated that a similar occurrence had occurred at St. Marc.

This is to show why I wished to establish that radio set, so that I could communicate 3 miles distant from Cape Haitien, and, in fact, the city was hidden by the cape from where I had to anchor.

On July 9th, in accordance with my intention to land an outpost detachment of Marines at Cape Haitien, I directed an officer of my general staff to go to Cape Haitien and explain my intentions, and to obtain his assent if possible. The officer visited Gen. Blot, in company with the American consul, and the consul's directions stated to him my wish to land this force of Marines, to guard the railroad property and American and foreign interests, and that I was pleased to have his assent to this landing.

In answer to that Gen. Blot withheld consent for the present. His reason was that in view of the revolutionists' propaganda that foreigners were aiding the government, any landing of a force there would be interpreted by the revolutionists as a movement to aid the government, and that he could see any reason for the landing at that time.

From this date up to July 27 I remained at anchor off Cape Haitien, and closely followed the actions of the revolutionary forces and the government forces in the city and near Cape Haitien.

On the morning of July 27th I received information from the manager of the French cable station at Cape Haitien that the Arrondissement and the town of Port au Prince had on this morning been attacked by a revolutionary force, and that fighting was going on at Port au Prince. I immediately sent an officer ashore to investigate that report. They visited the cable station and received a confirmation of this report. It was also learned that Guillaume Sam and the government had been overthrown, and that the revolutionary faction now controlled the city, and that the government officials, including Guillaume, had taken refuge in the French and Dominican legations, and the leader of the revolution was not yet known.

These reports were confirmed by cable which was received within a few minutes. Officers were at the cable station, and also from private messages from business houses and individuals at Cape Haitien.

I immediately sent a cable to the American legation at Port au Prince directing the American chargé d'affaires to report the situation to me.

In reply to my message I received the following:

"Guillaume in French legation. Revolutionists in entire control of the city. Outgoing government shot 70 political prisoners in their cells, including

account of which trouble is feared. Large number of wounded in fighting this morning. Not known at present movement. City quiet, but under circumstances your presence desired.

"DAVIS, *Chargé d'Affaires*."

at date was that?

That was on July 27th. This was in reply to the message

threatened. Forcible entry attempted for the purpose of

English *Chargé* and French Minister have cabled for grave, and presence of warship as soon as possible

"DAVIS."

I withdraw the landing force from Cape Haitien, I im-  
Port au Prince, leaving only the U. S. S. *Eagle* to take  
at Cape Haitien.

*Eagle* had no force ashore, then?

No, sir; I withdrew all my forces.

while the U. S. S. *Washington* was en route from Cape  
Prince, I sent the following message to the Secretary of the

Port au Prince reports a revolutionary faction attacked  
and palace at Port au Prince Tuesday morning, and has  
the government. Revolutionary faction now controls city.  
including Guillaume, have taken refuge in French and  
Leader of revolution not yet known.

at Port au Prince reports outgoing government shot 70  
including ex-President Zamor, and a large number of soldiers  
in fight. Latest cablegram from American legation just  
French legation threatened and forcible entry attempted  
at President. English *chargé* and French minister have  
nation very grave.

present quiet but growing uneasy. Gen. Blot received  
u Prince, stating revolutionists had control of city, and  
em. This message signed by Delva, Polynice, Delinois,  
Belencourt, and Zamor.

detachment from shore, and am proceeding with Washing-

Am leaving *Eagle* to tend situation Cape Haitien. Have  
pany, naval station, Guantanamo Bay, stand by to embark  
nary service in Haiti; unless otherwise directed will use  
force *Washington's* battalion if situation requires."

Port au Prince at 11.50 a. m. on July 28, 1915, I immediately  
the situation, and confirmed the report which I had previ-  
formed the Secretary of the Navy as follows—

Admiral, what are you reading from?

This is a copy of my dispatches here.

What your dispatch that you are reading now?

I am going to read it now.

Where you say "Rear Admiral Caperton," did you write  
person?

These are the quoted parts there.

What is that volume?

This is a report that Maj. McClellan has gotten up from  
it is a copy.

Do you not think you would do better just to tell us the  
gauge?

Yes; I can tell you a good many things, but I think per-  
could tell you what I did, but perhaps I would not be  
authority for acting.

Well, I want you to follow the course which seems good to  
interested, as you understand, primarily to know the cir-  
which you landed marines, and the authority upon which

I am endeavoring to give you that.

Right, sir.

This is my message.

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"Dominican legation violated Tuesday: Gen. Oscar, chief of Arrondissement, forcibly removed and killed. At about 10.30 this morning French legion invaded by mob of about 60 Haitians, better class; President Guillaume forcibly removed from upstairs room and killed at legation and body cut in pieces and paraded about town"—

The CHAIRMAN. These were the Haitians of the better class, then, who violated the legation and cut Sam to pieces?

Admiral CAPERTON. Yes, sir. If you will allow me, in a moment I will just tell you a short story of that. It will take me a few minutes. The cable continues:

"No government or authority in city. Many rival leaders in town. French force in city for purpose preventing further rioting and for protecting foreign lives and property, and to preserve order. Have directed naval force to Guantanamo, Cuba, to send company marines Port au Prince. According to area city, will require regiment of marines from United States for maintaining order and patrolling. Suggest U. S. S. *Montana*, U. S. S. *North* or U. S. S. *Tennessee* as transport.

"CAPERTON."

When I arrived with the *Washington* at about 10.30 on the morning of the 28th, the circumstances which I have just related in these various reports were reported to me from the city, and while I was listening to these reports I had my glasses in my hand, and as I looked ashore I saw much confusion there. I was about a mile off, and I saw much confusion, people in the streets and apparently there was a procession, as if they were dragging a body through the city, and I afterwards found out from officers when I was ashore that this was the body of President Guillaume Sam, which had been mutilated—the arms cut off, the head cut off and stuck on poles, and the body drawn with ropes through the city.

To go back a little, I learned from what I considered good authorities that President Guillaume Sam had received many notices in regard to the rioting which might break out right under his nose, and it is said in Port au Prince that he gave the order to Gen. Oscar to execute all prisoners at the first opportunity or first shot in the palace grounds. He was to murder or kill all the prisoners which he proceeded to do.

The CHAIRMAN. Chiefly political prisoners?

Admiral CAPERTON. No, sir; I understood and know, in fact, that these prisoners were the best people of the city.

The CHAIRMAN. That is what I mean; they were seized as political prisoners.

Admiral CAPERTON. They were seized, but they were not political prisoners. A good many of them were business people, and were seized, as I have heard discussed there, on reports, without being substantiated at all.

The CHAIRMAN. It is generally believed that these prisoners were seized as hostages and killed by Sam's order.

Admiral CAPERTON. Yes, sir; but I would like to state that they were not people of the city, and a great many of them had never interfered or had anything to do with politics.

This report became current at once throughout the city, and people, friends and relatives there rushed to the prison and found the central courtyard filled with bodies lying dead. There were 5 out of about 170 still alive. They saved their lives, as I found out afterwards, by getting under the prison doors, the little cell doors. They just shot and stabbed and mutilated as they went along from one cell to another. There were three or five in each cell. Those who were saved had enough sense, when the firing party came back, to fall over as if dead. One man was under the crowd of one hundred and sixty odd men, and came near smothering them; they got him out. Finally they pulled him out, and he had not been hurt.

During this melee, or this attack on the palace by, it is said, 500 men under Delva—I do not know that it is necessary to give the names; I do not know that list just now, but I know the five or six men who stirred up this attack, headed by these men they ran to the palace, broke open the palace, and began to shoot and kill one another, and do all sorts of outrageous things.

In the meantime the President attempted to leave the palace. He attempted to leave by this large door which is in the wall which separates the French legation from the palace. He could not unlock the door, and I believe was pushed and pushed over the wall, but, anyway, he reached the legation in some way, in doing so he was shot in the leg, so that when he arrived in the legation he was wounded. This was about 4 or 5 o'clock in the morning of the 27th.

noon the soldiers, who I think at that time had all turned the new chief of executive power, attempted to gain entrance some of them, I believe, did get in, and Gen. Zamor seemed was told to me by one of the young ladies in the legation. stairs, where the President had hidden himself in a locker really, she put out her hands to stop him, and plead with on his shoulder, and reminded him that for the past four he was in exile in the legation, she, herself, had fed him and appealed to him in such a manner that he broke the steps and wept. Then he arose and passed out, and as her, "I will take all of this mob, or this crowd of soldiers, on will not be entered again by any soldiers. I will be He left and took the soldiers out, and as far as we know promised. That was on the afternoon of the 27th.

ning, while all the good people of the city were taking metery to bury them, and were in the act of doing this, word that the *Washington* was coming; that they saw her admiral would be there in a few minutes and would stop everybody must rush to the French Legation and get the as the crowd that went the second time and really got in. They found him upstairs in the bathroom, pulled him n, dragged him through the back of the house, along a driveway about 50 or 100 yards to the gate, and there m over the gate. The gate being iron, with spikes on top, or some manner caught on the top. They succeeded in ay, and when he reached the outside of the legation they ts into him, and found that he was not dead; and, as I xt thing they did was to cut his throat, cut his head off, body, and started off. Then the cry was to stop. Then utate his arms and his legs and his head and stuck them his body around through the streets. And that was the

my arrival I sent two officers of my staff to call at the and ascertain the news. There these officers were met by é d'affaires; and after hearing his statement, Mr. Davis ent into the French Legation, where they found the French sh chargé d'affaires.

which legation were they in then?

In the French Legation. The two officers, the American French minister, and the British chargé d'affaires returned I held consultation with me.

ment or authority in the city, but a so-called "committee was stated, was formed by Gen. Polynice and three other no attempt to preserve order, nor did they inform me or of their assumption of authority. Polynice himself per- on the Dominican consulate. As three of his sons had en. Oscar, he went himself to the Dominican Legation, Oscar, and dragged him out to the street and shot him

I ask you here, Admiral, if any Americans were injured or ?

I think not, sir. There were not very many Americans in

with the American chargé d'affaires, the French minister, gé d'affaires, I decided to land American forces for the further rioting and for the protection of the lives and and to preserve order.

at 3 o'clock p. m., on July 28, the Acting Secretary of the ng message to me in Port au Prince:

desires that American forces be landed at Port au Prince and foreign interests be protected; that representatives of be informed of this intention—informed that their inter- and that they be requested not to land. In acting on this your knowledge of present conditions in Port au Prince

Department has ordered *Jason*, with marines at Guan- red immediately to Port au Prince. If more forces are wire immediately."

On my way down from Cape Hatien, as usual, I made all preparations for landing our landing force. Under orders of the Navy Department, in cooperation with the State Department, I landed a provisional regiment of United States Marines, under command of Capt. George Van Orden, United States Corps, at Port au Prince on the afternoon of July 28, 1915, and occupied the city.

This operation is described in the following radiogram sent by me to the Secretary of the Navy on July 28, 1915:

"Landing at Port au Prince decided on after consulting with American chargé d'affaires, French minister, and British chargé d'affaires. In Gen. Polynce and three others, who seemed to be leaders ashore, of opinion to land and protect lives and property and preserve order. They agreed to this landing, but said they could not guarantee peaceful entry, but would all they could to explain our intentions to the populace and prevent violence and would cooperate with us. *Descartes* (French warship) expected tonight. No foreign men-of-war in harbor excepting *Washington* at Port au Prince. Considered immediate landing necessary. Landing made at Bizoton with two companies of marines and three companies of seamen at 5.30 p. m. U. S. S. *Eagle* reports conditions Cape Hatien quiet. *Eagle* has landed 20 marines at Port au Prince to protect French consulate for fear of attack on refugees there. Landing made at request of French consul.

"CAPER

I think that letter explains this.

The CHAIRMAN. It does. It is all very clear and satisfactory.

Admiral CAPERTON. In order to acquaint the chargé d'affaires of my intentions, after deciding to land I wrote the following letter:

"I have the honor to state that it appears that rioting and disorder at Port au Prince have gotten beyond control and the situation to have become so serious as to endanger the lives and property of Americans and other foreigners who are left without protection. As a result of our conference a naval force will be landed and afford such protection. To facilitate this you are respectfully requested to notify all Americans and all foreign diplomats, representatives of consuls, and others who desire protection to keep within doors, to hoist the flag of their nationality, and refrain from all actions which could possibly be interpreted as a hostile demonstration against the naval force.

"CAPER

I think it but fair and just that I make some mention of the intense desire with which the French minister especially and the British chargé d'affaires insisted upon my landing immediately. The French minister's family consisting of a wife and two daughters, and he said, "They are at the legation with no one to protect them. Now, you see what is going on in the city." And he begged that I land as quickly as possible, as did the British chargé d'affaires.

At 11.20 on the 29th of July I sent the following message to the Secretary of the Navy and Commander in Chief:

"Landing force established in city. Slight resistance during early morning hours but advance was being made. This resistance easily overcome by our forces. As there is no government or authority in the city we required assume military control in city. Am proceeding to disarm Haitian soldiers and civilians to-day. Can not see how this can develop any other than absolute military control of city. Regiment of marines sent to Port au Prince, and should be sent at once. Two Haitian gunboats at Port au Prince and most of army in that vicinity. Earnestly recommend U. S. S. *Nashville* be ordered take charge situation Cape Hatien and that U. S. S. *Castine* be made available as soon as possible.

"CAPER

From the reports which I received on shore, the majority of the Haitians welcomed the landing of the American forces and were overjoyed at the prospect of relief from revolution and government by terror. The political soldiers naturally were opposed to any action which would prevent them from securing to themselves the results of the overthrow of the government.

On the morning of the 29th I immediately sent the chief of staff, Captain Beach, ashore to confer with the commander of the landing forces and the prominent citizens with reference to disarming the Haitian soldiers and civilians in the town. The chief of staff and the commander of the landing force

, Charles Zamor, Noel, Nau, Samson Monpoint, and Robin, themselves as a revolutionary committee. I might add that city was taken Gen. Robin was in command of the forces. rleying it was agreed that they would undertake to disarm civilians and place the arms in the palace under guard my inspection as to the completeness of the disarming. the right, and exercised it, of placing a guard over these e with the committee of safety was of some length. I intentions relative to the preservation of law and order assuming military control of the city. They assented to ed to cooperate. This committee agreed to meet my representation cooperation. I make these remarks so as to show promises at the time.

his committee included these same gentlemen who acted interregnums?

Some of them; the principal ones, Mr. Delva and Poly- is not in this party at the time.

at the following message on July 30, 1915, to me concerning on of Port au Prince:

appreciates the excellent manner in which disturbance at en handled and directs that you retain military control of ers. Acknowledge.

"DANIELS."

30th I sent the following message:

ate Department instructions, American chargé d'affaires minister of my instructions relative requesting he not land was done previous my consultation with French minister minister naturally feels great humiliation for his country of violation of his legation. While he feels amply pro- gratitude to me and to United States Government through a guard, yet he says not landing French guard at his lega- Haitians that he was deserted by his Government and hereby suffer. French minister will probably insist on ard. Suggest advisability of arrangements being made tment and French Embassy, Washington, D. C., relative cruiser *Descartes* arrived Port au Prince 2 p. m. Friday.

"CAPERTON."

here that the first thing that was done when the landing inity of the legations was to send guards immediately to protection before our troops bivouacked for the night.

the following message to the Secretary of the Navy: quiet during day, but still unsettled. French minister in- ceived dispatches from Paris, France. Government stating y, Washington, had been directed inform United States nce considered landing legation guard at Port au Prince honor. French minister repeated his conviction that we life and property and assured me his guard would be and that arms of French guard would not be carried by tion. He further stated that he wishes it understood he fering in any way my actions in town. Press dispatches United States indicate State Department evidently thinks exists Port au Prince. No de facto government ex-

All government functions at present undertaken care e citizens acting practically under my direction. Cham- permission elect president, but deferred in compliance for election President not propitious for maintaining S. S. *Eagle* reports heavy firing outside Cape Haitien; tempt enter Cape Haitien. Blot in full control there at ken Gonaives, Haiti. Army in north menace peace and rince and Cape Haitien. May have to occupy Cape Haitien. ect request for another regiment of marines.

"CAPERTON."

and the first regiment arrived by this time in Port au

No, sir; it had not arrived. I think it was about this came.

I desire to state, in order to make the record clear, that the Zamor killed the ex-President Zamor, Charles Zamor's brother. Charles Zamor was a French consul general who was in the French legation.

I have been asked the question as to whether or not I have ever heard of the killing of a foreigner by Haitians. The records of the Navy Department disclose that our vessels of war have been there at practically every opportunity since at least 1857. I have not gone back beyond that. This, in my opinion, has caused the Haitians to hesitate before killing any Americans. In other words, no one can tell how many foreign lives would have been lost and foreign property destroyed if United States warships had not been continually present to prevent violence. I think the committee would be surprised to see how many vessels it has been necessary to send down to Cape Haitien since 1857, just to stop these things.

The CHAIRMAN. If the department has a record of that sort, it would be interesting to have it presented to the committee at your convenience, Admiral.

Admiral CAPERTON. Yes, sir.

(Whereupon the committee adjourned until Wednesday, October 12, 1900, 10.30 o'clock a. m.)

# OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

WEDNESDAY, OCTOBER 12, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
Washington, D. C.

At 10.30 o'clock a. m., pursuant to adjournment, Senator (chairman) presiding.

McCormick, Oddie, and Knox.

Ernest Angell, Mr. Horace G. Knowles, and Maj. Edwin N. States Marine Corps, in their respective representative capacity indicated.

REAR ADMIRAL WILLIAM B. CAPERTON, UNITED STATES NAVY, RETIRED—Resumed.

Will you take up your testimony, Admiral, at the point at which you stopped yesterday when you were about to speak of the landing at Cap-Haitien?

Yes, sir. At this time, about July 31, 1915, the Army in Haiti, at Cap-Haitien, were menaces to peace and order, and the French Government was anxious that steps be taken to guard French interests in Haiti. For these reasons it seemed that it might be necessary for the French Government to send a regiment of marines to Cap-Haitien, in which event the department might expect a landing.

I sent the following message to the Secretary of the Navy: "The French Government has sent a commission to Cap-Haitien composed of following: President Légitime, Archbishop Bronan, Gen. Polynice, ex-Minister of War, Col. Chevalier. My instructions to commission are to disarm and disband, soldiers to return to their homes, and to return Port au Prince with commission and join commander in Haiti. This commission is formed by my order and authority."

"CAPERTON."

As a result of this commission, they were able to communicate with the French Government and Bourand, the latter in command of the Government forces in the north, and the others prominent officials and citizens of the north.

The following message was sent to me from the commanding general at Cap-Haitien:

"The French Government, some other gentlemen on Nord Alexis, also some French soldiers, have taken charge. Will prevent entering of armed persons. French can take charge. Blot troops from country entered town; some firing. Have now gone back country. At present expect Bobo will try to come in."

(Signed)

"OLMSTEAD."

May I interrupt a moment there?

Yes, sir.

What order of the department would you refer as laying down the law which that landing took place at Cap-Haitien—yourself or the State Department wished you to keep order?

Yes, sir.

About this time, on August 4, the U. S. S. *Connecticut* arrived in Prince, but after discharging her marines and stores, owing to the conditions in the north at Cape Haitien, she was sent to that point using my best efforts through the joint American-Haitian Committee, a termed, and after inducing as many of the leaders of the ex-Government revolutionary forces to come to Port au Prince, the *Jason* was ordered to return on the 5th, at which time I received the following message from Coffey, the chairman of this committee:

"Am returning Port au Prince on *Jason* with commission, Bobo generals, Bourand, La Roche, and 17 nuns. Bobo troops will remain in position as per your desire. Disarmament can not be accomplished except with aid of troops, either our troops go to them or their troops come to us. I expect demonstration when Bobo arrives; parades, and cheering occur at Cape Haitien this morning. Nothing serious. Commission, Bobo, Bourand, La Roche will probably wish to pay respects. Do you wish to see the generals have arms. Will let none land until question disarming them settled."

I think a few words of explanation are due in regard to having those on board. In compliance with the earnest request of the church authorities at Port au Prince, through the chargé d'affaires, and in view of the unsettled conditions at Cape Haitien, I authorized the passage of about 17 sisters of St. Joseph to Cape Haitien to Port de Prince. They represented to me that they were disturbed in their minds, and that they would like to go temporarily to Port au Prince.

On August 5 the following message was sent to the Secretary of the United States: "To-day Haitian Congress published notice it would elect President but has postponed at my request because time is inopportune. Am informed Congress would elect Menos. Haitian minister at Washington, if he were present, would be elected. Menos is informed president of senate, Dartiguenave, elected. From many other sources hear Dartiguenave is man of honor and of patriotism. Has never been connected with any revolutionary movement, good ability, and anxious for Haiti's regeneration, realizes Haiti must accept any terms laid down by United States, professes to believe any terms dictated will be for Haiti's benefit, says he will use all his influence with Haitian Congress to have such terms agreed upon by Haiti. If elected must be secured by American protection. Same condition applies to whoever else is elected. Bobo only other prominent candidate. Bobo said to be man of intelligence, honor, and patriotism. Friends maintain would work solely for Haiti. Bobo could be elected only through fear of Cacos, and if elected would be against him would undoubtedly start unless prevented by United States."

"Great relief expressed by all classes except Cacos at presence of American troops. Americans afford hope of relief from Government by terror. Universally believed that if Americans depart, Government will lapse into anarchy. My opinion is that United States must expect to remain until native Government is self-sustaining and people educated to respect and abide by them. Should president be elected now there would be machinery for all Government functions. With American protection and influence by United States, progress toward good government could be commenced. Haitian people anxious to have president elected, but present no central Government in Haiti except as directed by me. All uneasy, fearing United States may not permit continuance of Haitian independence."

"CAPE"

The CHAIRMAN. That telegram, as far as I have followed the record, is the first forecast of the policy later pursued in Haiti, that with the election of Dartiguenave and the continuance of the American occupation for four years might be laid for the progressive development of civil order and institutions?

Admiral CAPERTON. Yes, sir; those were my views, obtained by direct observation of the situation and conditions with all prominent men in Haiti.

The CHAIRMAN. The initiation of that policy, then, was in Haiti and not in Washington?

Admiral CAPERTON. That I could not say.

The CHAIRMAN. Well, now, had the Secretary, by verbal messages or otherwise, intimated to you that that was the policy he had in mind prior to the sending of that dispatch?

The following message was sent on August 2, 1915, to the

Haitian revolutions, largely due existing professional soldiers organized in bands under lawless, irresponsible chiefs, offering greatest inducement and but nominally recognize the same are feared by all Haitians and practically control politics. Now in Port au Prince, ostensibly disarmed, but retained to have arms and ammunition hidden. They have elected President, and Congress, terrorized by mere demand, but restrained by my request. Present condition noted account fear of Cacos. Believe can control Congress. Cacos outbreak in Port au Prince after arrival regiment of Connecticut. Stable government not possible in Haiti until order and power broken.

Imperative at Port au Prince if United States desires to exercise financial control of Haiti. To accomplish this must have in addition to that on Connecticut. Majority populace well disposed, and will welcome disbanding Cacos and stopping agreement with Haiti be desired, recommend Capt. Beach, single commissioner for United States, with full instructions. He has conducted my negotiations on shore, and I believe fully of Haitians. As future relations between United States depend largely on course of action taken at this time, I am fully informed of policy of United States.

"CAPEERTON."

Would like to ask you a question there, Admiral. What was the action now imperative at Port au Prince if United States treat treaty for financial control of Haiti?"

I do not know why I mentioned or specified "financial control" in my mind now, and I am sure I had then, that if we wished to have Haiti for all purposes, and a treaty like we finally did conclude, the expression "financial control" would be one

you referring to the policy adopted with Santo Domingo in wording, "the financial control of Haiti"?

Somewhere in my dispatches here I did mention something similar to the one which we had in Santo Domingo. I have had on the message now to the department, but I am not finding it somewhere in the record.

Another thing, Admiral. In the last part of your telegraphic relations between United States and Haiti dependence taken at this time, earnestly request to be fully informed of United States. Had you been informed of any policy in effect prior to this time?

No definite policy.

When you receive instructions regarding the future policy in Haiti?

I did, sir.

Will ask you to go on and give it.

On August 7 the following message was received from the

to fullest extent consistent with maintaining order and discipline, and issue following proclamation: 'Am directed to inform United States of America has no object in view except to help to maintain Haitian independence and the establishment of a firm government by the Haitian people. Every assistance will be rendered to Haitian people in their attempt to secure these ends. It is the policy of the United States forces in Haiti only so long as will be required.' Acknowledge.

"BENSON, Acting."

Were there anything else that occurs to you that would show the department prior to this?

There is a great deal afterwards. At the present time I do not know whether there was anything definite before or not.

Will ask you in regard to that telegram of August 5. You will recommend as the best for President: "He

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realizes that Haiti must agree to any terms demanded by the United States and he professes to believe that any demands laid down by us will be to the benefit of the people of Haiti."

Admiral CAPERTON. He must have received this from various sources. I do not remember whether such were published or not, but it was, as I understood, the general impression.

The CHAIRMAN. Now, Admiral, as the basis of that general impression was the conversations which your representatives had with him, I suggested that the United States Government was going to propose terms. He originated the idea that under a new President new contractual relations were to be established between the Haitian Government and the American Government which would require the approbation of the new President?

Admiral CAPERTON. I think the answer to that question would be found where in my notes. I can not just put my hand on it now.

The CHAIRMAN. This is the most important phase of this part of the conversation. Are you unable to recall, offhand, whether the State Department, the Navy Department, directly or indirectly, suggested to the naval commander or the diplomatic agents in Haiti that any terms to which Dartigues accede would be proposed to him by our Government?

Admiral CAPERTON. These were my opinions at the time. Just how they were formed at the present I am unable to answer.

The CHAIRMAN. Let me put it another way then. Is there in the mind of the department have you any recollection, of a statement of policy which indicates that the purpose of the department that American troops should land and stay in order, as already indicated by your testimony, and then withdraw, was at the same time the policy of the department that having land and order, restoration of order, then steps should be taken by treaty to assure the continuance of order?

Admiral CAPERTON. My first orders were as outlined in my testimony to land for the purpose of preserving law and order and the protection of property, etc.

The CHAIRMAN. Your allusion to these other matters was based on the situation current, originating in the negotiations between the State Department and the Haitian Government which had taken place prior to your arrival in Haiti?

Admiral CAPERTON. Yes, sir.

On August 6, finding the presence of a large number of Cacos in Port au Prince extremely undesirable, I directed that they be ordered to disperse and return to their homes. All Cacos found in the streets after 11 o'clock were placed under arrest. There was some excitement in the city as the first orders were made, but when the populace realized that the disbursing of the Cacos was for the good of the people of Port au Prince they appeared to welcome the movement. A detachment of marines, which was taking a number of the Cacos to the detention camp, was fired upon from a crowd on the sidewalk near the customhouse.

This is to show the disorder, etc., and what I had to contend with in keeping peace.

The CHAIRMAN. I wish we might know what constituted a Caco. Do they come from one part of the island, or are they like the medieval conde of professional soldiers who travel in each invading candidate's train? They are turbulent fellows, but I would like to know.

Admiral CAPERTON. I am under the impression that I had in my mind described where they lived and something about them.

The CHAIRMAN. Up in the Grand Basin, you said.

Admiral CAPERTON. I have something further here in the way of a description if I can find it. In the absence of a better description, I would like to describe myself as follows: This northern section of Haiti, or more the northern section of Haiti, is the home of the Cacos, and to understand the movement and of a political campaign in Haiti it is essential that one have a knowledge of who and what the Cacos are. The numerous revolutions, in connection with the tribal instinct of their African forbears, have resulted in the formation of numerous bands of men, each band under its own chief, who are the Cacos. They know no law save that of brute force, and obey the orders of their chief only because he has the physical power to enforce them. The minor chiefs usually follow the direction of a head chief, but the organization is very loosely knit, and it is not uncommon for bands who have for

on to be on the same side in the next. As a general rule, side of the "outs," and the men who help a President instrumental in driving him out a few months later.

question of the policy of the department, I would like to The activities of the revolutionary committee which had port au Prince for the purpose of assisting me in maintain- ch a nature that it was necessary to direct them to resign good forces in Haiti to restore peace and order.

State advised the American Minister in Haiti concerning he should adopt toward me for the purpose of assisting Assembly to elect a president of the republic on August

act that the Navy last night informed Admiral Caperton election for the president whenever the Haitians wish, a which exists here that election may take place Thursday at you confer with the Admiral to the end that in some ed between you the following things be made perfectly

ess understand that the Government of the United States ut that it can not recognize action which does not establish affairs, those whose abilities and dispositions give assur- nd to factional disorder.

that no misunderstanding can possibly occur after elec- de perfectly clear to candidates, as soon as possible, and election, that the United States expects to be entrusted ntrol of the customs and such financial control over the ic of Haiti as the United States may deem necessary for on.

of the United States considers it its duty to support a nment. It seems to assist in the establishment of such a port it as long as necessity may require. It has no design territorial integrity of Haiti. On the contrary what has s what will be done, is conceived in an effort to aid the establishing a stable government and maintaining domestic Republic.

"LANSING."

I, I received the following message from the Secretary of

president to take place whenever Haitians wish. The election of Dartiguenave. Has no other motive than that and lasting government by Haitian people and to assist times in future to maintain their political independence ty. United States will insist that the Haitian Govern- territorial concessions to any foreign governments. The nited States will take up the question of the cession of er along with the other questions to be submitted to the ent with regard to its relation to the United States.

(Signed.) BENSON, *Acting.*"

th of August and the day of the 11th of August passed rince; but there was considerable uneasiness and some due to the approaching election and the desperate atti- Zamor factions. Seventeen disorderly Cacos were ar-

dismissal of the revolutionary committee, the following to them by my order:

AUGUST 11, 1915.

committee, Port au Prince, Haiti:

directed by Rear Admiral W. B. Caperton, commander in forces in Haiti, to direct the revolutionary committee to l the good forces in Haiti to restore peace and order.

F. L. BEACH,

Captain, United States Navy, Chief of Staff,  
Commander, United States Forces in Haitian Waters.

On August 11, 1915, the following message was sent to the Secretary of the Navy:

"In conjunction with American chargé d'affaires, informed senators and representatives assembled and presidential candidates of intention and policy. United States Government as set forth by Secretary of State in cable message of August 10, midnight. Senators and deputies cordial. Election will be held to-day. To-day passed quietly, Port au Prince, but considerable uneasiness and demonstrations, due approaching election and desperate attitude of Bobo and Zamor factions. Revolutionary committee issued order dissolving to-day, and attempted seal doors chamber deputies; anticipated their sending force to chamber of deputies, and informed committee the without authority. For this reason and account hostile and disturbance of Bobo and Zamor factions, have dissolved revolutionary committee. Have informed them they have no further authority Port au Prince, and considered public enemies of United States if they attempted to give their orders or further menaced United States policy. Have taken extreme caution against disorder during election; have placed *Castine* and wharf and landed men from them to reinforce landing force. Have control State telegraph office. Petite Goave quiet. *Connecticut* to-day interference with ex-Bobo forces relative surrendering arms at Cape Haitien."

"CAPTAIN"

? On October 8 I arranged to have a meeting between the prominent candidates for election as President for the purpose of ascertaining, if I could, their views and their feelings toward the United States. I think it but fair to say that I do not believe—and I received no such reports from the various representatives that I had on shore from time to time—that Dartiguenave knew the United States wanted him to be president. I gathered this from what he told me, and I do not know that he actually knew that we wanted him to be president.

According to arrangements, on Sunday, the 8th, I arranged a meeting at the American legation, at which were present Senator Dartiguenave and Cham, Dr. Bobo, John A. Laroche, and my two staff officers—my chief clerk, Capt. E. L. Beach, and Lieut. E. G. Oberlin. Dartiguenave and Bobo were addressed as follows:

"Gentlemen, it seems likely that one of you will be elected President of Haiti. Haiti is in great trouble; she has suffered much. The United States looks to Haiti as a good friend, interested only in Haiti's welfare, in her happiness and in her prosperity. The United States has determined that revolution and order and anarchy must cease in Haiti; that unselfish and devoted patriotism must characterize hereafter the acts of the Haitian Government. Senator Dartiguenave and Dr. Bobo, realizing this momentous crisis in Haitian history, the eyes of Haiti and of the United States upon you, do you promise to be elected President of Haiti you will, in your official acts, be guided by the earnest devotion to Haiti's honor and welfare?"

Senator ODDIE. Let me interrupt a minute. Who was asking this question? Admiral CAPERTON. My representative, Capt. E. L. Beach, my chief clerk, acting under my orders.

"I will so promise," replied Dartiguenave. "I have no other ambition but to be of service to my country."

"I promise," exclaimed Dr. Bobo, rather theatrically. "I would be glad to lay down my life for my beloved country."

"Senator Dartiguenave, in case Dr. Bobo should be elected will you promise that you will exert every influence in your power to assist him for Haiti? That you will join with him heartily and helpfully and loyally?"

"If Dr. Bobo is elected president I will give him the most loyal support in every effort he may make for Haiti's welfare," replied Dartiguenave with simple dignity.

"Dr. Bobo, if Senator Dartiguenave is elected president, will you promise to be loyal and earnestly in his efforts to benefit Haiti?"

"No; I will not!" shouted Bobo. "If Senator Dartiguenave is elected president I will not help him. I will go away and leave Haiti to her fate. I am fit to be president of Haiti; I alone understood Haiti's aspirations. I am fit to be president but me; there is no patriotism in Haiti to be compared with mine; the Haitians love no one as they love me."

While I am upon this subject I might mention another meeting that I had trying to ascertain the feelings and purposes, and what these gentlemen

ted president, because I did not know. I felt, as the talk of Dartiguenave, that I desired to know something about it add, was previous to the other meeting. I sent two of them being Lieut. E. G. Oberlin, and the other my chief Beach, to converse with Senator Dartiguenave. They met at the pleasant home of Dr. Furniss, formerly American and at the time a resident of Port au Prince. Present at Senator Dartiguenave, Deputy Cham, Dr. Furniss, and my particular purpose was to gain a personal knowledge of him and of his views and attitude toward Haiti and the idea was that the man most suitable for the Haitian in whom the Haitians had confidence, one whose animating Haiti's welfare, to which purpose he would give unselfish one who combined such qualifications with confidence in who was friendly disposed toward the United States, who and who would listen sympathetically to the intentions of the there was never any bargaining of any kind whatever with as I know. No pressure of any kind was brought to bear elector in Dartiguenave's interest. The Haitians themselves outside influence or pressure or bargaining, made him, later,

committee adjourned until Thursday, October 17, 1921, at



## OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

MONDAY, OCTOBER 17, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Washington, D. C.*

at 10.30 o'clock a. m., pursuant to adjournment, Senator  
Chairman) presiding.  
McCormick and Oddie.

Ernest Angell and Mr. Horace G. Knowles, in their repre-  
sentation hereinbefore indicated, and Maj. Edwin N. McClellan,  
representing the Navy Department.

McClellan, in order that the committee may have in its  
power available to the admiral and prepared by the depart-  
ment the hands of the committee before the day is over a

will present that to you right now; I have anticipated  
upon presented to the committee the record referred to.)

**ADMIRAL WILLIAM B. CAPERTON, UNITED  
STATES NAVY, RETIRED—Continued.**

Admiral, you may proceed.

Mr. Chairman, as there has been much criticism in re-  
spect I think it necessary that I explain, in a few words, the  
reasons at that time.

The people were very anxious that the Haitian Congress meet  
and elect a president. These requests were always coupled  
with the idea that there should be no intimidation of  
those who were to vote at that time. At this time the most  
being made in favor of Dr. Bobo's candidacy for the  
office stated that a "free election" be held, which practically  
meant with caco guns leveled at the head of every Haitian  
in his ballot.

What do you mean when you say that a "free election"

The Bobo people were impressing me with the idea that  
"free election," and I was explaining what a "free election"  
under the revolutionary régime.

What do you mean you inserted the words "free election" in the

Yes, sir. The most extravagant offers were being made  
by and by his friends, the idea being that the United  
States with Haiti was actuated only by selfish, interested mo-  
tives that the United States wanted the cession of St.  
Louis. Bobo crowd offered this and anything else I wanted.

You feel that you can, will you not tell us presently who  
was the chief of the Bobo faction and through whom they were

These offers just referred to were made to my chief of  
staff, sometimes in the presence of one of my staff officers  
and him. It was his almost sole duty at this time to look

out for this election business on shore. I might add that the so-called revolutionary committee of safety, self-appointed, were in favor of Dr. Bobo.

In the meantime good citizens, whose only animating purpose was to save Haiti from as much misfortune as it was possible, who had no secret kept me informed of the schemes which seethed through Port au Prince.

It was seen by me that if the Bobo crowd were permitted to conduct the election, it would be a sign that the cacos were still capable of directing destinies by rifles, and that fear and not free choice would determine the result.

Some time before this the Haitians began to talk of Senator Surcouf, a man long in public life. At the time he was president of the Chamber of Deputies. He had kept out of political quarrels, belonged to no faction, and was universally esteemed.

Many willing candidates had presented themselves to me, with statements of their claims; their great friendship for the United States, what they could do for the United States if elected President of Haiti, etc. But not one of them had though listened to, received encouragement.

As I have stated before, it was announced that the election would be held on August 12. At this time I gave orders to Col. E. K. Cole, United States Marine Corps, who was then commanding the marines on shore, having been sent from the *Connecticut* on August 4, to take such steps as were necessary to prevent disorder of any kind on shore. Any Haitian who came within a block of the Chamber of Deputies on August 12 was to be turned back unless he was signed by a senator or deputy or Col. Cole or myself. This effectually prevented the cacos. At the election that occurred on August 12 the galleries of the Chamber of Deputies were thronged by Haitians invited by the senators and deputies and a few marines and marine officers.

Matters seemed to take on a very serious turn about now, so that the committee of safety—that is, the revolutionary committee—rushed to the aid of J. M. Leger, and tried to induce him to be a candidate. He declined, and his name considered. There are a few remarks I would like to put in here. It is a little long, but I would like to have them go in the record at this point.

Mr. Leger was one of the most distinguished Haitians living, a man educated in Paris, a famous traveler, author, and diplomat; former minister in Paris and at Washington; a gentleman at home in any society; a man alert, vivid, and remarkable intuition; in every way a cultured, high-class gentleman. Of him Lord Pauncefoot, at one time British ambassador in Port-au-Prince, once said: "Mr. Leger is the ablest, most accomplished diplomat I have known in all my experience."

All Haiti was proud of Mr. Leger, easily in popular esteem. He was a citizen, and the United States undoubtedly would have been satisfied with his election for the Haitian presidency. But he peremptorily refused to have his name considered. I sent my chief of staff to discuss the matter with him. He replied, "Tell the admiral I will do everything in my power to do my duty, but I must watch and see what the United States will demand of me. I am in a position to defend Haiti's interests in case the demands are unreasonable. At this time I could not possibly accept the presidency for Haiti, not for the United States."

The Haitian minister at Washington, Mr. Enos, was cabled to accept the presidency. He peremptorily declined. Then efforts were made to induce ex-President Legitime, a venerable, universally beloved Haitian, to stand for the presidency. He refused. Any one of these three men would have had the respect and confidence of the good Haitians, and would have received many votes, perhaps a majority, if those cast.

So now at the last moment the Bobo adherents determined to push the election, which clearly meant Dr. Bobo's defeat. So they determined that on August 12 there should burst forth such a scene of disorder, riot, and confusion in Port au Prince that all thoughts of election would be driven from the minds of the people. But law-abiding Haitians learned of this and informed me on the morning of August 11, the day before the election. That afternoon, as I previously stated, I went on shore and informed the committee of safety that they were to exercise any authority whatever in the city. In dismissing the committee of safety, which I related in my previous testimony, I failed to state the fact which I addressed to the committee of safety:

"Further, you are informed that your conspiracy to plunge Port au Prince into riot and bloodshed to-morrow morning is known and will not proceed."

being dismissed, they had made no pretense of denial or innuendo of consternation for fear they might not be able to stop—that is, all except Charles Delva. He simply laughed in any way, and exclaimed, "You have won."

On August 12 to interfere with the election. The Haitian, and 102 deputies met in the Chamber of Deputies. There were galleries. The galleries were packed with Haitians, who had the door, and a few marines were present. My representative, chief of staff, was present on the floor and mixed in with the deputies. All senators and deputies were armed at their own

expense taken. Each congressman when his name was called, unhesitatingly, freely announced the name of the man he voted for. That the majority for Senator Dartiguenave would be over the vote was announced as 94 for Dartiguenave, 16 for Bobo, Cauvin, Thegun, and others.

With cheering, triumph, and order, and hope, for Haiti had won. Dartiguenave did not cheer. He sat in his chair overcome with emotion. Tears gushed from his eyes. It was some moments before he could get control. He then took the oath as Haiti's President, swearing to maintain the constitution and laws of Haiti and to administer his high office with impartiality, and solely in the interest of Haitians.

With a deep feeling, he made a noble speech, touching on the deep and painful effect on Haitian reputation, Haitian prosperity, among other things he said, was: "I have been elected without faction, to no political group; I am free from all obligations. I beg earnestly for the support of every Haitian in the name of Haiti's welfare. If I receive this support, Haiti will have the good of things we all long for. If I do not receive it, I know the uncertainty, disorder, and sadness of Haitian life in us will be continued."

From the elevated place from which he spoke, he went directly to his staff, Capt. E. L. Beach, was sitting, and taking him by surprise in an impromptu speech. In words as follows: Admiral Caperton came when Haiti was in complete despair. But two days before the death of Haitians had been murdered in their cells in the jail, and no crime was charged except lack of friendship for the United States. The day Admiral Caperton arrived a mob, frenzied with rage, killed Vilbrun Guillaume. The Government was overturned; everything good in Haiti had burst into nothingness. Despair laid heavy on our hearts, and at this moment we came in and landed troops, only for our protection and the safety of our officers.

That he came to help Haiti; that he came as a sympathetic friend for the cooperation of all Haitians. His troops came not to oppress on our hearts, our bodies, our properties, but only to show us his consideration, his goodness, so apparent in his presence in our hearts. We love our Haiti and our independence, and we are so generously given us by the United States, represented by you. It is with the understanding and knowledge of all that I am to have the support and help of the United States, and to accept office. But also, with the clear understanding of the duty and obligation that I am under to anybody is expressed to defend the constitution and the laws of Haiti, and to be obedient to them.

A procession then occurred, passed through the streets of Port-au-Prince in the carriages, the leading carriage, was the President's, and Capt. E. L. Beach, my chief of staff. They were followed by many carriages. Haitian soldiers, resplendent in uniform, 100 in number, were the immediate guard and escort of the President's idea of this being that it would show to everyone in the United States were together from the beginning of his administration. The President and Capt. Beach went to Deputy Chamberlain's inaugural reception was held. Here the senators, deputies, foreign residents, and Haitians came to pay their respects to the President, and all gave the most cordial greeting to the American President. There was in that reception joy and hope.

Senator ODDIE. Admiral, let me ask you this question: Was that speed down in shorthand?

Admiral CAPERTON. Not in shorthand; no, sir. The speech was not down in shorthand, but Capt. Beach has a wonderful memory. He is a good writer, and immediately after he left there and could get to himself down and wrote this out, and, as you noticed, I did not quote the speech said "in words as follows." I am satisfied that the President said about words, knowing Capt. Beach's memory and his knowledge of the subject. He sat down and wrote out the whole speech. That same coincidence had happened before with me at various conferences.

The election occurred on the 12th. In the meantime, President Dartiguenave was most anxiously awaiting to hear the national salute, which would announce his inauguration, and which had been arranged for. Haitian guns were to fire the guns, loaded and prepared by American sailor men. The salute came. The President grew anxious. So Lieut. Oberlin was dispatched to the fort, Fort Nationale, where the guns were located. After the salute began. There was a painful interval between each shot, but the twenty-first gun was fired. This of itself might not seem to have been important, but it is mentioned here because of the great importance attached to it by President Dartiguenave. He could not feel that he was President until he had received the national salute, which had been customary upon such occasions.

I would like here to recapitulate a little bit and make some remarks in regard to what happened a few days before the election, which took place on the 12th.

On August 7th Port au Prince remained quiet during the day. I received information that a number of bandits had been pillaging plantations in the north of the city, in the vicinity of Croix des Bouquet. A marine detachment was dispatched and succeeded in capturing the bandit chief and 11 men who were engaged in pillaging.

On this day I directed that ex-Minister Bourand, who was one of the cabinet, and Mr. Laroche, another one, be landed from the *Jason*, and be taken under guard, to Minister Bourand's residence, as I did not know how they would be received, and as he had been in immediate command of the Government troops in the northwest. Mr. Bourand was minister of interior under President Laroche's government. I therefore placed a guard about his residence, directed that he and Mr. Durand be especially guarded during their stay at Port au Prince.

On August 8th, the next day, the Haitian Government's gunboat *Nord* arrived at Port au Prince with 766 soldiers disarmed at Cape Haitien. These soldiers lived in the vicinity of Port au Prince and in south Haiti. About a hundred and thirty-six of these soldiers were landed and sent to their homes. The remaining 30 were either sick or wounded, and were sent to the hospital on shore.

The CHAIRMAN. By whom had they been disarmed?

Admiral CAPERTON. They had been disarmed—these were Government troops—either voluntarily or by my troops in the north for the purpose of bringing them down to their homes. They had nothing to eat, and they were in a destitute condition. So I sent this Haitian gunboat, the *Nord*, up there for them and brought them down. Through the committee on the subject this was on the 8th—I paid each soldier 10 gourdes and informed him that he was no longer a soldier, must not appear in uniform, and must return to his home and keep orderly.

"Referring to the destitute condition of these men, they arrived at Port au Prince at 11 a. m., shortly after which I learned that they had nothing to eat and had to speak of during the past 24 or 36 hours. The crew of the U. S. S. *Albatross* heard of this, whereupon they volunteered to send over their bread, which was about to be served, to these destitute soldiers, which was accepted. These soldiers were paid as I have said before, about 10 gourdes each, and passed over the gangway. The *Nord Alexis* was at this time along the wharf in the navy yard and it was necessary for the soldiers to pass by the navy yard and in doing so to pass by two or three of our marine sentries. To show the custom of graft which prevailed even among the soldiers, one of these destitute soldiers as he passed a marine sentry, tried to bribe the marine his money which he just received, saying in so many words, 'Take out your share and give me the balance.'"

removed from the Haitian gunboat *Nord Alexis* all the arms on board that vessel and turned them over to the commander for safe-keeping, not knowing what the *Nord Alexis* might prevailing conditions in the city and harbor.

In addition of Haitian finances at this time, I may say that last year service, by an arbitrary act, was taken from the National treasury—this was done by the Guillaume Sam given to private banking firms, the principal one of which is The Simmond Freres is under no control which will safe-guards. They merely make collections of the revenues and percentage as their fee and turn the rest over to whomsoever exert force or persuasion in the name of a government or of it.

A considerable money is being thus forced from Simmond called revolutionary committees in various towns, and this led to actively support revolutionary activity. I might add that they have also a self-constituted "committee of safety." Military necessity, therefore, I this day, on the 9th, informed Port au Prince, Simmond Freres, and the National Bank of treasury service would be resumed by the National Bank of Haiti under legal and exacting contract for the handling of the affairs of the Haitian Government.

In my previous remarks about the treasury service being restored to the National Bank of Haiti, I sent the following message to the Secretary of the Haitian Government to inform them with regard to the cablegram was as follows:

"In view of the necessity, restored treasury service to National Bank of Haiti. The treasury service taken from this bank; given to Simmond Freres forced from Simmond Freres by so-called revolutionary committees in various towns, constituting menace against order and prolonging the revolutionary situation. A cablegram sent to-day Washington, D. C., by revolutionary committee provisional government caused solely by definite knowledge that the election by Congress. No doubt absolute legality status of the provisional government would be government by uncon- ditioned in effect another revolution in Bobo's favor; would con- siderable conditions for long time and make uncertain and difficult for Haiti. Recommend no consideration be given recom- mended provisional government. Haiti needs freedom from political interference of all settled government. While many prominent Haitians in the provisional government, sentiment in this respect has generally been in favor of practically all Haitians except adherents of Bobo demand the resignation of President.

Dartiguenave and Bobo together in conference. Asked Dartiguenave if Bobo elected, accept Congress choice and give assistance answer, yes. Asked Bobo same question if Dartiguenave would not accept Dartiguenave nor assist his Government.

"CAPERTON."

This is still a recapitulation of the events before the election?

Yes, sir. That cablegram was sent on the 10th.

Remained quiet during the day of August 8, but information that the ex-Bobo troops had looted in the vicinity of Grande Anse, I sent this to show the disturbances in the north at this time. The following message was sent to the commanding officer of the

Military control Port au Prince and Cape Haitien; am dis- arming all Haitian troops I can get hold of. Reports here of a small armed force of about 200 men under Gen. Auguste ap- peared to prevent their attacking town and endeavor persuade them to remain in your keeping and disband. Am not yet ready to perma- nently; cooperate with de facto civil authorities. Acknowledge

"CAPERTON."

On the 10th of August the following message was received from the Secretary of the Connecticut:

"On August 2508, proclamation will be published broadcast in French and English issued at outpost to people leaving town. Have received

Haitian Archives

no word yet from revolutionary generals. No troops have presented themselves to surrender arms.

"Have opened customhouse for business and made good progress in supplying local government.

"The revolutionary troops interfere with the free ingress of merchandise. There has been no disturbance to-day.

"D

This tells about the first disturbance made by the revolutionary forces, the cacos, in preventing food from coming into the cities.

The CHAIRMAN. What date is this?

Admiral CAPERTON. The 10th of August.

The CHAIRMAN. What was the date on which they elected Dartigue?

Admiral CAPERTON. That was on the 12th, sir.

On August 10 Port au Prince was becoming more uneasy as the Bobo faction, since the cacos had been driven from town and it had thus lost its power to intimidate Congress, was desperate. Threats of assassination had been made against Dartigue and other senators, and Charles Zamor and his faction were doing little to quiet matters.

On August 10 the following message was sent from the commander of the cruiser squadron to the commanding officer of the *Connecticut*:

"National Bank of Haiti has resumed treasury service. This bank has issued instructions to its representatives at Cape Haitien to pay each soldier armed and dismissed there 10 gourde and each chief 10 gourde. Get the representatives at bank Cape Haitien and make necessary arrangements for disarming these troops. Supervise payment of troops yourself. Information in country that they will be paid if they will disarm and deposit arms at Cape Haitien, may aid you in persuading them to come to Cape Haitien and deposit arms. This applies to any troops who will lay down arms at Cape Haitien and to either government or any other kind.

"CAP

I think I might add here in regard to paying these soldiers for their arms if they would disarm, I had many conferences with the generals and factions in the north in regard to this matter and arrangements were made looking to this disarmament.

The following message was sent from the commander of the cruiser squadron to the Secretary of the Navy on date of August 10:

"Port au Prince quiet during night. Cape Haitien quiet; ex-Bobos causing some disturbance vicinity Grande Riviere; none of these troops arrived Cape Haitien to surrender arms as yet. Ex-government forces 200 under Gen. Auguste attacked St. Marc Saturday, but repulsed and under committee of safety; Auguste and four followers killed. Port au Prince quiet now; am encouraging local authorities preserve order. U. S. S. *Albatross* arrived Mole St. Nicholas 7.30 p. m. Monday for news.

"CAP

The CHAIRMAN. I think that is sufficient of the preliminary matters that may now proceed to the conditions which followed the election of the President.

Admiral CAPERTON. After the 12th?

The CHAIRMAN. Yes. But before you do that let me ask you this question, Admiral. Did Capt. Beach speak French?

Admiral CAPERTON. Yes, sir; very well.

(Thereupon, at 12.10 o'clock p. m., the committee adjourned subject to the call of the chairman.)

## OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

WEDNESDAY, OCTOBER 19, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Washington, D. C.*

10.30 o'clock a. m., pursuant to adjournment, Senator  
chairman) presiding.

McCormick, Oddie, and King.

Ernest Angell and Mr. Horace G. Knowles in their repre-  
sents hereinbefore indicated, and Maj. Edwin N. McClellan,  
Corps, representing the Navy Department.

**REAR ADMIRAL WILLIAM B. CAPERTON, UNITED  
RETIRED, 714 MONTAUK AVE., NEW LONDON,**

Admiral Caperton, before you proceed, let me call your atten-  
annual report of the Secretary of the Navy, paragraph  
ending June 30, 1920. This is paragraph 52 of Gen. Bar-  
bourports to quote from cables sent by you to the depart-  
especially to the assertion attributed to you that "In the  
men, Dariguenave, president of the senate, stated that  
ed that Haiti must and will accede gladly to any terms  
d States, 'including right of intervention when necessary,  
and cession outright without restriction of St. Nicolas  
uch of it in order that you may refer directly to the dis-  
ides, and if you have it, you might read it directly into the  
swer that later.

On August 7 I sent the following message to the Secretary  
which are quoted in the chairman's question:

Port au Prince to-day Bobo formally resigned position chief  
dismissed his cabinet ministers. Has telegraphed all his  
deposit arms with American forces Cape Haitien. Prom-  
for good order. Bourand has given similar promises and  
ons to his troops in north.

power revolutionary committee; it did not keep faith.  
aving services committee. Civil officials late Government  
ute my orders.

ons clamoring for immediate election President. Legal  
unctionaries and all necessary organization except Presi-  
regular Government now exists. Only two serious candi-  
rtiguenave; latter will probably be elected. Have had  
a president of senate and chamber deputies, with senators,  
ministers, and many leading Haitiens. President of Senate  
ence of congressmen, states congressmen are agreed that  
gladly accede to any terms proposed by United States,  
ede St. Nicholas Mole outright without restriction, grant  
right to intervene when necessary, and any other terms.  
as possible avoid humiliation. They insist no Govern-

ment can stand except by United States protection; state without union there would be nothing but anarchy in Haiti. Most Haitian American forces may be withdrawn.

"Extremely desirable reestablish Government immediately. Unwise directed I will permit congress elect President next Thursday."

The CHAIRMAN. Now, you may turn to the period after the election at this time, on August 13 Gen. Polynice informed me of his intention the present Government maintain order. Charles Zamor informed would use all his influence for peace.

On the same date Bobo was living in the British legation. He was overwhelmed in his disappointment. His nerve, pluck, and self-assurance gone. He stated that he no longer had a country, and that he was in France.

Also, on August 13 considerable destitution exists among the lower Port au Prince. On the morning of August 13 a woman and child died in the open market place in the vicinity of Rue de St. Honore Centre, their deaths having been due, without question, to starvation. An intelligent woman, claiming to be a school-teacher, appeared this morning showed what purported to be an acknowledgment of indebtedness to her family as school-teacher for the month of January. She claims that neither she nor her family have had anything to eat for two days.

The CHAIRMAN. I do not think we can go into this detail.

Admiral CAPERTON. I do not intend to give you all of it. Other cases to this have been brought to my attention, and some cases where families have been without food for 24 to 48 hours. The starting of public works for the establishment of peace will, without doubt, furnish employment to many who are now without food, but this will not, in all probability, reach the children who have no men to support them.

I requested that this matter be brought to the attention of the Society, with the request that they send representatives and undertake work at Port au Prince.

The CHAIRMAN. Did they do that ultimately?

Admiral CAPERTON. Yes, sir. I might say they from time to time have been sent \$1,000 at one time and \$2,000 at another time.

The CHAIRMAN. Did they send you any nurses or physicians?

Admiral CAPERTON. No, sir. I had doctors from the ships whom I sent to the shore.

The CHAIRMAN. Did any of the missionary societies of the United States undertake to do anything?

Admiral CAPERTON. No, sir; not outside of the Red Cross. I was unable to employ some missionaries there to take charge of the work.

The CHAIRMAN. But no American Christian organization did anything for you in the relief of the suffering or the destitution of the people?

Admiral CAPERTON. No, sir. I formed all sorts of committees and societies.

The CHAIRMAN. During the first few weeks after Dartigueau's departure, what was the condition of the country in reference to order?

Admiral CAPERTON. The country to the north was very much up to day to day I reported these facts in messages, copies of which I have sent you about the Cacos collecting in various ports and sections of the north.

The CHAIRMAN. If you care to, you may incorporate the messages in your record, but do not take the time to read them now.

Admiral CAPERTON. Yes, sir; I would like to do that.

The CHAIRMAN. There were bands gathering in the north?

Admiral CAPERTON. Yes, sir. I would like to incorporate in the following messages:

CRUISER SQUADRON, UNITED STATES ATLANTIC FLEET  
U. S. S. "WASHINGTON," FLAGSHIP  
August 13, 1904

From: Commanding Officer *Connecticut*.  
To: Commander Cruiser Squadron.

Daguesseau Montreuil arrived this morning. He communicated with the revolutionary committee at St. Marc and Gonaives and sent telegram to revolutionary committee here to the effect that Bobo was very strong politically.

large Bobo troops to maintain present stand and not sur-  
Bobo's absence from north Haiti strengthens new govern-  
of public safety appointed by Bobo declared itself to be  
the news of the election. No troops have presented them-  
arms. There has been no disturbance to-day.

DURELL.

AUGUST 14, 1915.

cruiser Squadron.  
er *Connecticut*.

activity any kind will be tolerated in Haiti and especially  
my command. It is duty all citizens support present gov-  
au Montreuil or any other Haitian attempts revolutionary  
est them at once. Bobo I believe is entirely eliminated  
he present. He is in British legation now in pitiable con-  
believe he is insane.

CAPERTON.

Then, at about 4 p. m. on August 14 I received the depart-  
(interposing). This was two days after the election of Presi-  
was elected on the 12th?

Yes, sir. I received the department's sigcode radiogram  
the treaty between the United States and Haiti. The  
message was completed by 9 a. m. on the 15th of August.  
shore to Mr. Davis, the American chargé d'affaires, by  
Mr. Davis received this message at 9.45 a. m. on the 15th

"U. S. S. Washington, 14 August, 1915.

via cable 3.10 p. m.

D. C.

S. S. Washington, Guantanamo.

American Legation, Port au Prince.

year the Haitian Government has been familiar with the  
contained in department's instructions of July 1, 1914, with  
they expressed their agreement regarding the principal part.  
assurances have been received that the Haitian authorities

does it read "willing" or "unwilling"?

It reads "are willing"; "are willing now to go farther  
g the cession to the United States of Mole St. Nicholas.  
ndly attitude of the Haitian Government, as shown by  
will please prepare forthwith a draft of treaty as outlined  
Without delay submit it informally to the President elect  
the department believes that as a guaranty of sincerity  
Haitians in orderly and peaceful development of their  
Haitian Congress will be pleased to pass forthwith a reso-  
the President elect to conclude, without modification, the  
you. When officially notified that such a resolution has  
ress extend to the President elect the formal recognition  
and simultaneously conclude with the newly elected  
to the end that it may be forthwith submitted for ratifica-  
Haitian Congress before its adjournment, a treaty in strict  
the draft referred to, with the following alterations and

#### "ALTERATIONS.

> 1 the words 'if he shall deem it necessary and expedient,  
government shall request,' so that that portion of article  
pointment of financial adviser, shall read as follows: 'and  
United States shall designate a financial adviser to the  
who shall devise an adequate system of public accounting,  
adding changes throughout the treaty, particularly in articles  
two words 'of account' at end of article 1.

"In article 2 after the word 'receivership' add 'and to the financial advisor,' change 'its' before 'execute' to 'the.'

"In article 3 substitute 'financial advisor' for 'general receiver' in all instances.

"First paragraph, article 4, will read 'all sums collected and received by the general receiver shall be applied, first, to the payment of the salaries and allowances of the general receiver, his assistants and employees and expenses of the receiver shall include the salaries and expenses of the financial advisor; second, to the interest and sinking fund of the public debt of the Republic of Haiti; and, third, to the maintenance of the constabulary referred to in article 9, and then the remainder to the Haitian Government for the purpose of defraying its expenses."

"Second paragraph of article 4 will end with the words 'previous to the signing of this treaty.'

"Additional after article 8 insert articles as follows:

"ART. 9. The Haitian Government obligates itself, for the preservation of domestic peace, the security of individual rights and the full observance of the provisions of this treaty, to create without delay an efficient constabulary composed of native Haitians. This constabulary shall be organized and maintained by Americans designated by the President of the United States, which the Haitian Government shall appoint and shall clothe with the powers and necessary authority and uphold in the performance of their functions. The constabulary herein provided for shall, under the direction of the President of the Government, have supervision and control of arms and ammunition, supplies, and traffic therein, throughout the country. The stipulations of this article are necessary to prevent factional strife and disturbances.

"ART. 10. The Government of Haiti agrees not to surrender any part of the territory of the Republic of Haiti by sale, lease, or otherwise, or to cede or give over such territory, to any foreign Government or power except to the United States, nor to enter into any treaty or contract with any other foreign Government or powers that will impair or tend to impair the independence of Haiti.

"ART. 11. The Haitian Government agrees to execute with the United States a protocol for the settlement, by arbitration or otherwise, of all pending claims of foreign corporations, companies, citizens, or subjects against the Republic of Haiti.

"ART. 12. The Republic of Haiti being desirous to further the development of its natural resources agrees to undertake and execute such measures as may be recommended in the opinion of the Government of the United States may be necessary for the improvement and public improvements of the Republic, under the supervision and direction of an engineer or engineers, to be designated by the President of the United States and appointed and authorized for that purpose by the Government of Haiti.

"ART. 13. That the United States shall have authority to prevent all interference with the attainment of any of the objects comprehended in this convention as well as the right to intervene for the preservation of the independence and the maintenance of a Government adequate for the protection of life, property, and individual liberty.

"ART. 14. The present treaty shall be approved and ratified by the contracting parties in conformity with their respective laws, and the ratifications thereof shall be exchanged in the city of Washington as soon as possible.

"ART. 15. The present treaty shall remain in full force and virtue for a term of 10 years, to be counted from the day of exchange of ratifications, and further for another term of 10 years at the request of either party.

"In faith whereof the respective plenipotentiaries have signed this convention in duplicate and have hereunto affixed their seals."

Dr. Bobo left Port au Prince on August 15 on the French steamer *Kader*, which is bound for Jeremie, south Haiti, and ports in Santo Domingo. Bobo states he is going to San Domingo.

Referring to conditions in the north again, information was received August 15 that ex-Bobo forces under Gen. Morency were marching toward Gonaives. About this time I decided it was time to make some distribution of my ships and forces in the north of Haiti. I therefore issued campaign No. 8, as follows:

CRUISER SQUADRON,  
UNITED STATES ATLANTIC FLEET,  
U. S. S. "WASHINGTON," FLAGSHIP,  
*Port au Prince, Haiti, August 15, 1915—1.30 p. m.*

ment, Capt. E. H. Durell; *Connecticut*, Nashville, First  
s Second Battalion and band; (b) main body, Washing-  
first Brigade marines, less one battalion.

maintain military control of Port au Prince and Cape  
ations United States and Haiti.

tachment, maintain military control Cape Hatien; (b)  
tain military control Port au Prince. Troops on shore  
ontrol Port au Prince and sufficient outing territory to  
city. Occupy St. Marc, Leogane, and Petionville.

Port au Prince and support main body of troops.  
St. Marc to Gonaives, both inclusive. Support troops St.

Leogane to Miragoane, both inclusive. Support troops

erty and preserve order.

anamo Bay. *Osceola* will carry mail, stores, and provi-  
detachments and base. *Jason* and *Solace* remain Port au  
t.

nder on *Washington*. Make 8 a. m. and 8 p. m. daily  
ther times as may be necessary to keep squadron com-  
uently informed of situation. Use seventy-fifth meridian

W. B. CAPERTON,  
*Rear Admiral, Commander Cruiser Squadron,  
Commanding United States Forces in Haitian Waters.*  
ns, commander in chief, *Washington*, *Connecticut*, *Ten-*  
*ille*, *Eagle*, commandant Guantanamo.  
*Jason*; commander First Brigade; commander First

of instruction as follows:

CRUISER SQUADRON,  
UNITED STATES ATLANTIC FLEET,  
U. S. S. "WASHINGTON," FLAGSHIP,  
*Port au Prince, Haiti, August 15, 1915.*

cruiser squadron, commanding United States forces in

5 of August 3, 1915, issued by commander cruiser squad-  
l.

conjunction with the American chargé d'affaires, carry  
l have charge of the important relations with the Haitian  
will be carried on by me, either personally or through

W. B. CAPERTON.

CRUISER SQUADRON,  
UNITED STATES ATLANTIC FLEET,  
U. S. S. "WASHINGTON," FLAGSHIP,  
*Port au Prince, Haiti, August 15, 1915.*

ruiser squadron, United States Atlantic Fleet, commanding  
in Haitian waters.

l, United States Navy.

ructions.

cruiser squadron has assumed military control of the  
ce and Cape Hatien. A national government has just

been formed at Port au Prince with Dartiguenave as President, and the Government is now organizing and assuming control of civil affairs of Haiti. Important negotiations are going on between the United States and Haiti, of which you will be kept informed.

2. It is my intention to support the present Haitian Government and carry on negotiations with it, while maintaining military control of the city of Port au Prince and Cape Haitien.

3. You will maintain military control of the city of Cape Haitien to protect life and property and preserve order.

4. The deployment of forces in Haitian waters will be as given in order No. 8.

5. I will directly, in conjunction with the American chargé d'affaires, carry on the negotiations and have charge of the important relations with the Haitian officials at Port au Prince. These duties will be carried on by me, either personally or through members of my staff.

W. B. CA

W. No. 7644-15.

CRUISER SQUADRON,  
UNITED STATES ATLANTIC FLEET,  
U. S. S. "WASHINGTON," FLAGSHIP,  
Port au Prince, Haiti, August 1, 1915.

From: Commander cruiser squadron, United States Atlantic Fleet, commanding United States forces in Haitian waters.

To: Col. Littleton W. T. Waller, United States Marine Corps.

Subject: Letter of instructions.

1. The commander cruiser squadron has assumed military control of the cities of Port au Prince and Cape Haitien. A national government has been formed at Port au Prince with Dartiguenave as President, and the Government is now organizing and assuming control of civil affairs of Haiti. Important negotiations are going on between the United States and Haiti, of which you will be kept informed.

2. It is my intention to support the present Haitian Government and carry on negotiations with it, while maintaining military control of the city of Port au Prince and Cape Haitien.

3. You will maintain military control of the city of Port au Prince and the outlying territory as may be necessary to insure food supply for the city. You will protect life and property and preserve order.

4. The employment of the forces in Haitian waters will be as given in order No. 8. You personally will have direct charge of the troops in Port au Prince and vicinity. Col. Eli E. Cole will have charge of the troops in the interior of Haiti.

5. I will directly, in conjunction with the American chargé d'affaires, carry on the negotiations and have charge of the important relations with the Haitian officials. These duties will be carried on by me, either personally or through members of my staff.

W. B. CA

X. No. 7667-15.

CRUISER SQUADRON,  
UNITED STATES ATLANTIC FLEET,  
U. S. S. "WASHINGTON," FLAGSHIP,  
Port au Prince, Haiti, August 1, 1915.

The AMERICAN CHARGÉ D'AFFAIRES,

American Legation, Port au Prince, Haiti.

SIR: I have the honor to state that Col. Littleton W. T. Waller, United States Marine Corps, has this day relieved Col. Eli K. Cole, United States Marine Corps, of the military duties at Port au Prince.

Col. Waller will be in charge of maintaining the United States military control of the city of Port au Prince and of such outlying territory as may be necessary to insure food supply for the city, and will protect life and property and preserve order.

Col. Cole will be in charge of maintaining military control of the interior of Haiti and of the protection of life and property and the preservation of order in the place.

I will directly, either personally or through members of my staff, in conjunction with you, attend to such civil matters on shore and such matters in the waters of Haiti.

Haitian officials as may from time to time be undertaken by  
 ces.  
 to communicate these facts to all foreign diplomatic and  
 ves. I am, sir,

W. B. CAPERTON,  
*Near Admiral, United States Navy, Commanding Cruiser Squadron.*

PORT AU PRINCE, HAITI,  
*August 15, 1915.*

OFFICER FRENCH CRUISER "DESCARTES,"  
*Port au Prince, Haiti.*

nor to state that Col. Littleton W. T. Waller, United States  
 his day relieved Col. Eli K. Cole, United States Marine  
 y duties at Port au Prince.

e in charge of maintaining military control of the city of  
 of sufficient outlying territory as may be necessary to in-  
 the city, and of the protection of life and property and

n charge of maintaining military control of Cape Hatien  
 of life and property and the preservation of order at that

W. B. CAPERTON,  
*Rear Admiral, United States Navy,  
 Under Cruiser Squadron, United States Atlantic Fleet,  
 Commanding United States Forces in Haitian Waters.*

s making endeavor to quiet the revolutionary forces in the  
 Leger in Port au Prince and he informed me that Mr.  
 Bishop Kerzusan in Cape Hatien are prominent men who  
 with the Cacos. I immediately got in communication with  
 th.

received information, which was fairly reliable, that the Cacos  
 ating at Le Borgne, on the north coast of Haiti, west of  
 Fort Sonde, just east of St. Marc, on the Artebonite River;  
 becoming restless, as they had not received pay for some  
 leaders appeared to fear that they will lose control over their

n will be the most difficult one for the United States to  
 these men have long been used to the wandering life of a  
 without work. The Cacos question is a most serious one,  
 not be successfully handled until a reliable constabulary is  
 y comes into the country to provide work for these men.

insert the following report in the record. This is a report  
 officers who was entirely engaged in keeping track of the

"HEADQUARTERS SECOND REGIMENT.  
 "UNITED STATES MARINE CORPS,  
 "Port au Prince, Haiti, August 16, 1921.

e Van Orden, Marine Corps.  
 First Brigade.

ncerning location and condition of revolutionary forces.

ces have been reported as concentrating at Le Borgne, on  
 of Cape Hatien, and at Point Sonde, just east of St. Marc,  
 ver. The report of their concentration at Point Sonde was  
 from another reliable source, and as it agrees with reports  
 vicinity of St. Marc it can be taken as true. I was also  
 of the organization that the chiefs were having some  
 maintaining discipline because of the delay in paying their  
 em home, which they were told was the intention of the  
 d me that the conditions were getting rapidly more threat-  
 me to urge that steps be taken toward paying off these  
 e and the other chiefs, who had given me their personal  
 r men would make no trouble during negotiations, could

continue their contract with me. The above information was not given in a threatening manner, and it was plain to be seen that the agent was concerned and worried over the prospect of his men getting out of hand. He stated that it had been very difficult to convince the lesser chiefs and the men that the American Government would play fair with them, and that it was only because they knew that the Americans were handling this question that they consider it at all. He also informed that if the man named Filogene were appointed a member of a commission that had to do with their organizations, it would certainly cause a serious outbreak, as Filogene is considered by them a traitor and an accomplished scoundrel."

That report is signed by Capt. George Van Orden, United States Marine Corps.

On the 17th of August the American chargé d'affaires, Davis, delivered to the President Dartiguenave the draft of the proposed treaty and a memorandum relative to Congress passing a resolution directing the President to conclude the treaty.

It now became necessary for me to occupy one or two of the cities of the north, Port au Prince, as a further security for that city, and to protect an area furnishing food for Port au Prince. It must be remembered that the revolutionary troops, the Cacos, were prohibiting the entrance of foodstuffs. In fact, all traffic for the cities, so it became a question of supplying food for the people within the cities.

On the 16th of August the American consular agent at Port de Paix was the commanding officer of the *Connecticut* that Port de Paix was entirely and openly hostile to the Government of President Dartiguenave, which has been recognized at that place yet, and that the population was ready to join the Cacos. This is a city to the eastward of Cape Haitien, on the north coast of Haiti.

Touching upon the point of alleviating the starving poor at Port au Prince, I would like to say that the following committee was named to carry out the work.

Senator ODDIE. Who appointed that committee, Admiral?

Admiral CAPETON. I did, sir. That committee consisted of Admiral Pichon, Rev. Turnbull, United States Vice Consul Battist, Senators Villard, Madame Vue Fils Aime, president, and Madame N. Solaguer, manager of St. Vincent de Paul's Hospital, under direction of Lieut. Oberlin. They were engaged in alleviating the suffering of the starving poor at Port au Prince with funds provided by the American Red Cross Society.

I would like to mention a few of the things this society was doing. They formed milk stations where they assured the poor that they would have milk. At first we sold it for a small amount and afterwards gave it free to the patients. We also formed a station with the aid of some French nuns who were there, where the poor women could leave their children in order that they went out to procure work in the city. Then we had another station where they treated all sorts of diseases as the people would report. Our doctors and also some of the Haitian doctors were very active in this work.

It was on the 18th of August that the Haitian Government published a decree of amnesty to all political factions.

The CHAIRMAN. What date was that?

Admiral CAPETON. That was August 18. In this connection I would also like to refer to the following letter, addressed to the American consul at Port au Prince, Haiti, in which I said: "I have the honor to request that you take the necessary measures to direct the consular representatives at Port au Prince, Aux Cayes, Jacmel, and Jeremie to publish the following proclamation to the people of their districts:

"I am directed by the United States Government to assure the Haitian people that the United States has no object in view except to insure the independence and help to maintain Haitian independence and the establishing of a stable and firm government by the Haitian people.

"Every assistance will be given to the Haitian people in their efforts to secure these ends. It is the intention to retain United States forces in Haiti only so long as will be necessary for this purpose."

It has been shown here that I had agreed, through the President of the United States, to pay these troops from the north certain sums if they would turn over their arms and ammunition, and, incidentally, they were paid a certain amount for this, provided they would lay down their arms and return home.

further publicity to my offer to pay the soldiers upon coming States lines, depositing their arms, and returning to their place, and to each chief 100 gourdes, I directed the commander of the Castine to publish the department's proclamation and Gonaïves. The other commanding officers throughout Haiti publish the same—

throughout Haiti or at the several Haitian ports?

. At the ports occupied by the American troops.

. promises—papers signed—to the end that these leaders in carry out this plan of disarming the Cacos. We received hundreds of arms, but the project failed, as will eventually be shown. This sum was paid from the Haitian treasury, I presume?

. Yes; I said with the understanding and permission of

time—on August 18—that I informed our Government of and to the President elect of Haiti formal recognition of Government, as directed in the department's radiogram. Otherwise directed, I will fire a national salute of 21 guns with the main if I ascertain that this salute can be returned by the Haitians."

do you mean if they had powder enough?

. Yes, sir.

, I would like to put the following in the record:

"AUGUST 18, 1915.

cruiser squadron.

the Navy, via wire.

chargé d'affaires extends to President elect of Haiti the formal United States Government, as directed in department's radiogram. Otherwise directed, I will fire national salute of 21 guns with the main if this salute can be returned by the Haitian

"CAPERTON."

August I received a radiogram from the Navy Department. The Department desired that I assume charge of the customhouses at Cayes, Jeremie, Miragoane, Petite Goave, Port au Prince, Port de Paix, and Cape Haitien. It further directed that the funds collected be used for the organization and maintenance of an efficient constabulary, for conducting such temporary public works as will afford immediate employment for the starving populace and discharged soldiers for supporting the Dartiguenave government. I was to confer with the American chargé d'affaires for the purpose

Dartiguenave solicit the above action; but whether the action was taken or not, I was directed to carry out the State Department's desire. The Navy Department further directed that the American officials at the customhouses "be furnished with the necessary funds to direct these American officials to collect all the duties, to immediately deposit them with the respective branches of the National Bank of Haiti in separate accounts opened in the name of the United States Government for the purpose mentioned above, and to hold for the time being by the United States Government in the name of Haiti.

, I would like to put the following into the record:

"AUGUST 19, 1915.

of the Navy.

cruiser squadron.

It desires you assume charge of following customhouses: Jeremie, Miragoane, Petit Goave, Port au Prince, St. Marc, Port de Paix, Cape Haitien. Funds collected to be used for organization of an efficient constabulary, for conducting such temporary public works as will afford immediate relief through employment for starving discharged soldiers, and finally for supporting Dartiguenave government. I was to confer with the American chargé d'affaires for the purpose of having President Dartiguenave take the above action. Whether President so requests or not, procure Department's desire; supply American officials placed

in charge with necessary customs guards. Direct officials collect and export duties to be immediately deposited by them with respective branches of National Bank of Haiti in separate account opened by them. Draw against this account for purposes mentioned above, surplus to be for time being by United States Government in trust for people of Haiti. Acknowledge. 20019.

"D.

The CHAIRMAN. I want to ask you a question which may be answered some time later, as to the effect of the use of the funds so seized upon the interest of the interest on the foreign debt—that is, the effect of the sequestration of these funds on the payment of the interest on the foreign debt.

Admiral CAPERTON. In view of the more or less delicate situation with reference to American control of customhouses, which has been long opposed by the Haitien people for a number of years and even at the present time; and as there is a treaty under negotiation now in Port au Prince with reference to this customs control matter, I considered it extremely undesirable to change the situation by announcing that we were going to forcibly seize the customhouses immediately. This we are not in a position to do at the present time on account of the lack of my forces, and I therefore believe that the military action of seizing the customhouses be for the present not communicated to the Haitiens. We should, however, immediately assemble the necessary forces so that this way no time will be lost, the treaty will be signed with less opposition, and the matter of military occupation of the customhouses can be arranged without unduly increasing the hostile attitude.

The CHAIRMAN. Let me ask, Admiral, what was the object in seizing the customhouses at the ports of entry?

Admiral CAPERTON. The funds that were being collected were being used for different ports by revolutionary forces in some instances. There was no objection.

The CHAIRMAN. Had it been the practice in Haiti for a revolution to begin at the beginning of his movement to seize a customhouse as the final step of his movement?

Admiral CAPERTON. Yes, sir. When he became President; or, if he was not President, he always became President.

The CHAIRMAN. The seizure of a customhouse was the first step in the accomplishment of a successful revolution? When they began a revolution in the north they seized the customhouse, did they, at Cape Haitien?

Admiral CAPERTON. I do not know. They seized—in many instances they did, but not always, I think. When they could, they did. In the north they came around from Cape Haitien to Port au Prince during the revolution and frequently to intervene in the matter and save them from taking power from the Haitian Republic, and also on one or two occasions, I think, to seize the private bank.

On the 18th of August, referring to the matter of customhouses, the department that the United States had not actually accomplished intervention in the affairs of another nation; that hostility exists now and has existed for a number of years against such action; that the contacts have only been avoided by prompt and rapid military action; and given the United States control before resistance has had time to develop, that we now hold the capital of the country and two other important cities; that the total force at my disposal now is one armored cruiser, two gunboats, one converted yacht, and 1,500 marines; and that this force is now at the maximum extension consistent with maintaining control of the territory and prompt concentration for defense. The department that the customhouses in seven other cities be occupied. These customhouses can not be taken charge of unless the cities in which they are located are occupied with sufficient military force to protect our customs officers and the public order. A further extension of my present force is imperative to avoid any delay.

No troops should be without the support and communication facilities of a naval vessel for the present at least. To occupy these seven cities means practically military occupation of the seacoast of Haiti, which is a serious matter. No attempt must be made to accomplish this until there are available sufficient forces and sufficient officers and an organization completed for assumption of the customs service. This will require not less than one more regiment of marines of not less than eight companies, the Artillery battalion of marines, three more gunboats or light cruisers. For the reasons given before, the department that I considered it imperative that these contemplated

the present and undertaken only when force is available organized and ready. This secrecy is extremely important in negotiations. While we are powerful enough without anything we desire by force, yet a due respect for the Haitians and a friendly attitude in our operations at this time toward accomplishing what we wish now, and will lay the foundation for relations between the two Governments in the future. In Haiti, and hostile operations, except where they can not be replaced by peaceful methods, consistent with accomplish-

not less than one regiment of marines of not less than a battalion of Artillery, and three gunboats be immediately placed at my disposal, and Paymaster Charles Conard and not below the grade of lieutenant be sent immediately to enter the customs service. Paymaster Conard is especially on account of his previous experience at Vera Cruz, Mexico. After being sufficiently organized, our forces may be at the present moment the United States should take no chances of honor and prestige. The Secretary of the Navy in regard to this matter reads

AUGUST 19, 1915.

Cruiser Squadron.

Navy and Commander in Chief, via wire.

Now actually accomplished a military intervention in Haiti. Hostility exists now in Haiti and has existed for some time. Serious hostile contacts have only been made in rapid military action which has given United States forces time to organize. We now hold capital of Haiti and important seaports. Total force at my disposal now, two gunboats, one converted yacht, and 1,500 marines. Deployed at maximum extension consistent with maintaining territory and prompt concentration for defense. Department customhouses in seven other cities be occupied. Customhouse in charge of unless cities in which they are located are not military force to protect our customs officers and prevent extension of present force imperative to avoid. No forces support and communication facilities of naval vessels for Haiti. To occupy these seven additional ports means practically the whole seacoast of Haiti, which is extensive. No attempt must be made until there are available sufficient force and sufficient organization completed for assuming customs service.

not less than one more regiment of marines of not less than a battalion of marines, and three more gunboats. Consider it imperative that these contemplated operations be present secret and undertaken only when force is available and organized and ready. This secrecy extremely important in negotiations. Recommend not less than one regiment of marines than eight companies, the artillery battalion of marines, and immediately ordered Haiti and placed my disposal, and Paymaster Conard and 10 pay officers not below rank lieutenant be sent to organize and administer customs service. Paymaster Conard, due previous experience, Vera Cruz, Mexico. While at Vera Cruz the customhouse is organized, our forces may be withdrawn, yet the United States should take no chance of injury to its dignity

CAPERTON.

would like to ask why that secrecy was suggested.

It was my suggestion. The country was in a state of anarchy and of course it has always been known that they violently overthrow their customhouses, and I thought it was not the best policy; and also the fact that, as I had asked for 10 pay officers, Paymaster Conard, it was necessary to get up an organization in charge of these customs.

Just there were approximately 17 shots fired in the vicinity of Port au Prince in the northern part of Port au Prince. One sentry

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was fired upon by a native; the sentry returned the fire with one shot and the man escaped. I merely mention this to show the great unrest in the country at that time. On the 20th I reported that there had been no disturbance in the country. The country people are still held up outside the town by the military which prevented food from coming in. On the 20th of August the chargé d'affaires was continuing the treaty negotiations. All our efforts were directed toward a speedy conclusion of this work.

Conditions became so unsettled at St. Marc, which is about 50 miles westward of Port au Prince, that I found it necessary to issue the following order to the commanding officer of the *Castine*:

"Seize and administer customhouse at St. Marc. Collect all import and export duties. Open account in local branch of National Bank of Haiti in my name and deposit customs receipts therein. Acknowledge.

"C.

The CHAIRMAN. When was the President elected?

Admiral CAPERTON. On August 12. On August 21 treaty negotiations were progressing satisfactorily. President Dartiguenave still continues his friendly attitude toward the treaty, but there is a change in the attitude of some members of the cabinet and of the Congress apparent. An unfavorable report has appeared in Congress in the form of inflammatory speeches against the customs control and American occupation in general. This change of attitude has been made in spite of repeated and solemn assurances given by the President and the formation of the present Government. Both the Congress and the Executive of the Government are cowed and intimidated by fear of sentimentality in the country against the American customs control, propagated constantly by the last few years by the faction leaders.

Senator ODDIE. Let me ask you, who gave you these assurances?

Admiral CAPERTON. They were given to my representative by the President and some of the members of his cabinet. We got this information voluntarily.

On the 21st of August, in accordance with the Navy Department's instructions, I directed the commanding officer of the *Connecticut* at Cape Haitien to collect an account for customs receipts in the local branch of the National Bank of Haiti and otherwise carry out the department's instructions relating to the administration of customs. I have temporarily placed this account under the command of Olmstead's name until I can organize an office in Port au Prince to take care of this business for the coast as a whole in my name. In connection I would like to put into the record the following communication:

AUGUST 21, 1900.

From: Commander Cruiser Squadron.

To: Commanding officer *Connecticut*.

In accordance orders Navy Department you will keep control of the customs at Cape Haitien, with an American officer as collector of customs. Collect import and export duties. Open account in local branch National Bank of Haiti in name of Commander Olmstead, military governor, and deposit all customs receipts therein daily from now on. Draw against this account for the following purposes: First, for conducting such temporary public works as will afford immediate relief through employment for starving people; second, discharged soldiers, and second, for supporting local military government. The account plus will be held by American military governor in trust for Haiti. Acknowledge.

The CHAIRMAN. This was on the 21st of August. When was the last time the customhouses completed?

Admiral CAPERTON. I think Port au Prince was the last one I took care of. I remember the date.

The CHAIRMAN. I am trying to get a picture of that. You were at Port au Prince how long?

Admiral CAPERTON. For about 18 months.

The CHAIRMAN. You have now covered 2 or 3 months of the 18 months.

Admiral CAPERTON. Yes, sir. Many things happened in that interval with regard to outbreaks. The customhouse at Port au Prince was taken over on September 2.

The CHAIRMAN. Between the 20th of August and the 2d of September the customhouse at Port au Prince was seized, what events of importance took place?

I could not answer that offhand without following my  
I am doing now. This happened six or seven years ago,  
have been busy at other things, and it is hard to answer  
rring to my official notes made at that time.

y negotiations are still unsatisfactory. The fear of the  
Congress of the faction leaders and the Cacos apparently  
. This Government, of course, by its very nature, in  
men not associated with factions and not supported by  
supported by the United States. Politics in Haiti has  
ands of the faction leaders for the last 30 or 40 years,  
ber of a faction and not a participant in these factional  
itically strong. This present Government is not getting  
rious parts of the country, nor has it been able to estab-  
in other cities to any extent.

é d'affaires received at noon on the 23d of August a note  
the minister of foreign relations, who stated that should  
t on any other action than that which the Haitian Govern-  
willing to perform in the note, the President and cabinet  
sign. In this note the Haitian Government says, after  
sire to enter into an arrangement with the United States,  
the disposition of the United States Government to com-  
and, further, as it is anxious to avoid all difficulties which  
o alter the good relations which exist between Haiti and  
t it would be disposed, since the United States insisted  
the Congress the passage of a resolution expressing the  
sident of Haiti conclude a convention with the United  
cal interests of the two countries. There is apparently  
question of customs control is practically the great and  
ining a treaty with these people, and that these pour  
oubt be directed on the part of the Haitian Government  
of customs control, or a great modification of it.

from day to day saying that the town of Port du Paix is

the Cacos are reported at Le Borgne and are on their way

that the town is without a government.

mittee took a recess until 2.30 o'clock p. m.)

#### AFTER RECESS.

sembled, pursuant to the taking of recess, at 2.30 o'clock

may proceed, Admiral.

On the 24th of August private interviews by the Ameri-  
with the President and members of the cabinet indicated  
titude toward the treaty. The President himself is ap-  
ave the treaty matter settled and states that, with few  
ffecting the general principles, the treaty would be

ust the American chargé d'affaires, in an unofficial and  
President, received from him what seemed to be a most  
his desire to conclude the treaty as soon as possible.  
hat he believed the treaty could be signed, provided the  
agree to the change of a few details which in no way  
ples involved. The American chargé d'affaires told him  
t authorized to sign any treaty other than the one sub-  
ject to forwarding to Washington these desired changes,  
tail nature and not affecting the basic principles.

ponsible political enemies of the Haitian Government are  
animosities against the Government and the American  
re, both in the Congress and in the country, among the  
itators, mostly the faction leaders, who are attempting  
nt Government and on every pretext to influence opinion  
eved that the chances for successfully negotiating the  
ed if we for the moment cease seizing the customhouses  
r military operations except those necessary for preserv-  
d for other important military reasons.

that your cablegram?

Those are my notes.

I sent the following message to the Secretary of the Navy on August:

"From: Commander cruiser squadron, August 25, 1915.

"To: Secretary of the Navy via wire and Commander in Chief.

"Referring American chargé d'affaires radiogram of August 25, 1915, better supporting treaty negotiations, unless otherwise directed, we present cease seizing customhouses and will for the present conduct military operations except those necessary for preserving peace and for other important military reasons. In event resignation presented by Government I recommend that military government be established at Port au Prince, Haiti, with American officer as military governor. Present situation is critical time in relations with Haiti, and our decision now will, to some extent, determine future course. If military government is established, we will be bound not to abandon Haitian situation until affairs of country are settled, and predominant interests of United States of America secured. Any action on my part will come if Government resigns, and at that time know wishes of United States of American Government.

The CHAIRMAN. At this point, Admiral, I will put into the record the following from the department's record:

"Under date of September 20, 1914, the Secretary of State informed the Secretary of the Navy that the conditions in Haiti had improved to such an extent that he would admit of the withdrawal battleships *New Jersey* and *Georgia* from Haitian waters, but felt that a gunboat should be retained there. Thereafter, on October 2, 1914, the Secretary of the Navy informed the Secretary of State that the gunboat *Tacoma* would be held at Cape Haitien in accordance with orders. Immediately following this, however, the situation in Haiti grew steadily worse, and under date of October 28, 1914, letters were sent by the Secretary of State to the President and to the Secretary of the Navy as follows:

"DEAR MR. PRESIDENT: In view of our conversation this noon of September 20, 1914, Haiti it seemed to me of first importance that the naval force in Haitian waters should be at once increased, not only for the purpose of protecting foreign interests but also as evidence of the earnest intention of the United States Government to settle the unsatisfactory state of affairs which exists. Two vessels now at Cape Haitien and two others are needed on the south coast at Port au Prince and the other at Gonaïves.

"In the absence of Secretary Daniels and Assistant Secretary Daniels, I took up the matter with Admiral Fiske, who thinks one vessel can be sent from Dominican waters, and with him I agree. As to the other vessel, the Admiral suggests that one of the warships now at Vera Cruz be ordered to Haiti. In view of the urgent need of increasing the naval force on the south coast at this time when a renewal of negotiations seems probable, I would please advise me whether or not I can say to Admiral Fiske that I approve of sending a battleship from Vera Cruz to Port au Prince?

"The SECRETARY OF THE NAVY.

"SIR: I have the honor to inform you that the political situation in Haiti is such as to render necessary the presence of additional United States naval ships in Haitian waters. It is therefore requested, in accordance with the policies of this Government, that two ships be sent to Haiti of sufficient size so that their landing complements will be able to take charge of and preserve order in the cities of Port au Prince and Gonaïves, in the event of a crisis therefor arise. It is hoped that these two ships may arrive in Haiti as soon as practicable.

"To the above letter the Secretary of the Navy replied on October 1, 1914, as follows:

"SIR: I have the honor to acknowledge the receipt of your letter of September 28 stating that the diplomatic situation in the Republic of Haiti is such as to render necessary the presence of additional United States naval ships in Haitian waters. It is noted that the Department of State requests, in accordance with the policies of this Government, that two ships be sent to Haiti of sufficient size so that their landing complements will be able to take charge of and preserve order in the cities of Port au Prince and Gonaïves should occasion arise.

to inform you that the U. S. S. *Hancock* now at Monteau is ordered to proceed immediately to Port au Prince and that the *Hancock* has on board a regiment of marines, which are to preserve order in the cities of Port au Prince and to require it to be landed.'

Orders were followed by further requests from the State Department on October 30, 1914:

Honor to request that the attached telegraphic instruction be sent at Port au Prince, Haiti, be sent through the radio.

U. S. S. *Hancock*, as this department understands that the situation at Port au Prince is very uncertain.

That instructions be sent to the senior officer of the United States naval forces to confer with the American minister at Port au Prince and accede to any requests he may make for the movement of men.'

The Navy replied to the above letter on October 30, 1914,

Honor to acknowledge the receipt of your letter of October 29, 1914, and the telegraphic instructions attached thereto be sent to the senior officer of the United States naval forces at Port au Prince, Haiti, through the radio communication. It is also noted that the Department of State requests that the senior officer of the United States naval forces in Haiti confer with the American minister at Port au Prince and accede to any requests he may make for the movement of ships and landing parties.

to inform you that the telegraphic instructions to the senior officer of the United States naval forces at Port au Prince have been sent as requested. The commander of the *Hancock* has been directed to confer with the American minister at Port au Prince and to cooperate with him.'

On August 25 I issued instructions relative to the administration of customs and civil affairs. I appointed Paymaster Charles Morry, as "administrator of customs" for the entire customs district under the United States forces. In that connection, Mr. Morry is to put in the record the following communications:

CRUISER SQUADRON, UNITED STATES ATLANTIC FLEET,  
"U. S. S. WASHINGTON, FLAGSHIP,  
"Port au Prince, Haiti, August 24, 1915.

Cruiser Squadron, United States Atlantic Fleet.

United States forces in Haitian waters.

Instructions.

Campaign order No. 9.

Instructions will be followed for the purpose of administering such other civil duties as may be assumed by the United States forces in Haitian waters.

#### "CUSTOMS ADMINISTRATION.

The commander will administer the customs through an 'administrator,' who will be established at Port au Prince. The 'administrator' will have general charge of the collection of customs and the depositing of receipts, in accordance with the instructions of the squadron commander and in accordance with the Haitian laws with these instructions. For the purpose of insuring the proper administration the 'administrator of customs' is authorized to issue to the local commander such detailed instructions as may be necessary for the customs collection, depositing of receipts, keeping of records, and such other administrative matters as comes under the customs administration.

The commanders will appoint from their respective commands such customs are to be collected a commissioned Navy paymaster as 'collector of customs' and 'captain of the port.'

The commanders will exercise general supervision over the administration within the limits of their respective commands, being assisted by the squadron commander acting through the local commanders.

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## " CIVIL ADMINISTRATION.

"5. Detachment commanders will have charge of such other may be assumed within the limits of their respective commands bursement of funds allotted to them by the squadron commanders incurred thereby.

"6. Disbursements will be made by detachment commanders following appropriations:

" 'Appropriation constabulary;' to be used for the organization of an efficient constabulary. (For use at Port au Prince present.)

" 'Appropriation public works;' to be used for conducting public works as will afford an immediate relief through employment of starving population and discharged soldiers.

" 'Appropriation military and civil government of the United States;' to be used for the maintenance of the customs and port services of the United States government as the United States may establish.

"7. Detachment commanders will submit to the squadron commander a report not later than the 25th of each month, confirmed by ledger covering the funds desired under each appropriation for each town for each calendar month.

"8. Funds will then be allotted by the squadron commander to the detachment commander from the funds on deposit in the local branch of the Bank of Haiti in each town, and these funds so allotted will be credited to the detachment commander in these local banks.

"9. Each detachment commander will render the following report of funds allotted to them by the squadron commander as specified in paragraph 8:

"(a) At the end of each quarter, beginning September 30, 1915, report current with all substantiating vouchers.

"(b) At the end of each calendar month a statement of cash expended.

"10. The commanding officer of the *Washington* will assume the duties of 'detachment commander,' indicated herein under 'civil administration' at Port au Prince. He will in addition assume the duties of 'captain' at Port au Prince.

" W. B.

" No. 8282-15.

" CRUISER SQUADRON, UNITED STATES ATLANTIC FLEET.

" U. S. S. SHIP WASHINGTON, F.R.

" Port au Prince, Haiti, August 24, 1915.

" From: Commander cruiser squadron, United States Atlantic Fleet, commanding United States forces in Haitian waters.

" To: Paymaster Charles Morris, United States Navy, U. S. S. *Washington* (commanding officer).

" Subject: Appointment as 'administrator of customs' and 'collector of customs' at Port au Prince.

"1. There is inclosed herewith Navy Department's radiogram directing the seizure of certain customhouses and a letter of instruction relative to the administration of the customs service. Customhouses at Port au Prince and Cape Haitien have already been seized. The customhouse at Port au Prince is administered in exact accordance with department's radiogram. The customhouse at Cape Haitien is administered in the same manner that the account with the local branch of the National Bank has temporarily been placed in the name of Commander P. N. O'Connell. The seizure and administration of the remaining customhouses will be completed as soon as possible.

"2. You are hereby appointed 'administrator of customs' and 'collector of customs' at Port au Prince.

"3. You will establish an office at Port au Prince and administer the customs service in accordance with department's radiogram No. 20 of instructions No. 8186-15, of August 24, 1915, and the Haitian laws. This law is not inconsistent with these instructions.

"4. This is in addition to your present duties.

" W. B.

SQUADRON, UNITED STATES ATLANTIC FLEET,  
 "U. S. S. WASHINGTON, FLAGSHIP,  
*"Port au Prince, Haiti, August 23, 1915.*  
 Cruiser squadron, United States Atlantic Fleet, command-  
 ing in Haitian waters.  
 J. S. Morris, United States Navy, U. S. S. *Washington* (via

as 'fiscal officer' for 'civil administration.'  
 Department's radiogram 20018.

herewith a letter of instructions No. 8186-15 of August  
 'civil administration,' assumed by the United States forces

appointed the 'fiscal officer' for the squadron commander  
 funds placed to his credit by the various collectors of

be disbursed under the following appropriation:  
 'stabilizing'; to be used for the organization and main-  
 tenance of constabulary.

'public works'; to be used for conducting such temporary  
 work for an immediate relief through employment for the  
 discharged soldiers.

'military and civil government of the United States forces ;  
 maintenance of the customs and port services and such mili-  
 tary United States may establish.

'Haitian Government,' to be transferred to the Dartigueuve  
 determined by the squadron commander.

After such disbursements will be left in the admiral's  
 in trust for the people of Haiti.

The necessary accounts and files and the returns rendered  
 by commanders.

Within a month after the receipt of the detachment commanders'  
 reports of those estimates and a synopsis of the allotment  
 necessary for the different detachment commanders for  
 they will submit same to the squadron commander for his  
 approval of these allotments you will make the necessary  
 to the National Bank of Haiti to place the funds so allotted  
 to the detachment commanders.

in to your present duties.

"W. B. CAPERTON."

SQUADRON, UNITED STATES ATLANTIC FLEET,  
 "U. S. S. 'WASHINGTON,' FLAGSHIP,  
*"Port au Prince, Haiti, August 25, 1915.*

United States Navy,  
 'Port au Prince, Haiti.

Inclosing herewith a draft of campaign order No. 9,  
 issued, but will in the immediate future as soon as the  
 operations are completed at the southern ports. I am sending  
 you so that you may have a general outline of the deploy-  
 ment in Haitian waters. It will be signed by me in a few days and  
 sent to you then. So far as your detachment is concerned  
 no effect now. I am inclosing herewith a letter of instruc-  
 tions effective immediately upon its receipt.

J. S. Morris, United States Navy, has been appointed 'admin-  
 istrator' and will immediately proceed with the administration of  
 the coast of Haiti. You are, of course, the detachment  
 commander in the letter of instructions, and will immediately  
 perform the duties directed therein for your two towns. We  
 are patient for the first month or so, until we begin to get  
 things settled. After that I think matters will run more smoothly.

"Under direction of the Navy Department, the customs receipts placed to my credit in a single account in the National Bank. You will open an account in my name at this bank both at Cape Haiti and Port de Paix. You will proceed to shift the money on hand at Cape Haiti from Commander Olmstead's account to my account, keeping our funds as you may need to cover expenditures for one week in advance. Please advise me when this has been done and how much you have placed to my credit.

"I suggest that you immediately send in for both towns estimates for the month of September of the amounts of money desired, in accordance with the letter of instructions. I will then immediately make an allotment transferring funds to your credit at each place. I intend to have a self-supporting; that is, the customs receipts at each place must support the work at that place. You will for the present use two appropriations: (a) 'Public works' and (b) 'military and civil government of the United States forces.' In these two I think you will have plenty of leeway to cover the expenses of your administration and undertake such sanitary and other work as you wish.

"If you need funds for immediate uses at Port de Paix, take from Commander Olmstead's account at Cape Haiti before transferring to my account and inform me of the amount so taken.

"It is very necessary that the method outlined in the letter of instructions be followed in order to carry on the business uniformly throughout the country. The scheme is roughly to collect the customs, put them in my name, and allot to you what I can out of these funds to pay for your two towns. I leave it entirely to your business and as to how you spend your money. No further action is necessary on my part. The only restriction is that no money be spent only under the two appropriations mentioned. I think this will give you plenty of leeway to give you anything you please.

"With reference to the *Nashville* controlling Port de Paix and Cape Haiti, I consider it necessary to have the *Nashville* touch in at Port de Paix frequently, at your discretion, in order to get news, investigate conditions, and as necessary the landing force there and maintain communication with the *Nashville*. I am not as yet ready to leave any detachments in isolated positions without being in reach of the prompt support of a naval vessel. This matter will be left to Commander Olmstead's present duties as 'military governor of the United States forces at Haiti.' If it does you are authorized to relieve him from that duty. Col. Cole or anyone else you may have available in his place.

"A battery of Artillery will be landed at Cape Haiti in the near future. The force you will then have ashore at Cape Haiti will be the *Connecticut's* bluejacket battalion, will give you practically all the troops that Col. Cole thought were necessary there. I would suggest that this bluejacket battalion be kept aboard the *Connecticut* as a reserve, and land at either Port de Paix or Cape Haiti.

"In this connection it is very desirable to have the bluejacket officers, petty officers, and men—given thorough instruction in the duties on shore. The department available has no more troops available to increase the force in Haiti at the present time, and we must therefore use our seamen to reinforce our marines at any threatened point. Prince I have directed Col. Waller to furnish instruction through marine officers to the *Washington's* seaman battalion. He is running the simple military duties for officers and petty officers under the supervision of the marine captain. I think this is of highest importance.

"With reference to the 2,000 ex-Government troops in the vicinity of Port au Prince, I don't presume that the orders issued by the President that the *Nord Alexis* and come to Port au Prince will be effective. I told the situation there with reference to their not being able to reach the sea holds that if his orders get through to these troops they would board the *Nord Alexis* all right; so I forwarded his radiograms and gave you your orders relative to the *Nord Alexis*, as it will do no harm to try.

"I have been investigating Montreuil's activities and am endeavoring to get a line on him which will give you something definite to work on. You have orders to arrest him immediately if he attempts to start any more trouble.

and neither he nor any of his so-called factions can be having our own troubles in Port au Prince endeavoring. Things are not entirely satisfactory, and I may have a military government here. My general plan with reference to entire freedom consistent with carrying out the general policy are familiar.

"W. B. CAPERTON."

Reports continued to be received indicating pillaging and disorder, that is, in the northern interior. At this time there were no Government troops in the northeast of Haiti near

up with the president of paying these soldiers a few dollars for some clothes, and bringing them down to Port au Prince. They were there, as they lived in the southern part of Haiti. I consented, and I had them brought down.

At I had a conference with Mr. Charles Zamor and Gen. Caco question. These gentlemen made the proposition to me, consisting of Gen. Zamor, Gen. Robin, and one other of our American officers, proceed into the interior and visit their towns. Upon the arrival at each chief and they would be paid to them in the form of checks, which would be drawn on the National Bank of Haiti within the American lines, and could be used for the surrender of arms and ammunition to the American Government. Money to be paid to depend upon the particular influence of his detachment, and other local conditions to be decided on the spot. These gentlemen say that then they would leave their homes and cease marauding. They proposed to meet them, and also the men. They would gather their arms and disband them.

Paying each soldier 15 gourdes if he will surrender his arms. 100 gourdes to each chief, which is the standing proposition, quite liberal, and at this rate not more than 200,000 gourdes, gold, could possibly be spent. It is therefore evident that Zamor's is, to a great extent, an attempt to bleed the opposition was for a great deal more than this. I forget

must the American charge d'affaires received from the Haitian Government the written reply of the Haitian Government to the proposition. In this reply practically every stipulation of the proposition either omitted or so changed as to defeat its purpose. The repeated assurances that the Haitian Government would meet the United States as to all principles involved, differing only in details.

Zamor propose that the Americans or the Haitians pay

The sums were, of course, to be paid out of the Haitian

only asked that because you referred to his bleeding the

That is what I have here in my notes.

meant to take advantage of American credulity?

I think that was the idea. This money was all paid out of the pocket of the president at that time for these various arms.

William Theodore arrived at Cape Haitien on the 29th of the opinion that the providing of work to the Cacos in the north would be a valuable aid in stopping the present disorders in the north, more toward this end than a commission such as Mr. Theodore has understood from reliable sources that the National Railroad Company has present contract with the Haitian Government, amounting to 1,500 men on new construction between Bahon and the number between St. Marc and Petit Riviere. d'

L'Artibonite, and about 1,000 men between Gonaives and Gros Morne. I believe that if the State Department will use its good offices to induce the National Railroad of Haiti to begin this work and will offer its help, the work may be begun at once. Funds from the customs will not be available for me to begin public works as directed by the department for some little time, and an early employment of the men in the north is extremely desirable.

A message was sent to the Secretary of the Navy on August 29, as follows:

AUGUST 29

From: Commander Cruiser Squadron.

To: Secretary of the Navy.

Believe providing work will do great deal toward stopping present idleness in north. Understand from reliable sources that national railroad can immediately employ about 1,500 men on new construction between Port-au-Prince and Pignon, about same number between St. Marc and Petit Riviere de l'Artibonite, and about 1,000 between Gonaives and Gros Morne, under present contract with Haitian Government. Recommend State Department use good offices to induce National Railroad of Haiti to begin this work at once. Funds from customs will not be available for me to begin extensive public works as directed by department's radiogram 20018 at once, and early employment men in north extremely desirable. 16029.

C

On the 30th of August the American chargé d'affaires had a conference which lasted several hours with President Dartiguenave and his cabinet. They agreed only to sign the treaty in a modified form. They insist that the treaty control infringes on the bank concession, and this matter must be discussed before further discussion. They also stated that they are willing to give up customs control, but even after this difficulty is removed would not be willing to allow the United States the administration of customs.

The CHAIRMAN. How did they make a distinction between customs and administration?

Admiral CAPERTON. I think they meant the collection of customs. The collection of collecting customs depended entirely upon the collector of the customs. I have been informed by high officers there that it was only necessary to appoint a Haitian as an official collector of customs in one of these ports to give him the opportunity of becoming a rich man. They seemed to be satisfied with the manner in which we went about collecting the customs, reducing the number of employees in the office, and with the vast increase in the amount of money turned over to the Government, because formerly each man paid a rake-off to his pay, received a rake-off, which they admitted. When we readjusting the pay for the fewer number of men we found it necessary to increase their pay to include their rake-off, which was not too much, I think.

The CHAIRMAN. You mean the rake-off was reasonable?

Admiral CAPERTON. The president himself seemed sincerely desiring to reach an agreement, but he does not appear to be a man of sufficient authority to control the cabinet and the congress at this time.

On the 31st of August there were no encouraging developments in the situation. I have therefore decided that, unless otherwise directed, I will occupy and begin administering the customhouse at Port au Prince as early as possible on the 2d of September. I so informed the department of this decision.

In connection with this matter I would like to put in the record the following communication:

AUGUST 31

From: Commander Cruiser Squadron.

To: Secretary of the Navy.

Unless otherwise directed will occupy and begin administering customhouse at Port au Prince at 10 a. m., September 2.

C

On September 1 I appointed Paymaster Charles Conard "administering customs" and "fiscal officer" for the civil administration, relieving Charles Morris of those duties. In that connection, Mr. Chairman, I have put into the record the following communications:

CRUISER SQUADRON, UNITED STATES ATLANTIC FLEET,  
U. S. S. "WASHINGTON," FLAGSHIP,  
*Port au Prince, Haiti, September 1, 1915.*

Cruiser Squadron, United States Atlantic Fleet. command-  
forces in Haitian waters.  
les Conard, United States Navy.  
t as "administrator of customs."  
mmander Cruiser Squadron's letter of instructions No.  
24, 1915.

appointed "administrator of customs" and will immedi-  
ter Charles Morris, United States Navy, of the duties of  
sh an office at Port au Prince and administer the customs  
e with department's radiogram No. 20018, reference (a),  
where this law is not inconsistent with these instructions.  
eyond the seas is required by the public interests.

W. B. CAPERTON.

CRUISER SQUADRON, UNITED STATES ATLANTIC FLEET,  
U. S. S. "WASHINGTON," FLAGSHIP,  
*Port au Prince, Haiti, September 1, 1915.*

Cruiser Squadron, United States Atlantic Fleet, command-  
forces in Haitian waters.  
les Conrad, United States Navy.  
t as fiscal officer for "civil administration."  
Department's radiogram No. 20018.

appointed the "fiscal officer" for the squadron commander  
e funds placed to his credit by the various "collectors of  
mediately relieve Paymaster Charles Morris, United States  
f that office.

be disbursed under the following appropriations:  
stabulary," to be used for the organization and mainte-  
constabulary.

olic works," to be used for conducting such temporary  
afford an immediate relief through employment for the  
l discharged soldiers.

itary and civil government of United States forces," to  
enance of the customs and port services and such military  
nited States may establish.

itian Government," to be transferred to Dartiguenave  
e determined by the squadron commander."

ng after such disbursements will be left in the admiral's  
aim in trust for the people of Haiti.

e necessary accounts and files and the returns rendered by  
anders.

month after the receipt of the detachment commanders'  
ynopsis of these estimates and a synopsis of the allot-  
sider necessary for the different detachment commanders  
; and you will submit same to the squadron commander  
on approval of these allotments, you will make the neces-  
rough the National Bank of Haiti to place the funds so  
of the detachment commanders.

beyond the seas is required by the public interests.

W. B. CAPERTON.

informed the American Chargé d'Affaires that I proposed,  
avy Department orders, to assume charge of the custom-  
nce at 10 a. m. on the 2d of September, and requested him  
n Government of this intention and to request that they  
eps to inform the Haitian Administrator of Customs. I  
t the Haitian Government direct the Haitian Administra-  
ret Paymaster Conard at the customhouse at 10 a. m. on  
so that an amicable arrangement could be made relative

to the transfer. In connection with this, Mr. Chairman, I would like to put the following communication in the record:

EEE.

No. 8655-15.

CRUISER SQUADRON, UNITED STATES ATLANTIC FLEET,  
U. S. S. "WASHINGTON," FLAGSHIP  
Port au Prince, Haiti, September 1, 1915.

The AMERICAN CHARGÉ D'AFFAIRES,  
American Legation, Port au Prince, Haiti.

SIR: I have the honor to state that at 10 a. m., Thursday, September 1, in accordance with orders of the Navy Department, I will assume the command of the customhouse at Port au Prince, Haiti.

I request that you inform the Haitian Government of this intention and request that they take the necessary steps to inform the Haitian Administrator of Customs.

I further request that you ask the Haitian Government to direct the Administrator of Customs to meet Paymaster Charles Conrad, United States Navy, at the customhouse at 10 a. m., Thursday, so that an amicable arrangement can be made in the premises.

I am, sir, respectfully,

W. B. CAPERTON,  
Rear Admiral, United States Navy, Commander Cruiser Squadron  
and Commanding United States Forces in Haitian Waters.

In view of the uneasy situation, the possibility of disturbance, the attitude of some of the members of the Cabinet toward the Government, and the trouble or outbreak at Port au Prince is possible. In such a case it is necessary for me to declare martial law. That was on the 1st of September.

In reference to this I sent the following message to the Secretary of the Navy, under date of September 1, 1915:

MMM.

SEPTEMBER 1, 1915.

From: Commander Cruiser Squadron.

To: Secretary of the Navy and Commander in Chief.

Conditions Port au Prince Haiti uneasy. Continued reports of minister exercising unwarranted authority and committing other abuses which minister appears unable to control; newly appointed police in towns near Port au Prince overbearing and cause general complaint. Cabinet minister very to-day to be especially on guard against outbreak against Government and to-morrow and intimated present Government would not be adverse to martial law. President states action taken by Haitian minister at Washington, D. C., Menos, relative treaty negotiations was done without knowledge of President or counsel of cabinet; have reliable information Minister of Foreign Affairs Sannon communicated with Menos relative this matter of responsibility. Will occupy customhouse Port au Prince to-morrow. Outbreak or trouble Port au Prince may necessitate martial law. 23401.

On September 2 I requested the American chargé d'affaires to inform the Haitian Government of the necessity of assuming charge of the port and the intentions of the United States Government relative to the stationing of customs. I also informed the commanding officer of the French *Condé* of the action I had taken with reference to the customhouse. In connection I would like to put this communication in the record:

YYY.

No. 8781-15

CRUISER SQUADRON, UNITED STATES ATLANTIC FLEET,  
U. S. S. "WASHINGTON," FLAGSHIP  
Port au Prince, Haiti, September 2, 1915.

The AMERICAN CHARGÉ D'AFFAIRES,  
American Legation, Port au Prince, Haiti.

SIR: I have the honor to state that the following appointments have been made by me to administer the customs and the port service at Port au Prince: Paymaster Charles Conrad, United States Navy, administrator of all customhouses taken charge of in Haiti.

t R. Stevens, United States Navy, collector of customs at  
 Willis McDowell, United States Navy, captain of the port  
 inform the Haitian Government and all foreign diplomats  
 natives of these appointments.  
 ectfully,

W. B. CAPERTON,  
*Rear Admiral, United States Navy,*  
*Cruiser Squadron, United States Atlantic Fleet, Haiti,*  
*and Commanding United States Forces in Haitian waters.*  
 g letter was written under date of September 2 to the  
 Affaires at Port au Prince:

UISER SQUADRON, UNITED STATES ATLANTIC FLEET,  
 U. S. S. "WASHINGTON," FLAGSHIP,  
 Port au Prince, Haiti, September 2, 1915.

GÉ D'AFFAIRES,  
 Port au Prince, Haiti.

onor to request that you inform the Haitian Government  
 the United States Government, I will administer the custom-  
 ve assumed charge for the benefit of the Haitian people and  
 e present Haitian Government.  
 I will be used for the organization and maintenance of an  
 , will be used for conducting such temporary public work  
 iate relief, through employment, for the starving populace  
 ers, and for supporting the Haitian Government.  
 s will be held for the time being by the United States Gov-  
 the people of Haiti.  
 ectfully,

W. B. CAPERTON,  
*Rear Admiral, United States Navy,*  
*nder Cruiser Squadron, United States Atlantic Fleet,*  
*Commanding United States Forces in Haitian Waters.*

creasing uneasiness at Port au Prince, the apparent inability  
 ment to control conditions with which it is confronted, the  
 apers and public men of inflammatory propaganda against  
 the American occupation, the disloyalty to the present  
 Government officials, the personal request of the President,  
 or support the present Government, I decided to proclaim  
 y of Port au Prince on the 3d of September, 1915. Under  
 ptember I sent the following message to the Secretary of

SEPTEMBER 2, 1915.

Cruiser Squadron.  
 Navy, and Commander in Chief.

creasing uneasiness Port au Prince, present Government con-  
 is apparently unable to control; propaganda by newspapers  
 lammatory propaganda against Government and American  
 y to present Government of some Government officials; and  
 port the present Government I will to-morrow, September 3,  
 y in Port au Prince, Haiti. This action in accord with  
 faires. Proclamation follows by radio 22402.

CAPERTON.

sage to the Secretary of the Navy under date of September  
 s for martial law given in my 22402, I was also this morn-  
 sident Dartiguenave, in informal interview, to establish  
 as possible."  
 ptember I issued the following proclamation:

0000.

CRUISER SQUADRON, UNITED STATES ATLANTIC FLEET  
U. S. S. "Washington,"

## PROCLAMATION.

*To the people of Port au Prince, Haiti:*

Information having been received from the most reliable sources that the present Government of Haiti is confronted with conditions which it is unable to control, although loyally attempting to discharge the duties of its respective offices; and these facts having created a condition which requires the adoption of different measures than those heretofore applied; and in order to protect the inhabitants of Port au Prince and other territory hereinafter designated as the privileges of the Government, exercising all the functions necessary for the establishment and maintenance of the fundamental rights of man and woman under my authority as commanding officer of the forces of the United States of America in Haiti and Haitian waters, proclaim that martial law exists in the city of Port au Prince and the immediate territory now occupied by the United States under my command.

I further proclaim, in accordance with the law of nations and the customs, and functions of my own and other Governments, that I exercise with the power and responsibility of Government in all its functions and branches throughout the territory above described; and the proper administration of such Government by martial law will be provided for in the future to be issued from time to time, as required, by the commanding officer of the forces of the United States of America in Haiti and Haitian waters.

The martial law herein proclaimed, and the things in that respect provided for, will not be deemed or taken to interfere with the proceedings of the national Government and congress of Haiti, or with the administration of justice in the courts of law existing therein; which do not affect the military or the authorities of the Government of the United States of America.

All the municipal and other civil employees are, therefore, requested to continue in their present vocations without change; and the military will not interfere in the functions of the civil administration and government except in so far as relates to persons violating military orders or regulations, or otherwise interfering with the exercise of military authority. All citizens can confidently pursue their usual occupations, feeling that they will be protected in their personal rights and property, as well as in their social relations.

The commanding officer of the United States Expeditionary Force, Lieutenant Colonel W. T. Waller, United States Marine Corps, is empowered to issue the necessary regulations and appoint the necessary officers to make this proclamation effective.

Done at the city of Port au Prince, Haiti, this 3d day of September, 1914.

W. B. CAPERTON,

*Rear Admiral, United States Navy**Commanding the Forces of the United States of America in Haiti and Haitian Waters*

Later I wrote the following letter to the chargé d'affaires of the United States Legation at Port au Prince:

PPPP.

No. 8840-15.

CRUISER SQUADRON, UNITED STATES ATLANTIC FLEET

U. S. S. "WASHINGTON," FLAGSHIP

*Port au Prince, Haiti, September 10, 1914.*

The AMERICAN CHARGÉ D'AFFAIRES,  
*American Legation, Port au Prince, Haiti.*

SIR: I have the honor to request that all foreign diplomatic and consular representatives be informed that martial law has been declared in Port au Prince, and that copies of the proclamation be sent to them.

I am, sir, respectfully,

W. B. CAPERTON,

*Rear Admiral, United States Navy**Commander Cruiser Squadron, United States Atlantic Fleet**Commanding United States Forces in Haiti and Haitian Waters*

I also requested that a copy of that letter be sent to the commander of the French cruiser *Condé*, informing him of this fact.

the conditions in the north, on September 4, the following officer of the *Connecticut*, Capt. Durell, reported that at Cape Haitien from the Cacos regarding the sur- they still besieged the town; and that the prices of food- and were causing hardship and suffering among the poor- ing officer of the *Connecticut* further reported that two the troops at Ouanaminthe, had arrived at Cape Haitien us and pay. The sum of 5,000 gourdes granted last week tion these troops for one week, and he stated that 7,000 necessary.

and the commanding officer of the *Connecticut* what outly- e necessary to occupy to insure the food supply for Cape troops in addition to what he had would be necessary for s and conducting offensive operations in connection there- of the interior, Mayard, on this day stated that provision tioning the troops at Ouanaminthe and Mont Organise for

is becoming critical. These Cacos will not come within er their arms and d'sband on account of the leaders, who tain exorbitant bribes. The liberal offer of 15 gourdes ourdes per chief, to pay for their rifles and give them urn to their homes, has not been accepted, after repeated ough channels in the north and through the'r leaders in se Cacos are a source of annoyance in the north, and, if ng Cape Haitien it may force active measures against pinion that furnish'g work on the railroad construction. e Haitien, as recommended in my radiogram No. 16029, these men to desert their chiefs and go to work. Unless ken in this connection, I will probably be forced to con- sive operations against these Cacos.

September 4, I received a cable message from the American an Domingo City, stating that he had reliable informa- munities of war were being made in Haiti along the Fonds Parisien, and Fonds Verettes. In connection with o put into the record the following communication:

argé d'Affaires, San Domingo.  
ulser squadron.

information that deposits of munitions of war being made in ces on border mountain near town of Bourg St. Louis or a towns of Fonds Parisien and La Mission or Fonds lace can be reached via railroad and Lake el Fondo.

JOHNSON, *American Chargé.*

ent the following report to the Secretary of the Navy:

SEPTEMBER 4, 1915.

uiser squadron.

Navy and Commander in Chief.

ch Haiti becoming critical. These Cacos will not come surrender arms and disband on account leaders who tain exorbitant bribes. Liberal offer of 15 gourdes per es per chief to pay for their rifles and give them sufficient ir homes not accepted after repeated efforts both through l through their leaders in Port au Prince. These Cacos sting Cape Haitien and are preventing market people and own. Believe furnishing work on railroad construction as recommended in my radiogram 16029 might induce r chiefs and go to work. Unless prompt measures are on will be forced to consider very soon offensive opera- acos. 11504.

CAPERTON.

SEPTEMBER 4, 1915.

uiser squadron.

Navy and commander in chief.

g of *Marietta* and sixth company of marines will leave ay afternoon to occupy Jeramie and customhouse that

STAT AND LIBRARIES

place. Paymaster Manning H. Philbrick has been appointed collector and captain of the port of Jeremie. No further news. 22204.

On September 5, under my direction, the commander of the expedition force sent for Mr. Charles Zamor and requested him to go immediately to Haiti and endeavor to persuade the Cacos to open the food supply place. Mr. Charles Zamor was informed of the seriousness of the situation and of the great danger of serious consequences to the Cacos if they refused in such methods of annoyance. Mr. Charles Zamor agreed to go as instructed.

This expedition was finally arranged after much talk and discussion with Mr. Charles Zamor for several days previous.

On this same day, September 5, I received the department's message No. 12005 that I should take no offensive action against the Haitians, first consulting the Navy Department. I am now investigating the situation of occupying the towns on the principal roads entering Cape Haiti and the food supply for the city. I will not undertake any offensive action before referring the matter to the Navy Department. In this connection I would like to put in the record the following radiogram:

A

SEPTEMBER 5

From: Secretary of the Navy.

To: Commander cruiser squadron.

11504. Take no offensive action against Haitians without first consulting the Navy Department unless absolutely necessary to prevent loss of life or property. More detailed instructions will be sent you to-morrow. Inform the Cacos immediately of any conditions that would seem to make offensive action desirable or necessary. Acknowledge. 12005.

Further unrest was reported at Gonaives on account of the reports of the Cacos. Information was continually coming in of Cacos moving to various places in the north. I would like to give you for your information the connection with that matter, the following:

D

SEPTEMBER 5

From: Commanding officer *Castine*.

To: Commander cruiser squadron.

Gonaives and St. Marc quiet. Plaisance reported quiet. Inform the Cacos are moving from St. Raphael to St. Michel. 08005.

E

SEPTEMBER 5

From: Commanding officer *Castine*.

To: Commander Cruiser squadron.

Officer 5102 (Capt. Fay, Marine Corps) reports considerable unrest at Gonaives over reported approach of revolutionary forces under Charbonnet last reported near Ennery. U. S. S. *Castine* will proceed to Cap-Haitien tomorrow upon arrival of U. S. S. *Osceola*. 19305.

I reported the situation to the Secretary of the Navy that evening in the following message:

SEPTEMBER 5

From: Commander cruiser squadron.

To: Secretary of the Navy and commander in chief.

12005. Charles Zamor, at my request, agreed to go immediately to Haiti and endeavor persuade Cacos open food supply to that end. I am investigating feasibility occupying towns on principal roads entering Haiti to secure food supply for city. Will not undertake offensive action before referring to Navy Department. Some unrest Gonaives over reported approach Cacos. 23205.

On the same day, September 5, I issued a campaign order, No. 9, concerning the deployment of the forces in Haiti and Haitian waters for maintaining military control of the ports of entry and the collection of duties thereat, pending negotiations between the United States and Haiti. The campaign order which I have just referred to reads as follows:

SEE SQUADRON, UNITED STATES ATLANTIC FLEET,  
U. S. S. "WASHINGTON," FLAGSHIP,  
Port au Prince, Haiti, September 5, 1915—10 a. m.

ent.—Capt. E. H. Durell, *Connecticut*, *Nashville*. First  
Second Battalion, one battery. Field Artillery.

ent.—Commander J. F. Carter, *Castine*. Seventh and  
Infantry.

ent.—Maj. N. H. Hall. Sixth and Twelfth Companies

ent.—Commander L. McNamee, *Sacramento*. Fourth and  
Infantry.

*Washington*, *Marietta*, *Eagle*. First Brigade Infantry, less  
companies. One battalion Field Artillery, less one battery.  
remain in arms in north Haiti. South Haiti is at present  
relative to the treaty with present Haitian Government are  
ernment without funds and not at present strong; efforts  
port it are continually under way.

assume and maintain military control of the ports of entry  
customs thereat pending negotiations between United States

ment maintain military control Port de Paix and military  
tlen. *Nashville* patrol Port de Paix and Cape Haitien.  
these operations.

ment maintain military control St. Marc and Gonaives.  
rc and Gonaives and support these operations.

ent occupy Jeremie. Maintain military control Petit

ment occupy Les Cayes (Aux Cayes) and Jacmel. *Sacra-*  
es and Jacmel and support these operations.

maintain military control under martial law at Port au  
support these operations. *Marietta* patrol Petit Goave,  
le and support third detachment. *Eagle* continue repairs.  
ary control and administer customs at all ports occupied.  
ty and preserve order. Disarm all Haitian troops encoun-

anamo. *Osceola* will make trips between base and various  
ores, mail, and provisions. *Jason* and *Solace* remain  
e present.

nder on *Washington*. Make daily and such other reports  
keep squadron commander fully and frequently informed  
seventy-fifth meridian mean time.

W. B. CAPERTON,

Rear Admiral, Commander Cruiser Squadron,  
ding United States Forces in Haiti and Haitian Waters.

at Gonaives at 5 p. m. on September 6. The town of  
easy and there is much excitement among the natives. A  
cacos are a few miles from the town under Chief Rameau.  
to stir up the inhabitants against the Americans. Many  
naives in small craft. The *Castine* disembarked her land-  
reinforce the marines on shore.

nit, in connection with the arrival of the *Castine*, the fol-  
ommanding officer of that vessel:

SEPTEMBER 5, 1915.

officer *Castine*.  
er squadron.

naives 5 p. m. Monday; immediately sent landing force to  
ment in patrolling town. One hundred fifty Cacos a few  
r Chief Rameau. Cacos endeavoring to stir up inhabit-  
s. It is reported that Cacos sympathizers having come  
v days, inhabitants fear town will be burned by Cacos  
people leaving Gonaives in small craft. Much excitement  
e Cacos difficult. Will maintain regulation patrol of town  
elopments to-morrow. 19006.

CARTER.

On the 7th of September the American chargé d'affaires had a conference with the President and his cabinet relative to the treaty. The minister of foreign affairs and public instruction, Mr. Pauleus Sanon, and the minister of agriculture and public works, Mr. Antoine Sansaricq, refused to accept the adviser stipulation. Upon this refusal the President requested and their immediate resignation. The remainder of the cabinet agreed to the treaty substantially as submitted. The President then asked to have a short delay to enable him to fill the vacancies in the cabinet, which was refused. The resignation of the minister of foreign affairs and public instruction removes a dissenting and undesirable element.

It was reported on the same day that the Cacos were outside of Port-au-Prince under the command of Rameau.

The commanding officer of the *Castine*, Commander James Carter, suggested that it was advisable to disperse the Cacos or drive them back without the aid in view of the present force being insufficient for outposts and patrols. The Cacos were driven back.

On the same day I sent the following message to the commanding officer of the *Castine*:

SEPTEMBER 7

From: Commander cruiser squadron.

To: Commanding officer *Casine*.

09007. Do not take offensive unless necessary to protect life and property and hold town. Charles Zamor should arrive Gonaives to-day. He is to be used to consult with Rameau and arrange difficulty. Believe you can have a conference with Cacos through Charles Zamor and obtain results in view. Have already told Zamor we can not tolerate these Cacos' annoyance unless they cease will be forced take strong measures. Acknowledge. 11547.

Later in the evening of September 7 I sent the following report to the Secretary of the Navy:

SEPTEMBER 7

From: Commander cruiser squadron.

To: Secretary of the Navy and Commander in Chief.

Gonaives uneasy and much excitement among natives. About 200 Cacos to town under Chief Rameau. Cacos endeavoring stir up inhabitants and Americans. *Castine* has landed seamen to reinforce marines. Zamor to Gonaives to endeavor induce Cacos to cease operations. Have directed *Castine* not take offensive unless necessary protect life and property and hold town. 11407.

SEPTEMBER 7

From: Commander cruiser squadron.

To: Secretary of the Navy and Commander in Chief.

Passed Assistant Paymaster Fred E. McMillen and Passed Assistant Master Henry R. Snyder appointed collectors of customs and captains of port at Petit Goave and Miragoane, respectively. These officers sent reports on U. S. S. *Osceola* to-day. Pauleus Sanon, minister foreign affairs, Antoine Sansaricq, minister agriculture, resigned to-day. 22407.

SEPTEMBER 7

From: Commander cruiser squadron.

To: Secretary of the Navy.

National Bank of Haiti at Port au Prince has contributed \$500 to fund. 23107.

On September 9 Louis Borno and Paul Salomon were appointed ministers of foreign affairs and public works, respectively, filling the vacancies in those places.

The CHAIRMAN. Louis Borno was appointed minister of foreign affairs and Admiral CAPERTON. Yes; Borno was appointed minister of foreign affairs and Salomon was appointed minister of public works. President Daigault informed me that Leconte, minister of war, had instructions to go to Port-au-Prince with the Cacos at Cape Haitien and endeavor to reach an agreement with them.

us. Leconte is not to pay any money or make an pecuniary  
 em.

you have omitted a dispatch of September 8 to the com-  
*Connecticut*. The language of that message is: "Success-  
 ty is predominant part present mission. After encounter-  
 treaty situation at present looks more favorable than  
 n effected by exercising military pressure at propitious  
 ns. Yesterday two members of cabinet who have blocked  
 re resigned. President himself believed to be anxious to  
 present am holding up offensive operations and allowing  
 mplete cabinet and try again. Am therefore not yet ready  
 erations at Cape Haitien, but will hold them in abeyance  
 ."

on is that under the direction of the department the naval  
 States in Haiti were using the military pressure to com-  
 the treaty.

I have that message in my record.

think you ought to describe the character of the military  
 ear to secure the ratification of the treaty.

Well, the only pressure I can think of or consider was  
 pressure to bear, in order, if possible, to quiet the Cacos  
 intimidatng the members of congress and the senate who  
 reaty as has been previously stated in my testimony. The  
 y, was more moral than military. As I have frequently  
 ver these customhouses at times, I ceased taking them  
 ed to militate against us in getting the treaty ratified at  
 I would have taken the customhouses at some distant  
 cessary at that time, owing to the disturbed conditions,  
 ully have had a moral effect on the congress. There was no  
 ment made against the congress.

am only seeking the interpretation of your own cable.

If there was any pressure brought to bear at all, it was  
 f the government, which I was there to support.

0 o'clock p. m., the committee adjourned until Thursday,  
 0.30 o'clock a. m.)

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## OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

THURSDAY, OCTOBER 20, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
Washington, D. C.

at 10.30 o'clock a. m., pursuant to adjournment, Senator  
Angell.

Mr. Angell, Mr. Horace G. Knowles, and Maj. Edwin N. Mc-  
Marine Corps, in their respective representative capacities  
testified.

REAR ADMIRAL WILLIAM B. CAPERTON, UNITED  
STATES NAVY, RETIRED—Resumed.

Mr. Angell has requested the committee to grant him the  
original questions of Admiral Caperton regarding his testimony,  
objections, his request will be granted, but this must not  
precedent.

Q. At the time that you went down to Cape Haitien in  
October, 1915—

A. Yes.

Q. For assignment of duty in the West Indies to observe the  
situation—

A. Those were my original orders.

Q. Original orders to which you testified, I think the first day  
at that time familiar with the correspondence between the  
Department of State and the Secretary of the Navy, which was intro-  
duced by Chairman McCormick yesterday, that being specifically,  
the letters of October 28, 1914, and the replies? You may have  
known in advance or in a memorandum to know specifically the letters to which I refer,  
the 13th et seq. of the typewritten report of the hearing. My  
question is whether you were familiar with that correspondence.

A. No; in glancing over them, it is all new to me.

Q. And you at that time had any conferences with the respon-  
sible officials of the Navy or State Departments or any general  
discussion along the line of those letters, namely the desirability,  
in the opinion of the State Department, of putting additional naval forces in  
the Caribbean in conjunction with the proposed negotiation of a treaty?

A. No; I knew nothing about it. I did know that the *Georgia*  
was believed to be down there, because we were always getting  
reports of the papers, and in this way I knew something about it, but  
nothing of official correspondence.

Q. And no knowledge, then, of any purpose behind the presence  
of the *Georgia* in Haitian waters?

A. No; I had not.

Q. That fall and winter?

A. I had not.

Q. Now, did you have any knowledge, or have you since ac-  
quired, of the affairs of the *Machias* at Port au Prince on  
when the \$500,000 were taken from the bank and brought

Admiral CAPERTON. I do not think I have enough definite information to discuss the matter at all. I merely heard that this amount of money was sent from Port au Prince, and as I recall, the *Machias* was the vessel. I have discussed it a little bit, but I really know nothing about the matter at all.

Mr. ANGELL. Did you ever have an opportunity to discuss it with the commanding officer of the *Machias*?

Admiral CAPERTON. No; I had not; I do not yet know who he was, I do not recall.

Mr. ANGELL. You never discussed it, then, with anyone who had been in contact and immediate connect on with that affair?

Admiral CAPERTON. No.

Mr. ANGELL. With reference to your presence at Cape Haitien in July, 1915, at the time you established a field radio station, and later the marines, as you said, to protect the railroad property, am I correct in believing that your testimony on the first or second day was that the marines had already been reembarked on board when you arrived there?

Admiral CAPERTON. As far as I remember, they had been withdrawn.

Mr. ANGELL. And was the French vessel in the harbor when you arrived?

Admiral CAPERTON. It was inside, in the inner harbor. You could not take a big vessel in there until after I surveyed that harbor.

Mr. ANGELL. You arrived there about July 1, as I remember?

Admiral CAPERTON. The second time.

Mr. ANGELL. The second time, yes.

Admiral CAPERTON. From Vera Cruz.

Mr. ANGELL. Did you have any conference at that time, personally or with your staff officers, with the commander of the French vessel there, regarding the presence of the French marines or French forces at Cape Haitien?

Admiral CAPERTON. Oh, yes; I have stated in my testimony here that I gave him an official visit, of course, the moment I arrived, and told me the details which I have outlined in my testimony. I returned the call, I think the next day, as far as I remember now. I know I did, if the weather was good. I discussed it further afterwards.

Mr. ANGELL. Was the discussion about the advisability of the landing of the French on the shore?

Admiral CAPERTON. Yes; the captain, as I have stated here, was asked to land at the request of his own consul or consular agent, as I recall, and, as I have outlined it in my testimony, the commanding officer told me he had been sent there by the French minister at Port au Prince, and that of the French consular agent at that point being fearful of the safety of his interests.

Mr. ANGELL. Did you have any instructions from the Navy Department regarding the point of whether or not it was deemed advisable and proper for the landing of the French on the shore in Haiti?

Admiral CAPERTON. I had no direct information as to that point. I do not recall my testimony exactly now, but my orders were to proceed there.

Senator ODDIE. I think it would be a good idea for the admiral to take a moment to prepare his answers, because he has to refresh his memory.

Admiral CAPERTON. I had orders for each move, which I have outlined in my testimony, but I had so many things to do that I can not recall.

Mr. ANGELL. The purpose of my question was to find out if there was a general or, on this occasion, any special policy of the Navy or the State Department, as indicated to you, regarding the presence of foreign forces in Haiti. In connection with my question, let me call your attention to the fact that on July 28, 1915, from the Acting Secretary of the Navy to yourself, which is as paragraph 9 of Gen. Barnett's report attached to the report of the Secretary of the Navy for 1920, reading as follows:

"State Department desires that American forces be landed at Port au Prince and that American and foreign interests be protected; that representatives of Great Britain, France and Germany be informed of this intention; informed that their interests will be protected, and that they be requested not to land."

That was, of course, later in the month, regarding the landing of the French on the shore in Haiti.

Admiral CAPERTON. Yes; later in July.

Mr. ANGELL. Now, earlier in the month, when you were at Cape Haitien, were there any such instructions, general or special, as far as you remember?

Admiral CAPERTON. I will have to refer to my notes.

that can be answered and put in the record. Admiral, that is abeyance until you have time to prepare it. We will save

my notes I find I received no additional orders or instructional, except the following, which is my original orders, 1915, at Vera Cruz:

French Marines landed Cape Haitien. Proceed there with USS French Commander take necessary steps to protect property. Dispose of vessels on Mexican coast to best advantage. *Arrietta* enroute Vera Cruz acknowledge 14022 Daniels."

Following the same line, Admiral, and jumping a month, Port au Prince, as I remember your testimony and the official vessel *Descartes* arrived in Port au Prince three or four days, on the 1st or 2d of August. A very short time, a day French land marines or naval forces in Port au Prince, at a legation guard, or otherwise, do you remember?

I would rather refer to my notes. I have stated this in my notes and I do not just recall.

Do you not remember whether or not they landed at all?

Oh, yes; I think they landed a guard, and after a certain time, and I sent an officer to be present when they relieved the guard, referring to my diary I find the French guard landed August 1st, 1915, as a legation guard at the French legation.

Again in Gen. Barnett's report, paragraph 34, the following:

"On August 2, 1915, informed the Navy Department that the French legation guard at 7 a. m."

How long, roughly, how long their legation guard remained on shore? For a few weeks, or months?

They remained there for quite a while. I can tell you from my notes the exact date they were withdrawn, and the date

of their withdrawal. I do not think the exact date is material. Was it weeks or

months? I think it was weeks? Or months?

Yes; and possibly months, I think. I believe it was Mr. Farnham, the National City Bank's vice president, who arrived earlier here substantially to the fact that the French legation guard, remained in Port au Prince on shore some six months. At recollection, do you think?

I could not answer that without referring to my notes, but I could give you the exact dates.

Do you have any idea or recollection how large a force that was maintained and maintained? In other words, was it a dozen men, or more?

Well, it was a legation guard. Without referring to my notes, I believe there were about 25, perhaps, or 50, maybe more. I think it was sufficient.

I have the exact numbers in my notes or official reports. I believe the period of your command in Haiti, that is from November, 1916, did any other European nations have forces in Haiti?

No. I am quite sure there were no others; in fact, I do not know of any foreign men-of-war that visited the port during this time. Were there any French?

Yes; they depended entirely on the Americans, because the French captain, officially informed me that he would not be particularly particular with the American occupation, and that he would not be inside the legation, and that they would not be seen out with arms.

That, I suppose, was followed, as you remember?

As far as I know, that was followed, leaving the entire city to the Americans and the rest of the city to the Americans.

So far as you know, was the purpose of the French in Haiti at Port au Prince for the protection of the legation and the prevention of its violation about the time of the murder of the

STATE OF DEPT. OF NAVY

Admiral CAPEBTON. Well, I can not go into their motives, as to they proposed to protect when they went ashore, but they landed as guard for the protection of the legation.

I find here that, referring to incident in question, I made a report Secretary of the Navy something as follows, on the 31st of July:

"French minister informed me he had received dispatches from Paris Government, stating that French Embassy, Washington, had been deformed United States Government that France considered landing legation at Port au Prince necessity for national honor. French minister received conviction that we were ably protecting life and property and assured would be confined to legation and that arms of French guard would be carried by them outside of legation. He further stated that he wished stood he does not intend interfering in any way my actions in town.

Mr. ANGELL. That is the answer. I had not seen that before.

Admiral CAPEBTON. That is already in my evidence, I think; I am I quoted it.

Mr. ANGELL. Do you think, Admiral, that there was on the part of the in Haiti, or the British official representatives, any fear of the Germans the island as a base for operations against them in the war which almost a year old, or using the island as a base for propaganda?

Admiral CAPEBTON. Well, I can hardly answer that. On one occasion I was in Mexico—off Vera Cruz, Mexico—we heard something about a *ruhe*, I think it was, one of those German ships having entered the S. Mole at one time, which I investigated but never could find out the name about it, or whether she was really there or not. Some vessel went never could find out what nationality she was.

Mr. ANGELL. Well, during your 15 or 18 months in Haitian waters in the course of conversations with individuals or by reports which come to you, learn anything which would have given you grounds to think that the French or British had any such fears regarding the use of of Haiti by the Germans?

Admiral CAPEBTON. Well, the commanding officer of the French ship there always kept very close guard and watch in port; that is to say, out his orders and regulations in regard to protecting himself from the side, as we did not know—at least, he said he did not know—what the Germans might appear, but I had no discussion with him at all because busy.

This will repeat my evidence given before, but I find that on the 27th the department informed me as follows:

"23327. State Department desires that American forces be landed at Port au Prince and that American and foreign interests be protected; that natives England, France, be informed this intention; informed that their interests will be protected and that they be requested not land."

As I have stated before, after my arrival an hour or two after the French minister, the British chargé d'affaires, accompanied by the British d'affaires, Mr. Davis, came off to the ship with some of my staff who sent on shore to find out the latest information and condition of affairs. Both the French and the British representatives requested me and please me earnestly to land forces and to do it as quickly as possible, as the idea as to what might or what might not happen on shore. This was very busy.

Mr. ANGELL. At Port au Prince?

Admiral CAPEBTON. At Port au Prince, immediately after my arrival on the flagship, the *Washington*.

Mr. ANGELL. Now, to come to one or two points in connection with the order of President Sam and the events of the landing, did you hear of any foreigners, including Americans, who were at that time molested or threatened by the disturbing element in Port au Prince?

Admiral CAPEBTON. When I landed I took possession of the city between the hours of 5 and 10 at night, when everything was settled. I had given the commanding officer, as he passed the various foreign legations, to see if they needed any guard, and, as I recall it now, many or all of them asked for the guard. I even gave a small guard to the German minister. When being asked whether he wished them, replied that he would like to have them and they remained there, as I recall it now, for several days.

Mr. ANGELL. When your forces landed did you hear of any actual molestation prior to the landing when foreigners had been molested or harmed?

No; things were in such a chaotic condition that I did not know if they had been hurt or murdered, and I did not know whether or not.

Do you receive any reports, voluntarily given you, of foreigners molested?

No; I do not think I did.

Did your representatives, of course, conferred with the British chargé d'affaires and others, as you have said?

Every day.

The French diplomatic officials at Port au Prince report to you that they had been molested in their legation except the Haitian taken out?

Not as far as I remember now, there was no one else.

As far as you can now remember, you received no reports at Port au Prince of foreigners having been actually molested or harmed during the time of your landing?

No; I do not recall any.

Do you remember receiving any reports of the harming of foreigners, including Americans, at any time immediately following your landing, other than the casualties to the French?

No; under my orders, they could not very well have been given orders strictly to protect everything in the city and to keep it quiet.

Were there any specific attempts to molest or harm civilian foreigners?

Well, we had several attacks on the city at night. I do not know if the fellows wanted to shoot up. Apparently, they wanted to, but they never told me whether they were after the British or not.

Were there no specific attacks on individual foreigners?

The view that I took of it was that with a mob, with various chiefs around the city, I considered that anybody was in more or less danger, because these fellows were drunk and did pretty much as they pleased about the city; they were not particular.

When you landed had this so-called revolutionary committee, of which you speak, actually been formed?

When my chief of staff landed, as I recall my testimony, at that time he found a committee on shore of three or four. There was one, and I think Delvar was another. There were others. Later there was a committee of six or seven. I do not remember the names you gave?

Whose names I think I gave here.

Did you give those names?

But these fellows, except Mr. Polynice, were all Cacos. Robin was a man, as I afterwards found out, in command of the forces, or the Cacos, in the city. He is one of the big fellows.

Did you find a committee which you found, or your chief of staff found, of this so-called revolutionary committee, and that was the committee of which you speak?

That is the committee that they usually formed every day, at Port au Prince.

This was the committee which a little later Capt. Beach, of the American expedition, dismissed or—

It may not have been this first committee, because they, or either joined in or formed a committee; but it was a committee, and I think all the members who were in this first committee, were also in this final "committee of safety." As I reported to you, three or four, and so reported to me; that there was, I think, Mr. Delvar, and I do not know whether he said that at first meeting or not; but he said he met several of the

committee of safety, and it was this committee that he asked for permission to land, seeing that the—

Mr. ANGELL. That is August 3?

Admiral CAPERTON. No; the 28th.

Mr. ANGELL. I was just inquiring about what this committee was.

Admiral CAPERTON. I would like to add that they were about all that had any appearance—

Mr. ANGELL. Of authority or government?

Admiral CAPERTON. Had any appearance of order or authority, and the committee agreed to my landing, but said they would not be responsible for my reception.

Mr. ANGELL. I find in your message of August 3, which is contained in graph 36a of the Barnett report—I do not know the page of the report in the middle of the second paragraph, you say:

“Revolutionary committee at first acted practically under my direction, and now frequently give orders without my knowledge and act more independently.”

I also find a similar message earlier, on July 31, which is paragraph 36b of the Barnett report, the last sentence of which reads:

“All Government functions are at present carried on by a committee which acts practically under my direction.”

The phrase “practically under my direction” appearing in each of these messages, just what did that mean? How were they acting under my direction, sir?

Admiral CAPERTON. They promised that they would not issue any orders or anything contrary to my orders, you might say, or my ideas and wishes in the matter. In other words, they promised to cooperate with me in everything.

Mr. ANGELL. So that you had, pursuant to instructions from Washington, assumed both military and to a certain extent political control of the Port au Prince?

Admiral CAPERTON. I did, because there was no political head, and the only people who apparently were trying to keep peace.

Mr. ANGELL. Was there a Congress in session at the time you landed?

Admiral CAPERTON. Oh, no.

Mr. ANGELL. Congress was not in session?

Admiral CAPERTON. Not in session; no, because a few days afterwards.

Mr. ANGELL (Interposing). When did the Congress meet, do you remember how soon after the murder of Sam and your landing?

Admiral CAPERTON. I think I have the exact date here, but I think it was several days, about the 5th, 6th, or 7th, because the permanent committee had the authority and power to call Congress together under such circumstances, but they were unable to get a quorum, so that Mr. Guillaume Sam had to wait several days in the city before he was elected President, and it is usually done in a few hours if they can get a quorum of the Congress together.

Mr. ANGELL. Well, in the Navy Department file there is a message from Admiral Caperton to the Secretary of the Navy on July 31, the end of the message reads: “Chamber Deputies asked permission to elect President in compliance with my request.” That would seem to indicate that a number of Deputies were in session at that time or had convened.

Admiral CAPERTON. Well, as I recall it now, they were trying to meet, they wanted to elect the new President, and, as far as I could find out, the reason why they did not meet, which I have stated in here, was because they could not get a quorum. I knew that that was no time to have a meeting on the 31st, because things were so unsettled, and I dare say that if they had been able to have gotten a quorum—I do not know, but it appears to me that I would have requested them to wait a day or two, so that things could have settled down a little bit and so that I would have a better grasp of the situation. I was able to protect foreign interests in case they had an outbreak in connection with the elections as I have been told it was their custom to do when a President was elected, with Cacos all armed all over the city, the galleries full of people with their pistols, and as each representative was called upon to vote, he would cast his eyes around and see everybody had a pistol aimed at him. I do not know what was told to me there by the people throughout the city. I do not know what was told to me there by the people throughout the city. I do not know what was told to me there by the people throughout the city. I do not know what was told to me there by the people throughout the city. I do not know what was told to me there by the people throughout the city.

Mr. ANGELL. Of whom did the chamber of deputies ask permission to elect a President? Your message reads, “Chamber deputies asked permission to elect a President?”

ed in compliance my request." Did they ask you or your  
ore for permission to elect a President?

I suppose they must have.

Message would so indicate.

I would infer that.

Do not remember the incident specifically?

I do not recall now, but I kept in touch with all these  
g to get order and to assist them.

Purpose of my question, Admiral, was merely to establish,  
the approximate date at which you had actually assumed  
not merely of the military affairs in the city, but of the  
nts which culminated in the election of the President.

At the time referred to there was nothing, no govern-  
except these three or four self-constituted "committee of  
no government, no President.

Do not remember, then, Admiral, when the Congress con-

I have it here.

st have been prior to August 5, because in the long cable  
wing appears in the beginning of what apparently is the  
though Congress is in session, it has elective power only.  
dent. Upon the election of President Congress acquires  
l revolutionary committee loses all authority." So that  
t of fact, which was undoubtedly an accurate statement  
situation. That is August 3. Then, Admiral, so far as  
s indicated by this message of August 3, Congress was in

On the 29th of July I have this note:

Business, however, exists throughout city. Both houses  
lay. An effort is being made to elect a President. The  
and although a government may be established in form,  
esent in sight sufficiently stropg candidates to alleviate  
ong the populace and to insure prevention from further  
ing candidates here at present appear to be Bobo and

9th of July.

y here that in my previous answer in regard to there not  
Congress, I was then referring to the previous President,  
entered the city about the 22d or 23d of February, and  
I recall it now, until a week afterwards anyway, for the  
the congress.

coming down, Admiral, to the 5th of August when you  
etary of the Navy that the Haitian Congress had issued  
e Sunday following they would elect a President, but at  
d postponed the election, how, if you remember, was that  
nnunicated to Congress?

I am quite sure through my chief of staff, and probably  
d'affaires, perhaps. I am not sure whether he went  
partment, but I imagine he did.

was the usual procedure in your diplomatic negotiations  
; that is, did Capt. Beach go direct to the leaders of the  
e entirely through the chargé d'affaires?

I always cooperated very closely with the chargé d'affaires.  
order and custom.

What form did that cooperation take?

Consultation. I do not remember a special case.

Do you remember whether Capt. Beach went direct, for example,  
two Houses?

You mean on this occasion?

Is or similar occasions.

That I can not recall now, but Capt. Beach will be able  
s procedure on shore.

g now to the 9th of August, when the Acting Secretary of  
Admiral Benson, sent the message to you, you remember,  
ians wish, you may permit the election of a President to  
tion of Dartiguenave is preferred by the United States."

Yes.

Mr. ANGELL. Did you communicate to the leaders of the two H. statement, or the substance of it, to the effect that the election of Da was preferred by the United States.

Admiral CAPERTON. I did not.

Mr. ANGELL. That was simply information for your guidance?

Admiral CAPERTON. That was information for me and my officers, it was for me really.

Mr. ANGELL. It was not communicated to the leaders in Congress?

Admiral CAPERTON. Not to my knowledge.

Mr. ANGELL. Not to your knowledge?

Admiral CAPERTON. No; I do not think it was.

Mr. ANGELL. Either formally or informally?

Admiral CAPERTON. I think not. Of course, we had met these va didates and had discussions with them, and talks, and found out would do and what they would not do; but, as I stated before here, I know, Mr. Dartiguenave may have thought that he was the favorite in the eyes of the United States, but he was never so informed by my orders. I made up my mind about him from the answers which me in various conferences which my chief of staff and other officer with him on shore.

Mr. ANGELL. What steps, if any, were taken, Admiral, so far as remember, to throw the weight of the United States influence in Port either the influence of the military forces under your command or ence of the chargé d'affaires, to the support of Dartiguenave as a for the presidency?

Admiral CAPERTON. I think it was Mr. Dartiguenave himself. He president of the senate, and he had many friends. He had been pre some time—I do not know for how long, but for quite a little while f and, as I have stated here, he was a man of a good deal of personal and I think he swung these fellows himself. There was certainly n brought to bear on them.

Mr. ANGELL. Well, was the election of Dartiguenave, then, in a s sense, a free election of the candidate popularly desired by the electiv

Admiral CAPERTON. I think it was, perhaps, the only fair and fr that Haiti has ever had, as far as I know, not having read up all the but it was free from all sorts of intimidation, free of Cacos, with t and each man got up and spoke and voted without any fear of any ing him or going to shoot him afterwards, as far as I was able to p My chief of staff, as I said here before, and several of the Marine off reports to me of the election afterwards, and they were present ther what was going on.

Mr. ANGELL. Capt. Beach was present on the floor at the electio not?

Admiral CAPERTON. He was present on the floor; and perhaps you the day I recited the speeches they made and the little incidents that The President, when elected, came down from the speaker's stand hands with Capt. Beach, and it was absolutely an orderly election. one gun was fired, as far as reported to me; and on previous occas was nothing but shooting over the whole town.

Mr. ANGELL. And such American influence as there was—military matic—in Port au Prince was not thrown in favor of or against s candidates?

Admiral CAPERTON. As far as I know, no sir. We had only been ti days, and we would have been pretty good diplomats to have g influence that was required to elect a President.

Mr. ANGELL. Of course, several times, at your request, though, poned the election, so you had acquired that much influence?

Admiral CAPERTON. Yes; I had many friends in Haiti at that tin met and told on the streets time and time again that it was thei and that they appreciated everything of the kind. They saw wha doing, and it was the first time they had ever been able to walk streets without being in fear of being shot at.

Mr. ANGELL. I do not want to appear to insinuate that you went your diplomacy as to have the electors approached in order to secur tion of the candidate we wanted, but you evidently were a good eno mat to secure the postponement of the election several times?

That was always accomplished, as far as I know, in any way, by requests, and by representing to them that the time the city was still in a state of great unrest, and as soon as they thought that things were quiet enough for them to really elect, I had made all preparations to preserve order and had my forces throughout the city the election was held. My forces did nothing but peace, to protect everybody. All sorts of people went to the election when the election took place, as I have said before, whether senators or deputies, as their friends. They were disallowed to go in. The representatives all wore their commissions.

Did he say something, Admiral, in testifying on Monday last, that he frankly did not get thoroughly at the time, and I want to know undoubtedly is in the record there, but there was some question, if I remember correctly, of getting one senator to come to the election. There was somebody who was absent, away at

No; I never mentioned that, but there was a senator who came down from Cape Haitien, I think. That was for the election of the President or for the ratification of the treaty.

Oh, I think that was it.

That was an incident of bringing down a senator from Cape Haitien along in the ratification of the treaty in October or November.

Yes; but not for the President.

For the President?

You see, at that time I did not know any of the people on that I had met in the few days before the election took place.

Further connection with the election of the President, you see, in the morning, Admiral, there was a question which was put to me by McCormick regarding Dartiguenave's statement that Haiti would give up the whole of the island gladly to any and all terms proposed by the United States in exchange for the cession outright of Mole St. Nicholas, and he asked you, I put in there the message verbatim, as it was, because in the message there was merely a paraphrase of it. Maj. McClellan found

He found it afterwards, and I quoted it and put it in

the record, not in this stenographic copy I have.

It is coming, I suppose; it has not been copied yet.

It is to be inserted on page 301 of the typewritten copy.

message, can you tell us why Dartiguenave, ostensibly a man interested in guarding the welfare of Haiti, should have made an offer in advance of his election to cede Mole St. Nicholas to the United States?

No; I do not know what was in his mind to cause him to

make the message to which I refer was sent by you on August 7, the day of his statement; that is, some 9 or 10 days after you had

Yes.

There has been any discussion with him, so far as you know, by your representatives, Capt. Beach or others, or by the representatives in Port au Prince, regarding the question

Not by my orders. Capt. Beach, as my representative, or two others, trying to arrange for the election. I knew Mole St. Nicholas was or St. Nicholas Mole, but I knew nothing about or gave no word to Mr. Dartiguenave that we wanted that or would want him elected. I do not know what these officers said to Mr. Dartiguenave. I had several formal and informal meetings with Mr. Dartiguenave with all the other candidates that we heard proposed. As one of them we would try to find out what kind of a fellow he was and whether he was to be trusted or depended upon; whether he was a good man or we inquired about Mr. Dartiguenave we always heard of him. He had been distributing the spoils, you might say.

I believe that was the way it was done in Haiti. The President of the Republic dealt out the money—I do not know where they got it—or the funds as they say, and I have heard it said by many, and by prominent men, although Dartiguenave had been doing this according to the custom of the country, not believe Mr. Dartiguenave had ever accepted a cent in that way—that channel, and so, of course, I had a high regard for Senator Dartiguenave at that time. But as to why he made this remark and whether there was any pressure, you might say, brought on him to make this remark, I am not sure. There was nothing, to my knowledge.

During this time, it is but fair to say, that I did not know everything the State Department was doing through the chargé d'affaires. I was working very closely together, but I did not know that I ever told anything that I did and I do not believe that he told me everything he did.

Mr. ANGELL. There was no treaty or draft of a treaty, of course, at that time. To anyone at this time, prior to the election, was there?

Admiral CAPERTON. No. I had never seen one.

Mr. ANGELL. The first draft of a treaty submitted to the Haitians was the arrival, so far as you know, was that draft which the State Department submitted to Davis, by telegraphic message sent through you, to submit on August 14.

Admiral CAPERTON. I have already so stated in my evidence here that I am going to do it.

Maj. McCLELLAN. You did on the 14th, and the whole thing is in the record there.

Mr. ANGELL. That is included in the testimony of yesterday.

Admiral CAPERTON. It was; so it was.

Mr. ANGELL. And the suggestions and corrections for the draft of the testimony of yesterday.

Admiral CAPERTON. That is in my testimony of yesterday.

(Whereupon, at 12 o'clock m., a recess was taken until 2.30 o'clock p. m.)

#### AFTER RECESS.

The committee reassembled at 2.30 o'clock p. m., pursuant to the adjournment of the recess, Senator Oddie presiding.

Mr. ANGELL. Referring, Admiral, to the message of August 14 from the President of the Republic, directed through you to the legation at Port au Prince, which was received, as appears on page 306 of the typewritten report of the hearing, more than a year the Haitian Government has been familiar with the terms of the treaty contained in department's instructions of July 1, 1914. I ask you whether you were or are now familiar with the terms of the treaty as contained in the department's instructions of July, 1914?

Admiral CAPERTON. No; I am not familiar with it.

Mr. ANGELL. You do not know whether or not the terms of the treaty, or the department's instructions, as referred to in this message, have any reference to Mole St. Nicholas's session?

Admiral CAPERTON. No; I do not. That was a year before I went to Haiti.

Mr. ANGELL. In your testimony of this week, Admiral, you referred to the statement on August 9, I believe, to the revolutionary committee that the treasury's services would be restored to the national bank and would be the banking firm of Simmond Freres. I wanted to ask you in connection with that, Admiral, whether the service was restored by you to the National Bank of Haiti?

Admiral CAPERTON. Yes.

Mr. ANGELL. What steps did you take or have taken to restore the National Bank of Haiti? In other words, how did you accomplish the transfer of the treasury's service from Simmond Freres to the National Bank of Haiti? What I wanted to bring out, Admiral, is the general means by which you effected this transfer from one bank to the other.

Admiral CAPERTON. I do not recall at this time. I had a paymaster here who was looking out for the financial arrangements on shore.

Mr. ANGELL. The financial arrangements with regard to the Haitian fund?

Admiral CAPERTON. Yes; but without finding my notes here, I cannot remember the modus operandi, but, as I recall it, it was done through the office of staff and the paymaster.

Senator ODDIE. I would like to ask a question here, Admiral. Whether the bank of Simmond Freres?

It was reported to me that anybody got money, as I have seen here, who had the power to go and demand it. I mean who controlled the bank itself? What interests itself?

Well, I do not know. It was a private bank, Simmond Freres, two or three brothers of them, I think. You know whether it had any connection with any country and Haiti?

I do not recall that now, sir. It was more of a banking bank, as I understand it.

But in previously in my testimony:

"The treasury service by an arbitrary act was taken from the Haitian Government, the national treasury, by a proclamation of President Lullier to private banking firms, the principal one of which is Simmond Freres is under no control that will safeguard it. They merely make collections of the revenues received, take as their fee, and turn the rest over to whosoever may please or persuasion in the name of the government or revolution. The result is that considerable money is being thus forced out of the country by the so-called revolutionary committee in various ways. It is being used to actively support the revolutionary cause of military necessity, therefore, I this day informed the President, Simmond Freres, and the National Bank of Haiti that the service could be resumed by the National Bank of Haiti. I made a legal and exact contract for the handling of the treasury's service."

Admiral, are we to understand from this testimony that the funds were of the Haitian Government on deposit at Simmond Freres and directly controlled by you and your officers between the time of the landing and the election of the new President?

We seized no money at all, and as far as I remember I was not aware of any fund that was transferred. I do not know whether any funds in the bank or not. I simply ordered the National Bank of Haiti to resume the service for the Government, with the understanding that the funds in future there and not making them with Simmond Freres.

Were there any order, for example, given to Simmond Freres to transfer funds which may have been on deposit there nominally for the Haitian Government except upon your orders or subject to your orders?

No; there were no orders of that kind given at all. I was not to do with the money that Simmond Freres had. I just reported to me that everybody with authority who came to me, or words to that effect.

They were collecting it and paying it out and the different banks, there must have been some funds which were nominally deposited somewhere?

Yes; it was deposited there, I imagine.

Simmond Freres?

With Simmond Freres, yes; but I did not transfer any funds. I just issued an order that day that in the future the funds should be resumed at the other bank, and then if there was any money it would be deposited in the other bank. Of course, at that time I had taken over any of the ports of entry or not.

Speaking now of the point of activities up to the taking of the customhouses?

Yes. Understand, I had my officers detailed to look after the customs on shore. I did not attend to these duties personally; I left them to the officers. I do not recall that it is not quite fresh or clear in my mind as to what the procedure was. I do know that I took no funds out of the credit of the Government.

As far as you remember, Admiral, there was no seizure of the funds of the Haitian Government whatsoever, while the funds were in the hands of Simmond Freres, and the seizure and control of the funds coming in from the ports?

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Admiral CAPERTON. Nothing prior to the time when I received deposit whatever was collected (after I had seized or taken possession of ports of entry in my name) in this National Bank of Haiti and its branches.

Mr. ANGELL. What you refer to as the funds collected at the ports is the funds you collected through the customs?

Admiral CAPERTON. Yes; through the customhouses.

Mr. ANGELL. So that the sole control exercised by you over the matters and funds began with the customs seizure?

Admiral CAPERTON. Began with the taking over of the customs. As a matter of fact, this was done simply to let the National Bank of Haiti (which had a regular contract, by law, or a regular agreement, to look out for the interests of Haiti) receive these funds again and not let them go to an outside party to which they had been transferred, as I said before, by some arbitrary act, not legal at all.

Mr. ANGELL. Did you receive any orders, Admiral, from Washington directing this shift of service from Simmond Freres to the National Bank of Haiti?

Admiral CAPERTON. I must have received such orders or I certainly would not have done so.

Here on the 19th of August I find the following cablegram, which was sent to me. I was directed to take charge of certain customhouses, and then had to spend the money, and all that sort of thing, and to collect the import and export duties, to be immediately deposited by me with the respective branches of the National Bank of Haiti, in a separate account open in my name.

I have either testified to this before or else have it in my notes. When I come to it. I had probably received orders before that time. I had no money in the hands of Simmond Freres. I simply wanted to do it in a manner in which the duties or customs were being deposited at that time to the National Bank of Haiti, which had a lawful contract to handle the duties.

Mr. ANGELL. So far as you remember, were the funds collected in accordance with the issuance of your orders to the National Bank of Haiti and to the branches of Simmond Freres deposited according to your instructions?

Admiral CAPERTON. Do you mean here on the 8th or 9th?

Mr. ANGELL. Yes, sir. In other words, was the service resumed with the National Bank of Haiti?

Admiral CAPERTON. Without refreshing my memory, I am unable to say this; I do not recall.

Mr. ANGELL. At that same time, namely, August 9, you will remember that the Acting Secretary of the Navy sent you a message, to which we have referred here a number of times, regarding the election of the President and the Vice-President. Dartiguenave was favored, and that message went on to say, as is in the record, "You will assure the Haitians that the United States has no other motive than the establishing of a firm and lasting government by the Haitian people, and wishes to assist them now and at all times in the future to maintain both their political independence and territorial integrity unimpaired." The message was, as I read it, an order to you to assure the Haitians of the purposes of the United States?

Admiral CAPERTON. Yes.

Mr. ANGELL. Do you remember, sir, what steps you took to carry out the order to assure the Haitians of these avowed purposes?

Admiral CAPERTON. I think I issued several proclamations there. I do not remember the date?

Mr. ANGELL. August 9, sir.

Admiral CAPERTON. Just taking them as I find them here, here is one from the commanding officer of the *Connecticut*: "Referring to your proclamation which will be published broadcast in French to-morrow and copy sent to outposts to people leaving town.

"Have received no word yet from revolutionary generals."

That shows the proclamation was there.

Mr. ANGELL. What is the date of that? That is the 8th, is it not?

Admiral CAPERTON. No; that is the 10th, really the 9th, you know. I sent to me on the 9th. Everywhere that I had any ships or any men I issued this proclamation throughout the country, and, as in this instance, it was posted on the outside or near the entrances of the city, so that people leaving the city could see it.

Admiral, referring to your testimony yesterday, on August 14, to your chief of staff, appearing on page 313 of the record of the hearings, in which you say in paragraph 2: "In conjunction with the American chargé d'affaires, carry out and have charge of the important relations with the Haitian

side of that is repeated in several other communications of the kind as appears in the following pages of the record, to Capt. Beach, to the chargé d'affaires, etc.

Q. What is the date of that?

A. August 15, immediately following the election, and at the time negotiations were just being put under way. Can you tell us, now, what the respective parts were, played by yourself or by the chargé d'affaires, in the negotiation of this treaty, which culminated in its signing, and the part played by the chargé d'affaires?

A. Well, I do not know everything the chargé d'affaires did, but I know the work I cooperated with him and Capt. Beach. I had Capt. Beach go around to the different Senators around through the town, and talked with them, and discussed it with them to get their views, all of them. I had a talk with every one of them—that is, through Capt. Beach. We worked together in trying to persuade them or to represent the treaty was. The chargé d'affaires, of course, conducted it. I assisted him, and I went so far as to tell Capt. Beach to go to the different Senators and talk to them about it. If I had spoken for the treaty, perhaps, seen some of the Senators and deputies myself. In the record it does not appear, you see, what respective parts your side in Haiti, and what part was played by the American representatives.

A. I had orders to cooperate with the chargé d'affaires and in every way, which I did.

Q. Understand you rightly, then, the chargé d'affaires really was the general directing head of the American side of the

treaty. Certainly. He made the reports and conducted the negotiations and had him in every way I could. There is one thing I do not want to bring out; that is, where the radiogram was sent to me to inform him of giving him his power to sign the treaty, etc. He had no cable being out of order, so I received it by radio and

testified, Admiral, yesterday, and it has already appeared in the record, that on the 17th of August, Mr. Davis, the American Minister at Port au Prince, delivered to President Dartiguenave a draft of the treaty in a message which passed through you on August 14.

Yes.

Q. You know whether or not the draft of that treaty, as presented to the President, contained any reference to Mole St.

A. Without looking at it I do not remember. It was a long draft and I read it at the time, but now I can not recall it. It was long, and you have a copy of it. You can read it yourself.

Q. This is what I wanted to find out, whether the original draft, delivered by Mr. Davis to President Dartiguenave on August 17 contained any reference to Mole St. Nicholas.

A. Without looking at it, I could not tell.

Q. You testified yesterday, Admiral, that on August 17, 1915, five days after the signing of the treaty by President Dartiguenave, and three days after the receipt by you of the draft of the treaty, that Mr. Davis, the American chargé d'affaires, delivered to President Dartiguenave the draft of a treaty, and you remember whether that draft contained any reference

to Mole St. If he delivered the one that I received by radio, if that is the one, which I presume it is, the treaty itself, a copy of which is in the record, show of itself whether there is anything about Mole St. I am sure it is all in the record, and has all been submitted. I do not know how to go to that and get it.

Mr. ANGELL. Pardon me. Perhaps I misunderstand, but what is in the message of yesterday is the message of the 14th, which outlined a treaty message of August 14 directed Mr. Davis to prepare a draft of a treaty on the following basis.

Admiral CAPERTON. That was the message of August 14.

Mr. ANGELL. Now, on August 17, as you testified yesterday, he had at that time evidently made a draft of a treaty and presented to Dartiguenave a draft of a treaty, a complete treaty in other words.

Admiral CAPERTON. That is not in the record of yesterday. In my message I was referring to the message that I received from the Navy Department that is, from the State Department, I think it was, through the Navy Department and through me to Mr. Davis.

Mr. ANGELL. Now, what I am referring to is the actual draft, as presented three days later by Mr. Davis to President Dartiguenave.

Admiral CAPERTON. That I am unable at this time to answer, because I do not recall. No doubt I read the treaty before he presented it, but I do not know whether St. Nicholas Mole was mentioned or not.

Mr. ANGELL. Coming now, sir, to the message of August 19 which was received by you, on the authority of the State Department to seize the 10 major customhouses, you testified yesterday, on page 326 of the typewritten record of the hearings, that you were directed to confer with the American chargé d'affaires for the purpose of having President Dartiguenave solicit the advice of the American chargé d'affaires, namely, the seizure of these customhouses, "but whether the President requested or not, I was directed to carry out the State Department's directions."

Do you remember whether you did confer with the American chargé d'affaires for the purpose of having President Dartiguenave solicit the seizure of the customhouses?

Admiral CAPERTON. Oh, yes; I conferred with him through my chargé d'affaires. Before taking over any customhouses, I always conferred with the President and informed him of what I was going to do, and requested his permission. I never secured an agreement to the matter, and as far as I remember now, he never consented. In each case where a customhouse was taken over, the order to do it was referred to the chargé d'affaires, to have him go to the President first, and in many instances I asked him if he would not aid me in carrying out the seizure by having his customhouse officials present to aid me when taking over.

Mr. ANGELL. When you say "he," you mean the President?

Admiral CAPERTON. Yes; the President.

Mr. ANGELL. But, so far as you know, he never consented affirmatively to the seizure of any customhouses?

Admiral CAPERTON. Not that I recall now, but I did have some of the officials at different customhouses, several of them, who aided us in carrying out the seizure. If he did not assent, he naturally objected. I do not know what he said at the time, except that it was generally understood that he could not prove it.

Mr. ANGELL. Do you remember whether or not he made any specific objection?

Admiral CAPERTON. No; I can not recall that now, in the absence of the representatives who personally conferred with him.

Mr. ANGELL. Do you remember the protest which was published in the *Moniteur* on September 4, 1915, specifically regarding the seizure of the customhouses at Port au Prince, which was dated September 2? I want to know what is in the record, and I will read you the material portions of it. Admit that it refreshes your recollection on the general attitude of the Government.

"Haitians! At the very moment when the Government, engaged in negotiations to settle the question of the presence of American military forces in Haitian territory, was looking forward to a prompt solution in accordance with law and justice, it finds itself faced with the simple seizure of possessions and the administration of the capital.

"Previously the customhouses of several other cities of the Republic had been occupied in like fashion, and whenever the news of such seizures reached the national palace or the department of finances it was followed by an energetic protest, demanding that the diplomatic representatives of the American Government residing at Port au Prince restore the customhouses and put an end to acts so contrary to the relations at present existing between the Government of Haiti and the Government of the United States of America."

And it goes on to comment on this situation, and is signed by General Dartiguenave.

So far as I recall now, I had no paper written to me concerning, nor do I remember the words of objection that were presented to my representatives but I know there was more or less either from the President himself, or whether from the people.

The protest above quoted is as follows:)

Regarding these facts officially to the attention of the country, we declare further, in the most formal fashion to you and to the world, that the order to carry out these acts so destructive of the rights, and sovereignty of the Haitian people is not due and can be cited against the patriotism, devotion, spirit of courage of those to whom the destinies of the country have been entrusted by the judges of that.

It is the fact that my astonishment is greater because the order had been undertaken in the hope of an agreement upon conditions presented by the American Government itself, after going through the ordinary phases of diplomatic discussion with the enemy on both sides, have now been relieved of the only obstacle which hitherto appeared to stand in their way.

This agonizing situation, more than tragic for every truly patriotic government, which intends to preserve full national sovereignty, to maintain the necessary resolution only if all are united with intelligence and energy with it in the present task of saving

"SUDRE DARTIGUENAVE.

National Palace, September 2, 1915, in the one hundred and twenty-fifth session of the Chamber of Deputies.

For further reference, Admiral, to this question of the customs, and the seizure, and the like, you testified yesterday with regard to that which was being collected at the customhouses as follows—from page 329 of the typewritten record of the hearings: "The funds that were being collected were being used at the disposal of the revolutionary forces, in some instances. There was no

—appreciating the difficulty of remembering things that are so many—can you now remember any specific instances where the funds were being used by the revolutionary forces or bands of

No; I do not know that I can recall any specific instances where the funds were being used by the revolutionary forces or bands of

fact—and I am asking this for mere information—that, and as I understand it to be, many of the customs services were specifically pledged to meet the foreign debt or for other services?

Yes; I think that is the case. I do not know about the

no particular port or ports in mind, but merely the fact

The money that was collected from customs on indifferently allotted for certain purposes or for certain debts, and as I understand it to be, many of the customs services were specifically pledged to meet the foreign debt or for other services. A certain percentage of it was to pay for one thing, and for another thing.

You remember, Admiral, whether there were any pledges of a specific port for the service of a specific foreign loan?

No; I do not know of that detail.

At the time the customs services were seized by you, pursuant to the request, as contained in the Navy Department's telegram, were you informed officially by the Navy Department, or by the American representatives in Port au Prince, that the customs were being used in some instances, and on some types of exports and imports, for the service of certain foreign loans?

Yes; as I recall it now, the National Bank of Haiti had been looking out for it all along except when the funds were referred to previously. That was their

duty. That was a part of their obligation, to devote so much of the money to this, and so much to that.

Mr. ANGELL. Do you know whether the seizure of the customs, as by you, contemplated the honoring of these pledges?

Admiral CAPERTON. I do not know about that. I only know what with the money after I collected it; it was paid out in accordance with instructions from the Navy Department.

Mr. ANGELL. You have no idea whether the Navy Department or the Department accepted these customs receipts to be used to carry out the pledges previously made by the Haitian government?

Admiral CAPERTON. No; I do not. I made several recommendations, to pay out this money that was collected, and I know that several hundred thousand dollars were paid out for the interest on the internal bonds. I was particularly interested in that, because it was to me on shore, what the internal bonds were. I was there such a short time, less than a year, after the time I took over the customs; however, I collected a good deal, and, as I remember, when I left there I left a receipt for a half or \$2,000,000, something like that, in the Haitian National Bank, which paid out \$600,000 or \$700,000 for interest on the internal bonds.

I might say that all these details were looked after and handled by my officers whom I detailed for that specific purpose. For instance, the administrator of customs, Capt. Connard, looked out for all of this. I made a study of it, and was constantly in consultation and worked with the Bank of Haiti, and he would come and report to me the results of what he was doing, so that I would know what was going on. He is thoroughly conversant with every step that was taken with regard to the finances of the country from his arrival and after his appointment under me.

Mr. ANGELL. During the period of your assignment to duty in Haiti, the waters, which was up until November, 1916, as I remember—

Admiral CAPERTON. No; until July 18, 1916.

Mr. ANGELL. July 18, 1916, there was no payment made, was there any interest on the foreign debt?

Admiral CAPERTON. No; I think you will find in the records here a frequent mention of this subject, but, as I recall it now, we paid interest on the external or foreign debts.

Mr. ANGELL. There was no direction from Washington to you to pay interest on the foreign debt?

Admiral CAPERTON. Not that I recall now.

Mr. ANGELL. In connection, Admiral, with the negotiation of the financial matters such as the customs control, did Mr. Farnham have any interest in any way in these questions, or did he assist in any of them?

Admiral CAPERTON. I never saw Mr. Farnham. I heard a lot of talk from him, promiscuous talk. I appealed, I presume it was to him, or to the National City Bank, or some one in New York, to try to start up work on the railroad to keep the people from starving, which was outlined in the money, or will be before I finish, but as far as having any interest in him at all, I had none whatever.

Mr. ANGELL. Do you remember or not whether he was in Haiti in the summer of 1915?

Admiral CAPERTON. I do not recall now; I do not believe he was in Haiti, have been, but I never met him. Of course, there was a great deal of talk about him. The people on shore did not seem to like him; a great deal of talk, not, especially the people who were against the occupation. In that connection, he would frequently bring up his name, but I paid no attention to it, had my own orders and business to attend to.

Mr. ANGELL. Coming back again now to the customs, sir. It is a question, not, that the customs service was the chief source of revenue of the government?

Admiral CAPERTON. Oh yes; as far as I know, it was the only source of revenue.

Mr. ANGELL. There was none or practically no internal-tax revenue?

Admiral CAPERTON. No; they said they collected them, but when I took charge, I could not find any.

Mr. ANGELL. Referring still to the customs seizure, you testified on page 330 of the typewritten record of the hearings, that on August 19, 1916, as it appears here—I think it should be August 19—you sent a message to the Secretary of the Navy, stating that the United States had now

tary intervention in the affairs of another nation. Re-message, you testified yesterday, and it appears in the said, "This secrecy extremely important now, pending the secrecy referring to the proposed seizure of the you remember whether secrecy was maintained at that mitted to carry out your own idea of maintaining secrecy? Yes; to a certain extent I was. It came through me, intercepted it was kept more or less secret by me. To the secrecy was maintained.

ed to in this message refers to the secrecy covering the of marines. I think it refers generally to all my activities ended the bringing down of a lot of marines, additional now, looking at it, as I recall it, I meant that my general ept secret, because I was not ready to do much then. If places were taken over one at a time for a while, because o do otherwise. When I took one I had to have a sufficient t myself, to protect the act, and look out for the custom- at was properly protected.

aking over of an individual customhouse was not a matter as it?

Oh, no.

was done entirely openly?

After the act commenced, and, as I have stated before, ne Government of the fact and asked them if they would ing over the archives.

at as soon as you seized an individual customhouse that enerally and broadcast at once?

Oh, yes; as fast as news traveled at that time in Haiti. se I notice that in your testimony yesterday, on page 336 cord of the hearing, you quote a message or note of yours was the date, I believe, that the first of the customhouses t at St. Marc saying, "an unfavorable sentiment has ap- in the form of inflammatory speeches against the customs n occupation in general." That is on August 21, the date er of any of the customhouses.

Then the 21st was the date on which the first one was ooking at my notes?

ing to this statement in there with regard to the unfavor- ring in speeches against the customs control, that would t, that this whole question of customs control was being n agitated, in and out of Congress, even before the customs

In other words, was there any general discussion inside e on the question of the customs control or seizure of the first actual seizure by you on or about the 20th or 21st

Not that I recall now.

at the storm broke regarding the seizure of the customs f the seizures?

It would appear that way.

ugust 23 you reported, Admiral, to the Navy Department, on page 338 of the typewritten record of the hearings, in a s, "Treaty negotiations are still unsatisfactory," and that substantially the same or indicating the same idea, appears ssages of this general period. Can you tell us what you ession or expressions as "treaty negotiations are un-

Yes. Of course, I kept track every day of the discussions on in Congress. I knew exactly nearly everything that took was able to tell when they were opposing it violently, or ming around, so to speak. In other words, if the speeches n congress were satisfactory, they were satisfactory; if tory, they were unsatisfactory, favorable to the treaty or

ner they were favorable or unfavorable to the acceptance of am trying to ascertain.

One day we would have a senator with us, and then the e against us.

Mr. ANGELL. What was the main ground of such opposition as was it the opposition to the customs control?

Admiral CAPERTON. Oh, the customs control, no doubt, had something to do with it, but I think the whole American occupation. These people were bitterly opposed to it were against the occupation, and many of them do not know what you would call them, Cacos, perhaps; they were very sympathetic with the Cacos.

Mr. ANGELL. The opposition in general was to the principle of the occupation of Haiti?

Admiral CAPERTON. Well, the customs, I suppose, also had something to do with the opposition.

Mr. ANGELL. Including the customs?

Admiral CAPERTON. Yes; otherwise there would have been, as far as I see, no opposition to it at all.

Mr. ANGELL. And those who opposed the acceptance of the stream of American occupation in general were the Cacos?

Admiral CAPERTON. Well, there were some men who opposed it; I like to say they were all Cacos, but they were sympathetic with the occupation at that time. I think what I intend to infer is, that many of the senators, were really Cacos.

Mr. ANGELL. You read into the record yesterday, Admiral—and then on page 347 and following of the typewritten record of the hearing instructions regarding the customs administration.

Admiral CAPERTON. What is the date?

Mr. ANGELL. The particular letter which I have in mind being dated of August, your letter of instructions to the United States forces in the waters, where, under the heading of "Civil administration," it says:

"Detachment commanders will have charge of such other civil affairs as may be assumed within the limits of their respective commands."

Can you tell us what those other civil affairs were intended to be? Was the charge was actually assumed by detachment commanders over the affairs beyond the customs?

Admiral CAPERTON. I have in my previous testimony shown that over the affairs of Haiti I said that the civil affairs would still be run by the Government, and that we would only take charge of the affairs as interfered with my military operations. That, I am sure, is in the record, and was possibly in the proclamation, as I remember in order to my representatives on shore when they took over a place that the civil authorities would not be interfered with except where they interfered or clashed with my military operations.

Mr. ANGELL. The military operations, of course, were regarded as a matter of course in case of any conflict?

Admiral CAPERTON. Those were my operations; yes. When I did as I recall it, I usually informed the Government, or informed them that it was necessary to do that. That was my intention to always do that and I think I did.

Mr. ANGELL. On August 31, as you testified yesterday on page 363 of the typewritten record of the hearings, you sent a message to the Secretary of the Navy, saying: "On the 31st of August there were no encouraging developments in the treaty situation. I have, therefore, decided that, unless otherwise directed, I will occupy and begin administering the customs house at Port au Prince at 10 a. m. on the 2d of September." Was your determination to occupy the customhouse at Port au Prince made with a view to forcing or compelling that act in the general aim of bringing about an acceptance of the treaty?

Admiral CAPERTON. No; I think, as I stated there, whatever the result was there, that the developments were not encouraging for the treaty. I was waiting and waiting to take over this customhouse, because I had some time before to do so, and as the paymaster had only arrived a few days before that, I decided to take it over the next day and not to wait. I think if the conditions under which the treaty was being considered had been taken into consideration I would not have taken over this customhouse. I had wanted to improve the treaty negotiations, because every time I went over a station there was a howl, and I lost a great many senators and representatives. On a round-up they went against me. They said they would now the other way on the treaty.

al, there has already been placed in the record Maj. Mc-  
n which was submitted back here in August, containing a  
of course, a great many specific details. In that memo-  
g on page 67 of the printed record appears your proclama-  
f September 3, in which in the second paragraph I note  
vested with the power and responsibility of government  
branches throughout the territory above described, and  
tion of such government by martial law will be provided  
be issued," etc. That proclamation and the language of  
to be reconcilable, would it, with the previous proclama-  
endence as ordered from Washington through you?

I do not quite get that.

I remember, sir, the message which has been referred to a  
y of August 9, in which you were directed by the Secre-  
sure the Haitians that the United States wished to assist  
times in the future to maintain both their political inde-  
al integrity unimpaired? I was asking you, in a question  
argumentative, possibly, whether the purposes of that  
ould be reconciled with the fact of the issuance of the  
al law and the language of the proclamation?

I think that is answered in the next paragraph, which is  
reads as follows:

erein proclaimed and the things in that respect so ordered  
taken to interfere with the proceedings of the constitu-  
d Congress of Haiti or with the administration of justice  
existing therein which do not affect the military operations  
the Government of the United States of America."

er words, the military operations or the authorities of the  
be regarded as supreme?

No; I will not say that at all.

s that martial law would not interfere with the proceed-  
onal Government or Congress or the courts that did not  
erations of the United States.

That is the theory, I think, of martial law. On page 68  
s appears a legal opinion rendered by the judge advocate  
ith reference to the status of the marines in Haiti, which

es of the United States have not displaced the civil gov-  
established a military government of the United States in  
engaged, pursuant to law, in lending sufficient aid to the  
c.

can read it on that page.

inion is based, as I read it, sir, upon the treaty and upon  
ed States forces in Haiti subsequent to the treaty of Sep-  
reas your proclamation of martial law was made and  
o effect 13 days before the treaty was signed, so that the  
dvocate general is hardly in point. It seems to me. That is  
the record than a question to you, sir, because that is a  
ion of constitutional and international law. I simply  
s your opinion there was a conflict between the avowed  
the political independence and territorial integrity unin-  
people and the acts which were taken by you in accord-  
ctions received from Washington.

Well, if you will recall my testimony, it was by the  
ent of Haiti that I declared martial law. I announced I  
d the approval of the department.

to understand from your answer that you believe there  
en the announced purpose to take no steps to impair the  
of Haiti and the steps which were actually taken?

Well, I found it necessary to declare martial law in order  
along. No one seemed to pay any attention to the laws.  
defaming us and me individually, and everything was  
der to handle matters and keep peace at all I really did  
support the constitutional government of Haiti.

not asking you personally to defend it, and I am not  
g it, but I am just trying to get the official view, if I  
of these acts with our avowed purposes.

Admiral CAPERTON. I informed the department before that I would not unless matters got better, and I had their approval, and I let them know that I would not interfere with their civil government in any way in which they did not affect the military operations or the authorities of the United States.

Mr. ANGELL. In other words, in accordance with the discretion vested in you, or with the instructions, you regarded the step of martial law as an act necessary and proper to assist in the maintenance of political independence of Haiti?

Admiral CAPERTON. And to preserve law and peace; yes; and I was mented by and had the approval of many of the best people in the country. Of course, a great many acts arising from this they disapproved, but the things I did for them they all agreed to. They came to me and said that was the best thing. They could not live there without martial law, and I believe they could exist there without it at the present time.

Mr. ANGELL. You have referred in your testimony, Admiral, and it is in the record in the memorandum prepared by Maj. McClellan, to the law, as proclaimed by you on September 3, 1915, in Port au Prince, with the American forces by President Dart guenave. Can you tell me where, to whom, and under what circumstances that request was made?

Admiral CAPERTON. I can not at the present time. It came to me and I would say very likely it came through my chief of staff. He reported to me. Just how I received the message now I can not recall, but it was reported to me that it came from him, and I reported it to the Secretary of the Navy, and it is a matter of record, and I think it is already entered in my testimony. Intervention was required because there was no existing or prospective authority, either civil or military, to cope with the existing state of affairs. The only possible means of establishing order and bringing peace and order to the mass of the people, martial law was declared. This martial law, in fact, the martial law of the Republic of Haiti put into effect at the request of the President of that Republic and for the preservation of the property of law-abiding Haitians as well as to avoid the necessity of the use of units of the military forces adopting their own means for self-protection for the preservation of order in their immediate vicinity.

(A supplemental statement filed by Rear Admiral William B. Caperton is printed in full, as follows:)

#### STATEMENT OF REAR ADMIRAL WILLIAM B. CAPERTON

(In accordance with the previous understanding between the committee and Admiral Caperton the following was introduced in written form on September 10, 1921, by Mr. Howe, counsel for the committee, on behalf of Admiral Caperton, as a continuation of his former testimony:)

On September 9 I received the following report from Mr. McLean, American deputy receiver in the Dominican frontier customs service, vouching for its truth: "Town quiet. Minister Leconte will send out a committee to interview Cacos. Following message received this afternoon. Vouching for its truth by Beall, United States deputy receiver of customs, by boat leaving at 8 p. m. September 7: 'Haitian revolutionists are attacking the town of Ouanaminthe. They desire the loyal troops to unite with them to capture and attack the Americans. When the troops at Ouanaminthe begin a siege and then the attack. The revolutionists are being repulsed on this side. The Dominican authorities have taken a stand against the troops, but allow the rebels privileges here. In short, the Haitian revolutionists are being maintained and sustained by the Dominican Government. Prisoners taken by both sides are put to death in most frightful manner. Troops at Ouanaminthe are willing to turn in arms to Americans as long as they can find a way to do so. The revolutionists of Bobo and Thierremont preventing them going to the cape for that purpose.'"

McLean, deputy receiver frontier customs service. 19308. Durell.

On this same date Louis Borno and Paul Salomon were appointed to the posts of foreign affairs and public works, respectively, filling vacancies in those places.

On September 10 I received the following message from Commander F. Carter, commanding officer of the *Castine*: "Between 300 and 400 men reported to be at Poteau; majority armed with rifles. Reported



shore battery. After this salute, in company with my staff, I called on the Haitian President, which I at once reported to the Secretary of the Navy. On this day the treaty was presented to the Chamber of Deputies and was referred to the committee of 11 deputies. This committee consisted of five mulattoes and six blacks, five from North Haiti, two from the West, and four from South Haiti.

On September 17 I called the attention of the department to the fact that since the establishment of martial law conditions at Port au Prince the disturbances have become greatly improved, so that the city is now quiet and well regulated.

It was reported on the 17th that interference with the food supplies by the Cacos continues. The Cacos levied illegal tax on the town and had cut off the town water supply.

On September 18 the President of Haiti and his cabinet called a meeting on board the *Washington* during the forenoon. Full honors according to regulations were given. The Haitian congress was formally dissolved on the 17th of September on account of its being the end of the session; the President convoked an extraordinary session of both bodies on September 20. I was informed that on the reconvening of congress the Senate would appoint a committee and the deputies would name a committee mentioned above to consider the treaty and make recommendations to their respective bodies. It was understood that after this report for a modus vivendi would be passed. I was informed that the President was confident that there would be no opposition to the ratification of the treaty but desired a full discussion to take place in order that acceptance would be made nearly unanimous.

The report formerly received that the Dominican authorities were aiding the Haitian Cacos to lay siege to the loyal troops at Port au Prince and openly aiding the Cacos was confirmed on September 18 by the receipt of customs at Santo Domingo city.

On September 18 I was informed by Col. Waller of the condition of the loyal forces. He reported that with my approval he would take Major adjutant to Gonaïves on the *Osceola* on the following day; that the water would be cleared by direction from the chiefs outside Cape Haiti; that water and food supplies were most important for Gonaïves; that the *Osceola* was involved and that if necessary he would stop at Gonaïves in case of need; he believed pressure necessary on the small bands; that no offensive movement was involved, and that protection of movements at a point where a landing was necessary. I immediately approved this contemplated action of Col. Waller's.

Commander Carter, the commanding officer of the *Castine*, reported that in the morning of the 18th he sent a working party, accompanied by a detachment of the 1st Marine Regiment, to repair the water main broken by Cacos at the reservoir near Pier 1. The Cacos fired on our men when landing, but were quickly dispersed. On the mountains when we returned fire with machine guns; that the water main was then repaired; that on the afternoon of September 18 the Cacos attempted to force against our outpost at Gonaïves, but retreated to the bushes on the approach of a patrol. It is reported that the Cacos received reinforcements and it is estimated that their force now amounts to 600 men. The landing force is still on shore. Interference with the food supplies continues and is a great hardship on the poor people.

The commanding officer of the *Castine* earlier in the day reported that a patrol of 8 men and 1 officer encountered 75 armed Cacos outside of Port au Prince at 9 a. m., September 18; that the Cacos attempted to surround the patrol, who then fired a few shots; and that the Cacos returned the fire and withdrew to the bushes. There were no casualties at this time.

I decided to await a report from Col. Waller, who was en route to Port au Prince before taking any active measures at that place which could not be accomplished from the spot under his instructions.

On September 19 the Caco chiefs failed to appear for a conference with Col. Waller, which had previously been requested by them, but instead appeared the commanding officer of the *Connecticut*, Capt. Durell, stated that they were sending a letter stating their views. On this day the water main at Gonaïves had been repaired by our forces the day before, was again broken by the Cacos.

and it necessary, owing to conditions, to forward the following American chargé d'affaires:

CHARGÉ D'AFFAIRES,  
Legation, Port au Prince, Haiti.

In order to state that reports from various towns which American officials show a dilatory attitude on the part of some Haitian officials with the American authorities, amounting in some places to a refusal.

In bringing this matter to the attention of the Haitian Government it is necessary that instructions be issued immediately to cooperate with and meet the wishes of the American authorities on official matters under consideration without delay.

It may be necessary for me to take action in order to maintain business and to safeguard the interests of the Haitian people and the cities.

Respectfully,

W. B. CAPERTON,  
Read Admiral, United States Navy,  
Commanding United States Forces in Haiti and Haitian Waters.

The Navy on September 18 informed me that the State Department information received from the British vice consul at Santo Domingo, indicated need of protection for lives and property at Santo Domingo, and requested me to send a vessel to Santo Domingo under the conditions there. I accordingly directed the *Marietta* to carry out these duties.

On September 18 I received a report from the American consul, stating that Bobo had sent a cablegram from Santiago de los Caballeros in Cape Haitien urging the Cacos to hold out.

I received the following reply from the American chargé d'affaires of the 19th, relative to the dilatory tactics of the Haitian towns:

LEGATION OF THE UNITED STATES OF AMERICA,  
September 20, 1915.

I am inclosing a copy of the treaty. As you will notice, the text is somewhat rough, but I suppose this will serve as well for your purpose.

Your letter received this morning with regard to lack of cooperation of Government officials in the different ports, I have brought the matter to the attention of the minister of foreign relations, and he assures me that the action requested be at once had.

I am, sir, your obedient servant,

R. B. DAVIS,  
Chargé d'Affaires ad interim

Col. Waller from his reconnaissance and inspection trip having received his report I made the following report to the Navy, describing the situation on September 21:

On Monday from reconnaissance and inspections trip to Santo Domingo and consulted with Caco chiefs in north, explained the situation in regard to Haiti. Cacos found to be interested in the situation, but opposed Dartiguenave government. They were willing to open railroad from Cape Haitien to Grand Riviere to Santo Domingo, but were opposed to departure of train. They had three squads marines, two machine guns, and wrecking equipment. They opened railroad to Grand Riviere without difficulty. Cacos offered no resistance, and finally accepted situation apparently the point train was derailed by Cacos, where two rails had been hidden in grass. Cacos were little threatening the marines taking position to guard men working on track under immediate command of Morenci and Petion. Country around Grand Riviere greatly pleased our action. Condition of the country not to be considered any value as troops; they now live by agriculture and market people. Same class Cacos exist vicinity Gonave, due to excitement created by their proximity. Have

directed commanding officer *Connecticut* keep railroad to Bahon open free access market people and coffee to Cape Haitien. 13421, Cap

Col. Waller brought a report from the north that it is possible would accept the Government's proposition relative to disarmament, it be assured that the money involved would be handled and paid to the Americans. I accordingly sent Col. Waller to see the Government, with the American chargé d'affaires, and come to a definite understanding to this matter. As a result of this conference the Government guarantee payment of 50,000 gourdes to every 1,000 Cacos soldiers who would proceed to Cape Haitien or Gonaives and surrender 1,000 serviceable rifle ammunition to the American officers at those places within a period of beginning the day this notification reached the Cacos chiefs. The Government agreed to deposit to my credit the sum of 100,000 gourdes, and more if necessary for this purpose.

I informed the commanding officers of the *Connecticut* and *Castine* that money would be deposited to the credit of the collectors of customs at Cape Haitien and Gonaives; that the disbursement would be controlled and made personally by American officers appointed by them; that no payment would be made unless the Caco chiefs agree in writing that hereafter their men will not oppose the present Government or interfere in any manner whatsoever with commercial, agricultural, or any other industries, and that when they return to their homes and take up peaceful occupations, I directed the commanding officers of the *Connecticut* and *Castine* to inform the Caco chiefs of the proclamation of general amnesty made by the President would be in accordance with the United States forces. I then definitely withdrew all pecuniary considerations made by me relative to the surrender of arms and disbanding of the Cacos.

Preparations were made September 20 to open the railroad from Poteau. When the Cacos learned of these preparations they endeavored to destroy the railroad track, and a detachment of marines sent out to the Cacos to desist were fired upon. The fire was returned, the Cacos retreated into the bushes, though sniping from the bushes continued at intervals. The Caco chief was warned on the morning of September 21 not to interfere with the food and water supply. I immediately afterwards gave orders that the railroad be kept open to Ennery and that such steps as necessary be taken to insure the food and water supply for the town and a free entry for coffee, and that tampering with these necessities be permitted.

I was informed about this time that the steamer *Fauna*, due to leave for the Prince on September 24, had on board unsigned bank notes for the Government to the amount of 500,000 gourdes. In view of our recognition of the Dartigue Government, I, on September 21, requested instructions as to the disposal to be made of these bank notes upon their arrival.

On the 21st Maj. Butler, with a detachment sent out to keep open the railroad, held a parley with Gen. Rameau, who agreed to withdraw his forces from the neighborhood of Gonaives and promised not to interfere with the railroad, water supply or injure the railroad or telegraph lines.

In connection with the expected arrival of the *Fauna* with unsigned bank notes for the Haitian Government and in reply to my request for instructions, in the premises, I received the following from the Secretary of State:

"15221. State Department has sent full instructions to chargé d'affaires to consult with you. Hold gourdes for present and be guided by State Department wish as expressed in instructions to chargé. Acknowledged. Daniels."

On September 23 I learned that the Cacos at Cape Haitien were holding out for a much greater sum of money than had been promised by the Haitian Government through Charles Lec

On the same date I learned that Rameau was informed that he would be held personally responsible for any further interference with the water and food supplies or the interruption of railroad and telegraph communication or the collection of taxes on coffee or other products. He promised to prevent further interference and to keep his men beyond the railroad.

The Haitian Senate met on this day in closed session and appointing a committee to study the treaty: MM. Fouchard, Martineau, Pouget, Morpeau, Edmond Roumain, St. Lafontant, Beauharnais, and Dr. Jaenty.

On September 24, 1915, I informed the commanding officer of the *Connecticut* that I desired trains to be sent frequently on the Grande Riviere, and that detachments to remain at Grande Riviere over night occasionally, and

at Limonade, Quartier, Morin, Haut de Cap, Plain du Nord, towns. These scouting operations were in no way in the operations, but were necessary to insure the free entry of goods into the town of Cape Haitien, and, in addition, to give knowledge of the surrounding country. On this day the vessel arrived at Port au Prince in the afternoon, having on board 10 men assigned to the Haitian Government. In accordance with the Navy Department, I directed that these bank notes be placed pending disposition in accordance with instructions submitted to the American chargé d'affaires.

To quieting rumors received from Port-de-Paix, I directed the military forces at that place, on September 25, to report how business had been conducted, and directed him to warn the Cacos that the food and natives must cease, authorizing him to do so, but warned him to not fire unless fired upon.

The Caco chief, Morenci, and Petion gave Charles Zamor and his lawyer of attorney to go to Port au Prince to see President Lullier conditions of disarmament, giving them full power to do so and pledged themselves to abide thereby. The commanding officer of the *Connecticut* informed Morenci and Petion that he would send out no offensive or hostile intent. On the next morning the commanding officer of the *Connecticut* and the American consul each received warnings not to attempt to patrol the Plain du Nord. The commanding officer of the *Connecticut* replied that he would continue to patrol but not to attempt to patrol the Plain du Nord.

On the morning of September two patrols, about 40 men each, were sent out, the first to go to the town of Plain du Nord via Haut de Cap and the second to go to Haut du Cap via Petit Anse. The patrols had orders to do no offensive action, but to defend themselves if attacked. The first patrol was ambushed and attacked between Petit Anse and Carrefour. The patrol forded the Haut du Cap River and returned to Cape Haitien. About 4 p. m. with 4 wounded, all horses having been killed. The commanding officer of the *Connecticut* stated that the work of this patrol was to patrol the Plain du Nord. The patrol met opposition at the Caco outpost, but went on to the Caco outpost. About 8.30 a. m. firing became general near Haut du Cap. The commanding officer of the *Connecticut* and the American consul each received warnings not to attempt to patrol the Plain du Nord. The commanding officer of the *Connecticut* replied that he would continue to patrol but not to attempt to patrol the Plain du Nord.

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On the morning of September 25 I attended the election of President Lullier, celebrated in honor of the election of President Lullier. Afterwards attended a reception at the palace. This was attended by the American chargé d'affaires, the Cuban chargé d'affaires, the Haitian chargé d'affaires, and the Consul general.

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first installment of its own circulation in accordance with its contract required reserve to be set aside from funds in hand. The notes so submitted over to the Haitian Government immediately after ratification of the convention. Rate of exchange of bank circulation being 5 to 1. The of these notes will constitute the loan of \$100,000 by bank mentioned in Department dispatches to chargé d'affaires. Bank approved this plan by cabling New York to-morrow for necessary authorization. Bank in conference with Conrad regarding further steps for retirement of Government nickel currency, to be undertaken promptly if above plan is carried out. It is believed that the issue of notes under the conditions stated will be acceptable to the Haitian Government, since it is to the loss of prestige resulting from the depression that they really object. Will also indicate desire of bank to settle settling difficulty and to carry out contract. This matter has not been discussed with Haitian Government, and if plan is approved it is required that chargé d'affaires be authorized by State Department to negotiate in conference with Conrad, as my representative, on that basis. This message was sent without knowledge of chargé d'affaires' dispatch to State Department.

"Ca

The *Eagle* arrived at Cape Haitien at 9 p. m. the 27th of September. Col. Waller and his staff.

On September 29 I received the following report from Col. Waller Durell, commanding officer of the *Connecticut*, concerning the agreement made into, and signed between them and the Cacos chiefs at Quartier Morin in accordance with agreement by Haitian president and cabinet, made in an interview with me, agreement approved by you, I have to-day in conference with the Cacos chief, concluded following agreement: Cacos of Haiti will immediately. All arms to be deposited at Quartier Morin as soon as the Cacos chiefs submit to the Government of Haiti, as represented by the president. Cacos delegates will visit Port au Prince, consult with the Government. No money transaction involved now. We stand ready to affirm for the Government made by Leconte of 50,000 gourdes. Nothing asked. Cacos to-day all outposts and guards as evidence of good faith and country traffic. Agree that after this all armed bodies of Cacos shall be disbanded. This agreement effective after to-morrow. We agree to a general amnesty proclamation. No arrests for political offenses since institution of Dartiguenave government. All armed opposition to date of this agreement to be treated as act of bandit. Cacos chief to be the appropriation heretofore made for the army be diverted to public use. Agreed we urge that upon Government. Cacos ask representation in the army, police and civil government. We will see to the first two proposals. Urge upon Government the wisdom of the latter, especially in localities where we asked that the many wounded Cacos be sent in for treatment in hospitals. We will see to pay for treatment. This is voluntary and outside of any agreement. Day after to-morrow I shall visit ——— and chief of the Cacos at Morin. Charles Zamor has been invaluable in all dealings with the Cacos. He lived up to his promise to us. Request that money to be sent at once to the Government to pay the troops. 17029. Waller Durell."

On the 29th I addressed a communication to the American consul at Port au Prince requesting any further information he might have regarding Dr. Rosier and in reply was informed on September 30 that Bobo was still at Port au Prince and under close surveillance.

In view of the fact that the Haitian Government did not wish to enter into any joint agreement with the bank regarding the issue of the 500,000 gourde plan proposed in my radiogram 23525 can not be accepted. I then on September 29 addressed the following message to the Secretary of the Treasury: "As the Haitian Government does not wish to enter into any joint agreement with the bank regarding issue of 500,000 gourdes, no such plan can be carried out. At the same time the Government claims to be seriously embarrassed and is counted definitely on using the bills now withheld by me. Need for funds seems to be real. If the State Department does not intend to provide bills without condition, nor provide loan prior to ratification of the agreement, authorized to furnish Haitian Government such funds as can be secured from the sale of customs receipts? 22229. Caperton."

On October 1, I received a radiogram from the Secretary of the Navy regarding the organization of the Haitian constabulary, which reads as follows: "The Navy is intended to proceed with organizing of Haitian constabulary. A

[illegible][illegible]

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**የግብርና ሚኒስቴር**

**የገቢት ፊርማ**

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**የገንዘብ ፋይል**

so difficult that he and his cabinet will resign rather than attempt to carry the senate under this handicap.

"I fear that I have failed in my previous reports to make perfect clear the existing situation, which is as follows: The vote on ratification of the treaty will take place probably to-morrow, the committee having unanimously recommended ratification. Under the mode of procedure, after ratification by congressmen, the treaty goes before the senate, and there it is referred to a senate committee, who, after considering, submit a report, which is then discussed and distributed, and three days allowed for consideration before discussion on the floor of the senate begins. Therefore ratification can not be expected before the latter part of next week.

"The President and cabinet are using every possible effort to secure ratification and seem confident of securing the same if not embarrassed financially. The Haitian Government realizes that such ratification is absolutely essential for the welfare of Haiti. Opposition in the senate is strong, due to the fact that many senators are unscrupulous politicians or fanatics and wish to embarrass the United States by nonratification or to overthrow the present administration, hoping to secure possible personal gain thereby. Pressure is also being brought to bear by outside interests which desire a continuation of past conditions for reasons of financial gain and which will be glad to see the present administration which is already reorganized and supported by the United States forced to resign.

"It is most important that the present administration remain in power. It is not believed that one more favorable to the United States could be found, and in view of all facts as they appear here that a military government would probably have to be established should this Government fall.

"Inasmuch as it is necessary to secure a treaty ratified before any financial plan can be formulated or permanent peace and prosperity achieved in Haiti it would seem advisable to support and maintain the present administration, which will fall unless the slight financial assistance which is requested is immediately available, and further, the progress made during the last two months will be lost. Although funds collected from customs have been expended for the first three purposes named in the department's instructions as to the use of money collected, not one cent has been turned over to the Haitian Government for living expenses, which expenses have been met out of gourdes then on hand and now expended. In view of the importance and the extreme urgency of the case it is recommended that Admiral Caproni be instructed to turn over needed sums out of customs receipts not needed for the customs service, constabulary, and public works. Request earliest possible decision and reply. Davis."

In a report made to the Secretary of the Navy on October 4, stating the lining total customs receipts in Haiti to September 30, and quoting figures for various public works, etc., I reiterated my concurrence in the recommendation of the American chargé d'affaires, that I be allowed to turn over to the Dartiguenave government such funds from the customs receipts as might be considered necessary for its support, in the financial crisis of the Dartiguenave government, the loss of which to the United States should that government fall, and the inevitable demoralizing effect upon the treaty the failure of that government would have had.

On October 4 the American consul at Santiago de Cuba reported that Rosalvo Bobo had left that place for Guantanamo.

On October 5 Cape Haitien and vicinity was reported as quiet. A report stated that certain minor Cacos chiefs were still collecting food products entering Cape Haitien and that unarmed outposts were maintained outside that town by Morenci. The detachment commander at Cape Haitien and warned Morenci that these outposts must be removed, and that if not removed a patrol would be sent out to arrest the men in charge of the outposts.

I reported to the department that the chamber of deputies met on October 6 to consider the adoption of the treaty and voted to ratify it without amendment, the vote being 75 in favor and 6 against ratification.

On October 7 I informed Col. Waller that the matter of bringing the mission of Cacos chiefs to Port au Prince at that time was left to him to handle. I further informed him that Gen. Christian Fish was still under arrest and incommunicado. On this day the commandant of the naval station at Guantanamo reported that Dr. Rosalvo Bobo arrived at Guantanamo on October 4 and left the same day for Santiago de Cuba; the commandant

n consul at Santiago de Cuba of this fact. The mayor received instructions from the secretary of the interior to Bobo and to detail policemen to watch him while there. or, Marpoint, Noel, Etienne, Mehu, and Belleirie, left Cape or Port au Prince via Plaisance on horseback. This com- the Cacos in the negotiations with the Haitien Government. be a member of the chamber of deputies.

tober 8, with his staff, returned to Port au Prince from

American consul at Santiago de Cuba reported that Dr. t place for Jamaica on the preceding night.

of Col. Waller he reported north Haiti quiet; that move- Government troops at Ouanaminthe were well under way; ided for feeding and transporting them to homes.

ent disturbances in the north; of the fact that for a num- ber of unrest had been in the vicinity from Cape Haitien order; and of the reports that arms were being received ; and that coffee and other products were being smuggled om Haiti to Santo Domingo, I decided to occupy Fort ninthe. The Eleventh Company of Marines, which were Liberte and Ouanaminthe, was ordered to Ouanaminthe. sent the Fifteenth Company of Marines from Port au te on board the *Nashville*. The *Nashville* sailed for Cape erte at 3 p. m. that date.

y message to the department of October 3, in which I al of the request of the American chargé d'affaires of t of the same date that immediate financial assistance Haitien Government, to which message the Secretary of the made the following reply: "23103. Cable has been sent with full instructions. You are authorized to furnish weekly amount necessary to meet current expenses. Use n customs. Question payment back salary will be settled liately after ratification of treaty. Report what weekly necessary under these instructions. What is full amount aid? Acknowledge. 22004. Daniels."

reply to these instructions given me by the Secretary of following radiogram to the department: "Estimates sub- government for expenditures classed as absolutely neces- 0,000 per month. This does not include salaries of Presi- other expenditures of like character. These figures have etail but are difficult to check accurately. It is recom- y allowance of \$25,000 be made. This is all that customs or the present, in view of expenditures contemplated for orks, etc. 18309. Caperton."

he 100,000 gourdes deposited to my credit by the Haitian arded by me to the collector of customs at Cape Haitien bursement by American officers to the Cacos for turning ng to the agreement made with them, this money having he collectors of customs at Cape Haitien and Gonaives n October 5 addressed a letter to the National Bank of

OCTOBER 5, 1915.

HAITI,  
Prince, Haiti.

are requested to retransfer to the Haitian Government dred thousand (100,000) gourdes, recently deposited by under the heading "Arms and ammunition."

rs,

W. B. CAPERTON,  
Rear Admiral, United States Navy.

y had been expended for the purpose intended, as the

he loyal Government troops who had been left at Ouana- teen no means available for them to return to their homes steps to relieve them, their situation having been re-

ported to me as most deplorable. On October 4 I ordered the Haitian *Nord Alexis* to be coaled from the U. S. S. *Hector* and to proceed to Cape Haitien with orders to report to the senior officer present at that place for the purpose of transporting the loyal Government troops at Ouanaminthe to Port au Prince. The *Nord Alexis* sailed at 9 a. m. October 4 and arrived at Cape Haitien at 8 a. m. October 5 and reported as directed. On October 6 Col. Waller arrived at Fort Liberte with the loyal Haitian troops, about 370, where they were to embark on the *Nord Alexis*. In the morning I requested for money for pay due these troops I had on October 6 from the collector of customs at Cape Haitien for payment to them for 60 days pay, 10,000 gourdes, and for rationing them on the *Nord Alexis* 60 days pay. Before leaving Ouanaminthe for Fort Liberte it had been necessary to equip nearly all of them, as they were ragged and many of them naked. The *Alexis* with the loyal Haitian troops on board sailed from Fort Liberte on October 9, touched at Cape Haitien, and arrived at Port au Prince on October 10 where they were disembarked and ordered to proceed to their homes near Port au Prince.

During October 11 reports from the north showed that rifles and ammunition were being turned in at various places in the north and that at Ouanaminthe the Cacos were failing to live up to their agreement.

On October 11, in view of the official request of the Haitian Government for information on the following subjects, (a) Are salaries of all customs employees being paid by the United States forces, and if so, have these salaries been increased over the salaries paid them by the Haitian Government and to what extent; and (b) the percentage cost of collecting customs at the different ports, I directed the administrator of customs to furnish the information in the following letter:

No. 11055-15.

OCTOBER

From: Commander Cruiser Squadron, United States Atlantic Fleet,  
United States Forces in Haiti and Haitian Waters.

To: Administrator of customs.

Subject: Customs administration.

1. The Haitian Government has officially requested information on the following subjects:

(a) Are salaries of all customs employees being paid by the United States forces, and if so, have these salaries been increased over the salaries paid them by the Haitian Government and to what extent.

(b) The percentage cost of collecting customs duties for the different ports.

2. You will please submit at the earliest practicable date a written report embodying this information for Port au Prince. The reports for Ouanaminthe to be submitted as soon as you can obtain the necessary information.

3. In case the percentage cost can not be furnished at this time, please report of the amounts expended for the collecting of customs at the different ports since they have been under the charge of American officials, together with the total amount collected at such ports.

W. B. C.

On October 12 I received the following message from the Navy Department:

"Report immediately what in your opinion is cause of delay in ratification of this treaty. What steps should be taken to accomplish early ratification. Edge. 21011.

"BENSON,

There is no doubt but that there was active opposition to the ratification of this treaty, and, in addition to the delays caused by the legislative procedure, this opposition endeavored to prevent the treaty from being ratified and employed various means to delay its being acted upon. I believe the Haitian Government was using its utmost endeavor to expedite the ratification of the treaty, and considered that any open interference in its proceedings would be productive of evil results. I informed the department of marine on this subject at 3 a. m. October 12, as follows:

"10001. Cause of delay in ratifying treaty due to legislative procedure and discussion in senate. Considerable opposition in senate due to

h motives. Believe opposition can only employ dilatory but can not block ratification, as opposition much weakness vote of deputies. Haitian Government taking all steps ratification and expects favorable senate vote first part of for the present we should only support present Government action. Senate meets Tuesday, Thursday, and Saturday.

"CAPEERTON."

with the department's radiogram No. 10001, regarding the gendarmerie, on October 12. I submitted the following a message to the Secretary of the Navy:

following recommendations regarding constabulary, gend-

merie to consist of 1,530 men, officered by 55 marine officers. The gendarmerie will perform the duty of both urban constabulary. (b) There are no arms in Haiti suitable for Annual cost estimated, as follows: Pay, including marine officers as officers, \$351,200; clerical force, \$9,780; uniforms, and remounts, \$22,769; ammunition and target practice, and other expenses, \$43,099; total, \$478,848.

during the first year on pay rations, and other estimated will cover the necessary appropriations of barracks, and equipment, as the recruiting up to the full strength will take

ation provides for two marine officers for each company and be assigned when they are properly instructed in their duties, marine officers to be gradually reduced as the Haitian officers

the gendarmerie, as proposed, will be about \$40,000 less than 1914-15 for army and police.

recommended for the American officers and gendarmerie is as officers to receive following additional monthly pay: Com- sistant commandant, \$200; quartermaster and paymaster, rtermaster and pymaster, \$150; directors, \$200; inspectors, rs, \$150; captain of company, \$150; lieutenant of company, rs and men, monthly pay as follows: Captains, \$90; lieutenants, \$15; sergeants, \$20; corporals, \$15; privates, \$10. ceive ration of 10 cents per day. In addition to pay and ed man will have certain clothing allowances. 14412.

"CAPEERTON."

received the department's authorization to establish a weekly \$25,000 to the Haitian Government for the present, which reads

authorized to establish weekly allowance of \$25,000 for recommended. Acknowledge. 11013.

"DANIELS."

the delegation, composed of Charles Zamor and five others, arrived at Port au Prince.

reported the situation to the Secretary of the Navy as

with detachment 50 men returned to Fort Liberte, having Michel to Le Trou to Fort Liberte. Coupe Michel is high and former Caco stronghold. Found no Cacos and met with and destroyed 116 rifles at Terrior Rouge. Caco delegation by Col. Waller was received by President Dartiguenave. Meeting amicable but no definite negotiations entered into. by Senate to report on treaty has expressed desire to negotiations. Cabinet to-day declined to discuss treaty with understood Government will endeavor to force committee date even if report is unfavorable desiring to bring treaty to senate where Government believes ratification will be voted.

"CAPEERTON."

On October 14 the administrator of customs submitted a reply to No. 11055-15, of October 11, 1915, in which I directed him to report on the difference between the salaries of customs employees under United States administration and salaries formerly paid by the Haitian Government and the percentage of cost for collecting customs duties. I transmitted this information to the Haitian Government informally. The administrator's letter follows:

OCTOBER

From: Administrator of Customs.

To: Commander Cruiser Squadron, United States Atlantic Fleet and United States Forces in Haiti and Haitian waters.

Subject: Customs Administration.

Reference: (a) Commander Cruiser Squadron's letter No. 11055-15, of October 11, 1915.

1. The salaries of all employees in the Haitian customhouses and in the United States are paid from custom revenues. While direct comparison between salaries paid by the Haitian Government and salaries paid by the American administration is difficult, the following relative to Port au Prince will be of interest:

	Haitian
Number of employees.....	8
Monthly pay (in gourdes).....	10, 42
(Gourdes calculated at 6.20.).....	
Average per employee (in gourdes).....	121. 2

2. It is not believed that figures based on one month, during which the customhouse was in course of development, will be found of much value. So far, however, it would appear that while the total pay under American administration is less, the average per employee is higher, fewer men being employed. It was found that many employees under the Haitian Government received merely nominal pay, their income being increased by fees advanced by merchants dealing with the customhouse. These fees have all been abolished and rates of pay in some cases have been raised to allow a fair wage for the employees concerned.

3. The percentage of cost for collecting duties at Port au Prince for the month of September was 5.1 per cent. This cost, however, included expenses not properly chargeable to capital account, covering repairs and improvements of property.

4. Reports on other ports will be made as soon as practicable.

CHARLES

In connection with conditions in the north, on October 15 I received the following report from Col. Cole:

"Sullivan returned this morning; reports resumption of cultivation all quiet generally; priests Le Trou and Limonade state that people are beginning to return to their homes; roads beyond Limonade generally in better condition than this side, though in wet season in present condition will probably be impassable for motor trucks; believed that if Government will adopt the repair and construction roads immediate improvements in general condition will follow. Campbell returned from Quartier-Morin new route; reports good cultivation and attitude of inhabitants very friendly; have received reports from Grande Riviere that some pillaging and enforced recruitment is going on in vicinity St. Suzanne; am sending Campbell with 62 men and an automobile train to-morrow morning to operate in section around and beyond Grande Riviere. Butler reports all quiet but no rifles turned in Fort Liberte."

On October 15 the report of the board ordered to submit a report on the organization of a constabulary for Haiti was submitted to me.

On October 16 rumors in Port au Prince were rife to the effect that the Government would force action in the Senate on the treaty during the next week, regardless of the report of the committee. No definite information on this subject was obtainable.

received the department's radiogram stating that Capt. E. L. Navy, had been ordered to command the U. S. S. *Wash-* arrive at Guantanamo, Cuba, October 22, 1915.

The Haitian Senate convened and reelected Steven Archer as its president. No action in regard to the treaty was taken. The matter was referred by vote of 21 to 17 was regarded as showing that the Senate was in favor of the treaty. Mr. Archer was known to be in favor of the treaty. The Secretary of the Navy on October 19 that Col. Cole was unable to visit the Caco chiefs at Fort Capois on account of heavy rains. The report was forwarded to the local chiefs informing the Cacos at Fort Capois that if they remained under arms they would be treated as bandits. The Haitian Government in charge at that place was favorable to America. The Secretary of the Haitian Government and upon the advice of the Haitian Minister of Affairs, I authorized the payment from custom funds of \$35,000. to the senators and deputies, amount allotted being \$35,000. On October 20 sent a boat expedition to Petit Port Francais, east of Cape Haitien and arrested Mennor, the leader of a band of robbers who had just previously robbed and pillaged at Fort Francais, and sent him to Col. Cole for trial.

Received the following message from the Secretary of the

State Department that Governor Monti Cristi, S. D., has advised the Government that armed Haitian discontents crossed frontier and had encounter with frontier guard. Several Dominican Government has ordered authorities capture and intern these discontents on frontier and for authorities to cooperate with military forces. Acknowledge. 13020.

"DANIELS."

Received the following message to the Secretary of the Navy and

from Cape Haitian Ouanaminthe, Fort Liberte, continued. The Haitian Government from cruise to Mole St. Nicholas, Port de Paix, having investigated conditions these ports. Situation unchanged. 22220.

"CAPERTON."

Received the following message to the Secretary of the Navy

from the Haitian Government. On Friday, at 1 a. m. Friday, at 1 a. m.; known casualties, one Caco chief killed; none of our

"CAPERTON."

Received the following message to the Secretary of the Navy and

from the Haitian Government. The Haitian Government received assurances from president of Senate that Senate committee report will be submitted. The Haitian Government while returning from that place, but there was no casualty. The Haitian Government pressed for action by committee. Press and public opinion delay. Inasmuch as I have received continual assurance from the Haitian Government that they have refrained from taking any steps to use force to secure ratification, believing it to best interests of the country that treaty be ratified after full discussion following procedure. 22122.

"CAPERTON."

On October 24 that patrolling in the vicinity of Bahon and being continued. A patrol from Bahon was fired on the while returning from that place, but there was no casualty. He further stated that it was proposed to garrison Le Trou Francais to clear the district in the vicinity of St. Suzanne and then operating in that section. This was reported to the Secretary of the Navy and C. in C.

On October 24 the first company of the *Connecticut* bluejackets left

for Grand Riviere at 4.30 p. m.; second company *Connecticut* blue been landed at Cape Haitien.

Orders were issued on October 25 by the governor of Monto C. Domingo, that all Haitians be returned immediately to Haiti.

On October 25 I was assured that the Senate committee would submit a report favorable to the treaty, but with interpretations of articles. I was informed that the Senate would vote for the ratification of the treaty without change, regardless of the committee's report. The opinion in Port au Prince seemed to be very much in favor of it at an early date. The press was favorable to ratification, and within a few days posters had been put up in various parts of the city, calling on the Senate for delaying the ratification.

Capt. E. L. Beach, United States Navy, arrived at Port au Prince on October 25, on the *Osceola* with orders from the Navy Department to return to the *Washington*.

On October 26 Col. Cole returned from Grande Riviere. The patrol between that point and Bahun were fired on several times, always from hillsides considerable distance. Yesterday much of the firing was from western side of railroad; to-day almost entirely from hill to the east. Practically all firing has been beyond kilometer 30, except night attacks on Grande Riviere. Conditions of unrest reported from time to time, but present nothing to indicate it except in localities reported on heretofore. There is much clearing of ground going on, and yesterday the former governor for Bobo sent his distillery apparatus to his place, about kilometer 15, to resume operations, it having been in store in Cape Haitien for some time for security. Patrol to Milot yesterday and to Quartier-Morin to-day. Conditions normal.

On October 26 I sent the following message to the Secretary of State and C. in C.: "To-day President Dartiguenave again personally assured me that treaty will be ratified and stated that he had fully expected this week, but that in view of more favorable attitude of Senate committee he had considered it wise to wait a little longer before forcing action. He stated that under any circumstances will secure ratification next week."

On October 27 Col. Waller left Port au Prince at 7 a. m. on the *Osceola* for Cape Haitien.

As I had heard nothing from my radiogram No. 22019 relative to the financial conditions in Haiti I, on October 27, informed the Secretary of State by radio that unless otherwise directed I proposed to allow customs funds in excess of current needs to be used by the National Bank of Haiti for the purchase of New York drafts, thus facilitating shipments of coffee. This would result in transferring part of my credit to New York, subject to the order. This step was necessary in order that funds might be available for moving the coffee crop, and unless this or equivalent steps were taken customs funds, which were kept apart in the bank, would soon be exhausted to the extent that it would seriously disturb economical conditions in Haiti.

"22019. Unless otherwise directed I propose to allow customs funds in excess of current needs to be used by national bank for the purchase of New York drafts, thus facilitating shipments of coffee. This would result in transferring part of my credit to New York subject to 15 days' order. If no such or equivalent steps be taken funds will be hoarded in bank seriously disturbing economic conditions. Request acknowledgment. 23027. Caperton."

On October 19, in order to temporarily relieve the situation in Haiti for foreign exchange, I suggested to the department that New York drafts of the National Bank of Haiti be allowed to deposit \$26,000 in the bank and the pay officer of the *Washington* be authorized to deposit the amount in the bank here, this money to be used by the bank to cash New York drafts, which were then discounted at 2½ per cent. I requested the department to render assistance later by allowing the customs funds, which were segregated and held entirely subject to my orders, to be used for the same purpose. I therefore sent the following message: "After consultation with the syndicate of exchange and later with national bank find that foreign exchange situation likely to become serious. New York drafts now discounted at 2½ per cent. The reason for this is that the demands for foreign drafts experienced this season of year does not exist owing to the probable payment of interest on foreign debt. Coffee exporters for the most part have been compelled this year to sell drafts on New York to realize on the crop."



and I have directed Col. Waller to take active measures to suppress this plan. This plan should be kept secret, as action to be effective must be surprise or bandits will escape to mountains and continue depredations. Caperton."

On October 30, 1915, I was informed by Col. Waller that all reports that there was a gathering of Cacos in the neighborhood of Capois there was much discontent in the north due to the appointment to Dartiguenave government of men formerly affiliated with the V government, and that unless the gathering in the vicinity of Capois broken up that discontent would spread and serious disturbances result. Col. Waller also submitted a general plan of operations against the forces in the vicinity of Fort Capois, which was approved in the following message to him: "For Col. Waller. 21429. Plan. Conduct operations at discretion. 13130. Caperton."

Referring to the sanitary board consisting of Passed Asst. Surgeon and Passed Asst. Surg. P. R. Garrison, appointed by me to make survey of the city of Port au Prince, although their report was but a preliminary report and did not go into details as was contemplated for a final report, it was complete in itself and contained information which would be of great value in planning in the improvement of sanitary conditions. This report was forwarded by me on October 30 to the Secretary of the Navy.

On October 31 Col. Waller reported from Cape Haitien that all preparations for a campaign against the bandits in the Fort Capois district had been completed and that troops would be in position to-morrow evening, weather permitting. He further stated that the general feeling in the north was much improved.

In view of the report that Dr. Rosalvo Bobo was to return to Haiti on October 31 I requested the commandant, Naval Station, Guantanamo to forward the following message to the American consul at Kingston requesting him to investigate this rumor: "Informed Haitian General to return to Haiti from Kingston. Please report if it is true and keep me advised of Bobo's movements. Caperton 20031."

I received the following message from the Navy Department on October 31 concerning the financial situation: "Flag, State Department, informed that the Bank of Haiti can not purchase coffee draft on Paris now discounting at 10 per cent because you have made no remittance of custom receipts pledged to service of foreign loans of 1825, 1896, and 1910. State desires to furnish bank with funds to purchase draft on Paris to enable it to provide confidence to bondholders of foreign debt and to facilitate coffee export and increasing customs receipts. In this connection you are informed that the new constabulary will be commenced immediately *modus vivendi* is a plan under consideration contemplates annually appropriation above the Provision should be made for appropriation to meet initial expenditures of organization. In view of the above is it possible to pay to bank any part of the now collected by you pledged to service of foreign loans above mentioned without substantially affecting expenditure constabulary, public works, and other out-standings? Tail weekly advances to Haitian Government? 16030. Benson, Acting Secretary."

In reply to this radiogram from the department on November 1 I forwarded the following message to the Secretary of the Navy and C. in C.: "I have recommended in my 23027 is designed to correct high exchange rate and to facilitate movement of coffee. It is possible, advisable to pay bank part of the now collected but impossible to guarantee sufficient funds in excess of what is needed to meet service of foreign loans, if excess funds are transferred to New York for purchase of drafts as I suggested they will be later available for service of the Government. This plan suits bank. Very few transactions in Paris exchange are now being everything financed through New York. Consider this matter urgent. Caperton."

On November 1 I reported the situation to the Secretary of the Navy and C. in C. as follows: "In pursuance plan of action against bandits in the Capois district forces being disposed in north, all *Connecticut* and one-half company of landing force ashore. No news Bahon and Grande Riviere to-day. *chargé d'affaires* and Surg. May sailed for New York via steamer *Albatross* 21001. Caperton."

On November 2 I received reports of skirmishes between our forces and bandits near Le Trou and a report from Col. Waller stating that operations against the bandits in the Fort Capois district had been delayed.

In connection with the financial situation, on November 2 I received the following message from the Navy Department: "Flag. 20101. State Department."

establish satisfactory arrangement to meet Haitian financial needs. New York representative national band. Will inform you of results upon earliest possible date. Acknowledge. 120002.

ing messages to the Secretary of the Navy on November 2, 1902. "Patrol yesterday encountered bandits pillaging the Riviere. Bandits driven off with serious losses. No other news. U. S. S. *Patuxent* sailed 8 a. m. Tuesday with Sixteenth Regiment for Cape Haitien. 11402. 'Aperton.'" "Caco bandits attacked morning. Six were killed by our forces. No other news. 'Aperton.'" "Patuxent arrived at Cape Haitien and at 8.45 a. m. the 16th of Marines left Cape Haitien in boats for Caracol, en route to conduct operations in the Capois district were again posted. On this date I received the department's radiogram, stating that Bailly-Blanchard had been ordered to resume duties and that he would arrive at Guantanamo about November 9, 1902. I send a vessel to transport him to Port au Prince.

Capt. E. L. Beach, on November 3 I called on the President of Haiti by President Dartiguenave and Minister Borno was explained the department's desire to cultivate friendly relations between the Republic of Haiti and the United States by telling the President the benevolent intentions of the United States in Haiti and to support the Dartiguenave government. I suggested that my friend, Capt. E. L. Beach, United States Navy, and a representative of the United States visit the interior and coast towns, in order to explain this to the Haitian people. This suggestion was enthusiastically received and the necessary cooperation promised.

Now I made a statement to the President of Haiti, substantiating the views of Capt. Beach.

Capt. Edward L. Beach, who is my senior captain, orders to go to Port au Prince with power to get the treaty ratified. Accordingly, he has recent members of the senate treaty committee, as well as influential Haitians, and has earnestly and forcefully explained my reasons why the senate committee should reconsider the treaty determined upon, and should recommend immediate ratification of the treaty as it has passed the House. Capt. Beach is working for this ratification.

I have you, President Dartiguenave, give me the names of the senators whose attitude toward the treaty is doubtful for the purpose of presenting my arguments to them. These arguments are that Dartiguenave needs support and is entitled to the support of the people of Haiti; the salvation of Haiti depends on the immediate ratification of the treaty; that the interests, prosperity, and honor of Haiti depend on the present complete prostration of business, agricultural activities requires it; the deplorable misery of so many people crying for food need it. The only objections are unimportant and abstract principles. These and other details can be explained to the President.

The President prefers no further modifications of the treaty. It desires a settlement of the Haitian question. Failure to ratify will delay the relief of tens of thousands who are crying for food will become more clearly understood that the outside world will not invest in business enterprises in Haiti until Haiti's relations with the United States are settled.

I thoroughly understands these and other reasons of convincing the President. I am glad to have impress on any senators now in opposition to the treaty is in doubt, particularly and always showing why the support of Haiti depends on Haitians supporting Dartiguenave. The support of Haiti are needed for Haiti's regeneration; there is now no opposition to President Dartiguenave, nor for political

Capt. Beach should explain my views where they would help to carry out his measures, and would be glad if the President in me unofficially in ways in which I can help to secure the necessary help create and maintain confidence in the present Haitian government.

Government; and therefore I would like the names of any senators who might possibly influence.

"I desire to inform President Dartiguenave that as soon as the treaty is ratified I wish to institute systematic methods to inform the people of the benevolent, unselfish, and helpful purposes of my Government to them. When conditions are such that I can be spared from Port au Prince to visit different parts of Haiti, either personally or by my representatives, perhaps at times go into the interior. My purpose will be to meet with all classes and to explain to them the friendly intentions of the United States. With this friendship, if there is genuine cooperation on the part of Haiti will be a land free from violence, with President Dartiguenave as the destinies of his country. With the support of his people, justice and prosperity will mark the life in Haiti, the country's fertility and possibilities be developed, there will be plenty of work with good wages for the peasantry, and employment for the abilities and intelligence of all classes. It is easy to see that instead of misery and desolation, instead of knocking at every door, Haiti will be a land of honor, peace, and contentment. Haitians will do this for themselves; the United States will be as an elder brother to help and support. I shall give Capt. Beach an opportunity in spreading this information amongst Haitians.

"I hope that President Dartiguenave will be interested in this plan, that he will designate some official to arrange plans and details of this plan and that he will see that in it there are possibilities for Haiti, and that one of its chief features is to make everywhere a necessity of complete and cordial cooperation by all Haitians for the benefit of President Dartiguenave and his measures.

"Capt. Beach understands thoroughly my policies and is imbued with the spirit of what I wish to accomplish for Haiti and is in complete cooperation with me in working for the good benefit, honor, and peace of Haiti, as well as for the good relations between Haiti and the United States.

The Haitian Senate met on November 4, but the committee ordered on the treaty did not submit its reports, giving as an excuse that the documents had not been prepared. It was expected that this report would be submitted the next day.

Fort Capois was captured on November 5 by a detachment under General Campbell, United States Marine Corps. There were no casualties to our forces. One more company was landed from the *Connecticut* and another company sent to Grande Riviere. The *Connecticut* remained ashore in various places 363 men and 15 officers.

The senate committee on November 5 presented its report on the treaty substance, as follows:

Article 1: This article was accepted as being conventional and as a preamble to all treaties.

Article 2: This article is declared unconstitutional because only the president of the Republic can appoint.

Articles 2, 3, 5: Are contrary to the agreement now in force with Haiti. The appointment of a receiver general is a political act of the President of Haiti to the President of the United States, who is responsible for any malfeasance on the part of the receiver. In the event a receiver is proposed.

Article 4: To be cut out and an expert appointed to advise the government on finance.

Article 6: The substance of this article would better be included in the contract as it is proposed to make with a bank.

Article 10: Better to have commission of American instructors, not of the gendarmerie.

Article 11: Accepted.

Article 12: Changed in some unimportant particulars.

Article 13: Republic wishes the United States to loan funds for the improvement of public works. American and Haitian engineers to do the work.

Article 14: Added the word "constitutional."

Articles 15, 16: Accepted.

A new convention (treaty) was recommended.

The Haitian Government claimed to have a majority in the senate and repeated its determination to force ratification of treaty without delay in spite of the adverse report of the committee.

d on November 6 that he would continue clearing the  
u of bandits, and on the same date I received the follow-  
Navy Department:

e received following telegram from minister, San Do-  
October 30: "Confidential minister of Haiti tells me he  
g report from Borno: "With the idea of overthrowing  
ent in Haiti, which he accused of selling itself to the  
ng himself into our power. Zamor is playing a double  
he is in favor of the American policy in Haiti and that  
men in reality he is working for the power and to obtain  
me. Zamor about 15 days ago sent agents from Port au  
deputy, to treat with Cacos for the above objects. The  
g to the American forces at Cape Haitien and are un-  
have been hidden in Dominican territory near the  
sible for him to overthrow the Government with the  
e island, he is plotting to assassinate Dartiguenave. The  
iti are acting in accordance with certain Dominicans of  
nce." The Dominican official referred to is Desiderio  
sell." Acknowledged. 11006. Roosevelt, acting."

d. Waller reported that operations were progressing well  
its and that the bandits were scarce at present. He also  
nion the north would be quiet, but that our troops would  
ys more. He expected to interview several Caco generals

rected the commander of the fifth naval district to occupy  
uin in accordance with orders previously issued. Ensign  
States Navy, U. S. S. *Sacramento*, was designated for  
lector of customs and captain of the port, Aquin.

ted by the Haitian Government to furnish transportation  
coils from Cape Ha'tien to Port au Prince (Mr. Francois  
ator to fill the vacancy caused by the death of Senator  
er 8 I sent the following orders to the U. S. S. *Connecti-*  
will vote on treaty Thursday. Absolutely essential all  
tification be secured. Haitian Government urgently re-  
is, Cape Ha'tien, who will be elected to fill vacancy, be

Direct *Hector* proceed November 9 to Port au Prince  
is as soon as he comes aboard. Acknowledge. 221508.

the excellent work performed by the U. S. S. *Eagle*, under  
abrey K. Shoup, United States Navy, in Haitian waters,  
t the following message to the Secretary of the Navy:  
*Eagle* from Haitian waters, squadron commander wishes  
press to Navy Department his appreciation of efficient  
officers and crew that vessel while under his command in  
commends this personnel to department for its most  
n. 22008. Caperton."

the financial situation. I received the following message  
on November 9: "22019. Authority granted pay officer  
\$6,000 with Haitian Bank for use in cashing drafts. This  
osted to official credit of Paymaster Morris subject to  
cy shipped by *Vulcan* for deposit with bank. Acknowl-  
an."

the treaty ratification I advised the department on No-  
gly believed treaty would be ratified Thursday, but that  
the senate were against ratification; that should ratifica-  
tion requires a year's delay before reconsideration of the  
be by the same senate. There was a strong demand  
ry from all classes for immediate ratification and no  
where against it. Tens of thousands were starving and  
industries demanded ratification. I also informed the  
would probably cause further outbreaks because of pre-  
The Dartiguenave government seemed earnest in work-  
Haitian people, and I had heard no protests against the  
except from senators working against the treaty. In  
requested instructions from the department

STAT OR LIBRARIES

In reply to my message to the department in reference to ratification of the treaty on November 10 I received the following reply from the Secretary of the Navy:

"23109. Arrange with President Dartiguenave that he can meet before the session of senate which will pass upon ratification of the treaty and request that you be permitted to appear before that meeting and make a statement to President and to members of cabinet. On your own part state the following before these officers: 'I have the honor to inform the President of Haiti and the members of his cabinet that I am personally gratified that public sentiment continues favorable to the treaty; that there is a strong demand from all classes for immediate ratification and that the treaty was ratified Thursday. I am sure that you gentlemen will understand my sentiment in this matter, and I am confident if the treaty fails of ratification that my Government has the intention to retain control in Haiti until the end is accomplished, and that it will forthwith proceed to the complete pacification of Haiti so as to insure internal tranquillity necessary to the development of the country and its industry as will afford relief to the populace now unemployed. Meanwhile the present Government will be supported in the effort to secure stable conditions and lasting peace in Haiti, whereas those offering opposition can only expect such treatment as their conduct merits. The United States Government is particularly anxious for immediate ratification by the present senate of this treaty, which was drawn up with the full intention of employing as many Haitians as possible to aid in giving effect to its provisions, so that suffering may be relieved at the earliest possible date. Rumors of bribery to defeat the treaty are rife, but are not believed. However, should they prove true, those who accept or give bribes will be vigorously prosecuted.' It is expected that you will be able to make this sufficiently clear to remove all opposition and to secure immediate ratification. Acknowledge. 22010. Daniels."

On the morning of November 11, in accordance to the above instructions, having asked for and obtained an audience, I appeared before the President and his cabinet and made the following statement:

"I have the honor to inform the President of Haiti and the members of his cabinet that I am personally gratified that public sentiment continues favorable to the treaty; that there is a strong demand from all classes for immediate ratification and for the belief that treaty will be ratified to-day."

"I am sure that you gentlemen will understand my sentiment in this matter, and I am confident if the treaty fails of ratification that my Government has the intention to retain control in Haiti until the desired end is accomplished, and that it will forthwith proceed to the complete pacification of Haiti so as to insure internal tranquillity necessary to such development of the country and its industry as will afford relief to the starving populace now unemployed. Meanwhile the present Government will be supported in the effort to secure stable conditions and lasting peace in Haiti, whereas those offering opposition can only expect such treatment as their conduct merits."

"The United States Government is particularly anxious for immediate ratification by the present senate of this treaty, which was drawn up with the full intention of employing as many Haitians as possible to aid in giving effect to its provisions, so that suffering may be relieved at the earliest possible date."

"Rumors of bribery to defeat the treaty are rife, but are not believed. However, should they prove true, those who accept or give bribes will be vigorously prosecuted."

Minister Bailly-Blanchard arrived at Port au Prince on November 10 a. m.

On November 10 the commander of the expeditionary force at Forts Selon and Berthol had been captured on November 8; that the enemy fired at the sight of our men; and that all the people in the Caco were displaying white flags. He further reported that a band of 150 men were trapped near Grande Riviere and that 2 were killed and 9 wounded. He reported Limonade quiet, and stated that he was satisfied that the enemy was more than an aggregation of ordinary brigands. The remainder of the expeditionary force now expected to start operations to the railroad and toward Renquitte.

The senate met at 10 a. m., November 11, and remained in session until 3 p. m., when it ratified the treaty by a vote of 26 for to 7 against. The session was long, the opposition being led by Senator Pouget. Pouget, at the close of the session, stated that he approved of the treaty in principle

the details. It was noticeable that there was a great relief among the people upon the successful outcome of the treaty. I promptly reported the ratification of the treaty on this point.

When I reported the ratification of the treaty I received the following from the Secretary of the Navy, November 12: "22111. Express its gratification at the ratification of the treaty and the able manner in which you have handled this important duty you have shown in directing affairs in Haiti. Acknowledgments."

I made the following report to the Secretary of the Navy: "A military force returned Cape Haitien November 11, having driven the bandits to eastward of Cape Haitien—Bahon to westward at railroad begin to-day and expect to end by November 14. First Lieut. Ostermann slightly wounded in arm between Bahon and Grande Riviere. Secnav. Flag Wyoming."

I reported the following conditions to the Secretary of the Navy: "Quiet and more people going to work on farms near Grande Riviere. Secnav, Washington, and Flag Wyoming. 22013."

I sent the following dispatch to the department: "Mr. Ostermann received to-day formal audience by President and cabinet as minister of the United States to Haiti."

I also sent to the Secretary of the Navy the following report: "President of Haiti, made in reference to the ratification of the treaty. Nov. 15."

Liberty. Equality. Fraternity.

Haiti. Sudre Dartigneuve, President of the Republic.

#### ADDRESS TO THE PEOPLE.

At the meeting of November 11 the senate of the Republic of Haiti-American convention. This event, the most important in our history, is the foundation of Haiti's independence, of the new era of progress for the nation after the power of the 28th July, which days we can not think of without a

er the vote of the convention by its merits and patriotism. We give him legitimate homage to the honorable members of the convention who have shown once more their sense of duty in the face of a bloody grave for this unhappy country. They have come forward to open finally the road of material and through which is always been their object. "Honor, therefore, to the glory of their act for which the magnanimity is only due to have the right to the benediction of our posterity." These pressing circumstances which have made known to the convention with all the unhappy sacrifices which go to atone for the faults and errors of a century. It is not necessary of this, nevertheless, for the safeguard of the future, ourselves during these days were the chaos, the anarchy, of the people resulting from our unscrupulous competition, which disputes with one another for a part in the advance to bring about the sterility of the people at the hopeful moment of the final breaking up of the above

into a discussion of facts anterior to the coming of the day that in a moment of our supreme despair the powerful Republic of North America saw our unhappiness, taking pity upon the name of humanity and universal fraternity to offer us aid and of succor. Was it necessary to repulse, even under the name of several people of the same type as many of my predecessors, this friendly aid.

Being persuaded of the loyalty of the Government of the United States, convinced that its people who, by means of their work, have become to become our ideal, desire fully to guide us in the route which civilization has made, we unhappy slaves of false mentality, jealous prejudices, have never tried to find this way for our own I, therefore, have not a second of hesitation.

I wish here to thank cordially my official collaborators whose wisdom, and imperturbable conviction, together with the ardent faith and devotion have been the strong aids to my firm resolution.

You have not been strangers to the struggle brought about by the opinion whereby people opposed to the convention struggled with the Government to prevent its acceptance. We have defended it foot by foot, have guaranteed its various clauses in order to overcome the inertia which lack of reflection and blindness was liable to threaten our sovereignty. And who can affirm but that the formal refusal to accept the convention would have been the destruction of our independence?

It is, therefore, in regard to the acts of brutality which have been for so long a time, and also with the conscientious reflection that your name signed the act of diplomacy which has but recently been signed by your own republic.

If you have seen the executive power marching resolutely to the solution of these troublesome questions, it is because that the power had that your hearts beat in unison with their own, although far away from the chimerical dreams dear to those people who had no common sense and no appreciation of events as they really were.

The people in the future will see that we have done the best thing that we have acted for love of country.

Fellow citizens, by your new contract with true civilization there are agencies of living absolutely free which will appear before you and are the make of you a prosperous, honest, and laborious nation. There is not your satisfaction to anticipate the happy effect of the new state implanted in our midst.

To the populations of the department of the north and the north-west, the Artibonite, who have been the most afflicted by our latest calamities, shown themselves above all courageous and confident, what a joy for them to return to a full existence made possible by the local efforts of the convention which has been so unjustly attacked.

All those who have been longing for such a long time for a definitive union are concerned so that this treaty alone can bring to the country prosperity, and happiness, and they recognize that already there is a future assured them by means of work which incurs agriculture and commerce. This is the end of your desires and has come after dreams of peace after your sad deceptions, the sacrifices of life which have been accepted in the hour of peril to our signification.

Therefore, fellow citizens, let us wish success to ourselves and to the new world of civilization. I repeat that the new era has begun, but your labors demand that you repudiate forever the past shame and the past which has made a blot upon the immortal names of our ancestors.

If the generations which have preceded you are judged by their accumulated crimes you will be more than pardoned if you refuse to do to-day yourselves to the work of the nation's redemption.

Having thought well over this convention and with firm realization of the future, join in crying:

Long live peace and union.

Long live work.

Long live regenerated Haiti.

On November 18 I sent the following report to the Secretary of War describing the capture of Fort Riviere on November 17: "Fort Riviere was captured by forces under Maj. Butler. All avenues of escape had been previously cut so that no Cucos escaped; 51 were killed, including Gen. Joseph B. C. chiefs, and all others captured. No casualties our forces. Attached to the Thirteenth Company Marines, Capt. C. Campbell; marine detachment, Capt. Barker; Fifth Company Marines, Capt. W. W. Low; sent from Connecticut, Lieut. (Junior Grade) S. D. McCaughey, and a detachment from Third Company. Assault made by Fifth Company

lasted 10 minutes. Forty-seven rifles, considerable ammunition of masonry and brick of most substantial construction. The fact that this fort was taken without a murmur speaks well for ability and judgment all officers controls continue operations to southward. All other areas in 12018. Caperton."

The department's radiogram 13050, a copy of which follows, and recommendations relative to the claims of the P. C. S. Light Co. at Port au Prince, on the Haitian Government, I, this day, forwarded to the Navy Department information as to his company, and recommended that the loan to the Haitian and a half million dollars, which the State Department has spatches to the legation and of which the Haitian Government, be immediately made after the signing of the modus at the Haitian Government may settle many pressing claims, and is one. I further recommended that the \$100,000, promulgation of the treaty in the State Department's cablegram of 12018, be cabled at once. In view of the promises made by the Haitian Government which have not yet been carried out, the fact that the enemies of the treaty are taking advantage of this apparent weakness of the present Haitian Government to its detriment and intend to move to Washington to aid in the fight against the ratification of the treaty by the United States Senate, I consider that American prestige is at stake.

The department's radiogram 13050: "P. C. S. Railroad, Power and Light Co. at Port au Prince prior to American intervention in Haiti had forbidden the Haitian Government that operations have to cease on October 1, 1918, for lack of funds if Government continued not to live up to its obligations toward them. Department now informed that as these companies without funds they will be unable to continue further operations. The Haitian Government has so far continued to operate under direct orders of the United States naval authorities. In view of above companies having no funds, Department to give them preference of speedy consideration of their claims. If arrangements can be made to assure operation of railroad company, comments and recommendations requested. 13015.

In my reply to the department's radiogram forwarded on November 19, commencing middle of August electric light company is being organized. Per month, contract price for light Port au Prince and Cape Haïtien. Railroad has been paid \$5,000 and later \$2,500 more in order to operate as a military necessity. Haitian Government owes several month arrears. President Staudé states that if amount of \$17,000, is not paid the road will be forced into bankruptcy. Haitian Government has this debt but is unable to pay. Owing to peculiarity of the Haitian Government which guarantees annual interest at 6 per cent on amount of \$688 I hesitate to recommend further payments of interest. Instead I recommend further that loan to Haitian Government of \$100,000 which State Department has mentioned in its dispatch of which the Haitian Government has been informed be made available after signing modus vivendi in order that the Haitian Government settle many pressing claims of which railroads is one. The department's radiogram in State Department September 15 p. m. 12018, be cabled at once. American prestige involved in this matter. 14118.

On November 19, I made a report to the Secretary of the Navy: "Operations against Cacos in Haiti during last three weeks has resulted in dispersing Cacos, their strongholds, destruction quantities arms and ammunition. Peaceful conditions throughout Cacos country. This area includes Cape Haïtien, Dondon, San Raphael, Pignon, Carice, Manamonthé, Mouth of Massacre River, and Cape Haïtien. The area is now peaceful, is now peaceful, and is now busy with their crops. Our patrols are also at present active through Ennery, St. Michel, Marmalade, Plaisance, and de Paix for distance of 8 miles to southward and from St. Donite Valley. These areas are quiet. This last movement

of Cacos appears to have been of revolutionary nature against present government as well as brigandage. While petty brigandage will continue to time; yet it is hoped no more such organized brigandage or revolutionary activity will occur. Our casualties to date in this campaign one of one man wounded. Secnav, Washington, and Flag, Wyoming. 14418. Caperton."

On November 19 I received the following radiogram from the Secretary of the Navy referring to the capture of Fort Riviere: "12018. Department appreciates excellent work done and gallantry displayed. In view of help to Haitians in recent engagement department desires our offensive be continued in order to prevent further loss of life. Acknowledge. 32018. Daniels."

In reply to this message on November 19, I sent the following dispatch to the Secretary of the Navy: "22018. Department understands that present situation in north Haiti is now under way by American forces and that hostile operations of the bandits may unavoidably occur from time to time, resulting in loss of life. Operations being conducted are purely of defensive character for the maintenance of law and order, suppression of revolutionary activity against the Government and military intimidation of people, and for protection of property of the innocent farmers and tradesmen, who form by far the majority of the population in these districts. The Cacos, against whom operations are undertaken, are bandits pure and simple, owing no allegiance to the Government or any political faction, but organized under petty chiefs for the purpose of stirring up strife against Government and robbing, pillaging, and murdering innocent people. The suppression of this brigandage and these actions are absolutely essential to peace and security in Haiti. It will be remembered that there is no Government authority in these areas at present, and that when the disbanded Haitian Army, heretofore the only means of protection for the inhabitants. The operations now undertaken should continue until the brigandage is suppressed or the constabulary is ready to relieve our forces. In undertaking this intervention any diminution in the protection and services rendered the Government and people of Haiti by the United States will be a harm to our prestige. Our action is approved by Haitian Government. It is absolutely necessary that our present movement continue to southward, to Hinche at least, where arms and ammunition have been collected for our forces in accordance with agreement of Quartier Morin, and if we do not occupy it will therefore form base for further revolutions. If there is some slight opposition may be encountered at Hinche, although we are confident there will be none. Unless otherwise directed will continue this movement. Secnav, Washington, and Flag, Wyoming. 16119. Caperton."

Referring to the financial condition, on November 19 I received the following message from the Secretary of the Navy: "After setting aside sufficient of the revenue coming into your hands for support of Dartigueave government, for public works, and for constabulary, you may, upon request of Haitian Government, apply remainder of revenue collected by you, for purpose of and in accordance with pledges thereof, which have been heretofore made or given by Haitian Government. Acknowledge. 18018. Daniels."

In connection with this message from the department and also under reference to 14118 of November 18, I sent the following dispatch to the Secretary of the Navy: "18018 and my 14118. Strongly recommend that distribution of revenue in accordance with past pledges be not attempted, for following reasons: Current receipts much too small to satisfy arrears of creditors extending over many months. Computation complicated owing to retention of sums for purposes mentioned by you, and results obtained will be difficult to maintain. Treaty provides different and better method of handling revenues, so it is unwise now to revert to old system. The immediate loan of sufficient money to discharge all obligations and subsequent organizations of debt as provided in the treaty considered the only satisfactory method to follow. 18019. Caperton."

On November 20 information continued to be received from reliable sources that active aid was being sent to the Cacos from the Dominican Republic. The latest reports stated that Dominican police were aiding the Cacos against the rebels; that the governor of Monte Cristi was entirely failing to take the necessary steps to prevent this; that there were many Haitians on the Dominican frontier of the border; that there was considerable agitation going on in the Dominican Republic; that the American chief of the Dominican frontier guard was receiving numerous reports to the governor of Monte Cristi, who made no effort to do anything in the matter; that notorious Haitian bandits were operating in the Dominican Republic, notably one Hara and Hose Rinto; and that officials in

power to prevent the American chief of the frontier with our troops on the Haitian side.

I received the following message from the Secretary of the recent military operations: "16119. Department strongly per. Haitians killed. Department feels that a severe at Cacos and believed that a proper patrol can be maintained and protect innocent persons without further offensive measures prove inadequate, inform department before could lead to loss of life on either side, except in case Acknowledge. 14020. Daniels." I immediately transmits to Cols. Waller and Cole, who in turn issued the all organizations to the effect that all operations must be pending further instructions.

Following inquiry from the Secretary of the Navy: "12018. taken at Fort Riviera? 10019. Daniels." I replied as 22, 1915: "10019. Later reports from north Haiti ind-Riviere was rushed by Fifth Company Marines 29 Cacos élée. Many jumped over the parapet and attempted to be attacked by remaining companies and 22 were killed. y escaped. My radiogram 12018 was in error relative t Riviere; none were captured there; 42 prisoners were elsewhere. 14322. Caperton."

On 22 I reported to the department the action taken s's instructions to suspend active operations against the 4020. All operations except protective patrolling have actions have been given that loss of life both sides be 4122. Caperton."

As smuggling along the coast, which had been brought to, on 24 I issued special orders to naval vessels and re to begin operations against smuggling at once, and to es to the nearest provost court for adjudication.

Statement of President Staude that his railroad would be forced interest on the bonds, amounting to \$48,000 was not paid, at the following recommendation to the Secretary of the 14118. In view of statement of President Staude that his ed into bankruptcy if interest on bonds, amounting to December 1, it is recommended that stay of proceedings City Bank, chief bondholder, or money furnished to tide an Government acknowledges indebtedness to various cor- y Staude considerably exceeding sum stated, but can not ruptcy proceedings which might be ascribed partly to deemed inadvisable at this time irrespective of actual s quo of this and all other concession holders should be settlement of differences by commission under terms of ment and information action taken requested. 22324.

Dessource, minister of war, was dismissed from the cabinet. This was done on account of Dessource's grafting. This to the Secretary of the Navy.

at Dartiguenave called at the French legation and formally ion of that legation on July 28, 1915. The Haitian shore of 21 guns to the French flag. This salute was returned ench cruiser *Dacartes*, with the Haitian flag at the main. e *Dacartes* got under way and stood to sea. These facts ecretary of the Navy.

days the American minister and I had been in daily con- an Government relative to the modus vivendi.

On 29, the modus vivendi embodying the exact terms of the Mr. Bailly-Blanchard and Mr. Louis Borno, plenipoten- States and Haiti, respectively. This now put the treaty , and I therefore immediately recommended the following by the President of the United States in accordance with r to act in a pro tem capacity pending the arrival of the Financial adviser, Capt. E. L. Beach, United States . Paymaster Charles Conard, United States Navy; senior instabulary, Col. L. W. T. Waller, Marine Corps; engineer-

for public improvement, Lieut. E. G. Oberlin, United States Navy; sanitation, Passed Asst. Surg. P. E. Garrison, United States Navy.

This would continue the work heretofore done by the same officers. They have been doing it, with the exception of Capt. Beach and Lieut. Oberlin. Special duties had theretofore been done by Paymaster Conard and the improvement duties had been done by the marines under Col. Wall. I informed these nominations would be acceptable to the Haitian Government. I reported these facts and made these recommendations to the Secretary of the Navy and the commander in chief at 6.30 p. m. November 29.

On November 28 I received the following message from the Secretary of the Navy, which is self-explanatory:

"Loan of \$1,500,000 can not be arranged until after arrival of the Haitian Government and settlement of difficulties with bank. Advance of \$100,000 upon ratification of treaty proposed to furnish funds for current expenses in the place of the gourdes held by you, but Haitian Government declined offer and desired that conditions of affairs with National Bank of Haiti remain the same. Weekly payments of 25,000 was authorized in lieu of this advance and was intended to supersede it. If, however, Haitian authorities consider 100,000 due upon ratification of treaty, the amount may, to maintain prestige, be paid from funds in your hands, provided such advance from this source is agreeable to Haitian Government. Owing to strained relations understood to exist between National City Bank and Central Railroad of Haiti it is not desired to attempt to make arrangements for staying of the loan unless it is absolutely necessary. Central Railroad informs State Department that Haitian Government has requested you to pay \$48,000 to railroad. Can you not do this under authority granted in 18018? It would seem that the loan would be protected in such payment made at request and with the approval of the Haitian Government. Desirability of plan suggested by you appears to be that delay in getting loan can not be avoided and prompt compromise is necessary. To place entire responsibility on Haitian Government and to follow the following procedure: If it requests that payment be made to prepare signature of proper officials acknowledge receipt from you of \$48,000, receipt from you for your signature acknowledging receipt from Haitian Government of \$48,000, to be paid over to the Central Railroad of Haiti in accordance with request of Haitian Government. If you will direct paymaster New York to make payment to New York representative upon notice from you that \$48,000 of Haitian funds has been turned over to Paymaster Morris, to be taken up under general account of advance and used for offsetting payment. Above sent after consultation State Department conforms in views expressed in its cable of November 23 to American Legation. Acknowledge. 14027.

"VICTOR

On November 29 the department again sent me a message containing the foregoing, as follows:

"Very urgent department's 14027 should be settled by November 29. Expedite action. Acknowledge. 11029.

"ROOSEVELT

In reply to these messages on November 29 I reported the following taken, my report reading as follows:

"14027 and 11029. One hundred thousand dollars were transferred to the Haitian Government to-day from funds in hand. Haitian Government requested \$48,000 to pay Central Railroad and amount will be turned over to Paymaster Morris to-morrow. Immediately thereafter purchasing agent New York will be notified that he may make payment to New York representative of railroad. Regarding loan of one and a half million dollars the Government fully expects to receive this amount immediately, as Secretary of State's dispatches have indicated that temporary loan would be arranged immediately after signing of treaty and modus vivendi. Earnestly trust that such temporary loan be made as soon as commission suits the negotiations in Washington, to be afterwards included in final settlement of all outstanding obligations. 23129.

sent the following dispatch to the Secretary of the Navy:  
 ent has officially recognized Dartiguenave. British charg   
 ctions to recognize Dartiguenave government. Sec. Nav.  
*Wyoming*. 231529.

"CAPERTON."

n accordance with my report to the Secretary of the Navy  
 sent the following instructions to the Navy pay office,

e, New York:

he Navy Department, pay immediately to Central Railroad  
 Street, \$48,000. Same amount has been deposited with  
 der general account of advances. Acknowledge. 15030.

"CAPERTON."

ent the following dispatch to the Secretary of the Navy:

l from Port au Prince to rejoin battleship squadron noon  
 nder cruiser squadron takes this occasion to express his  
 ellent service and support rendered by the commanding  
 rew of *Connecticut* to the cruiser squadron and marines  
 last four months in Haiti. He regrets that the lack of  
 e cruiser squadron forced the temporary withdrawal of a  
 most important war-training duties with the battleship

"CAPERTON."

received reports from the north to the effect that condi-  
 iaphael and Dondon were excellent; that the priests had  
 absolutely quiet. There were many men at work clearing  
 district recently infested with outlaws. Patrols from  
 monale, Fort Liberte to Perches, and from Ouanaminthe to  
 rth report all quiet. There was considerable cleaning of  
 tion of work between Perches and Terrier Rouge.

e Haitian treaty commission to consult with the State De-  
 the details and operations of the treaty was announced as  
 Menos, Haitian minister at Washington, president; August  
 tor of finance, Port au Prince; and Pierre Hudicourt, law-  
 y to second peace conference at The Hague, as members;  
 chief of bureau of ministry of foreign affairs, and Edgard  
 he ministry of finance, secretaries. I reported the sailing  
 o the United States on December 6 to the Secretary of the

p. m., Monday, from Port au Prince for Annapolis, Md.,  
 men of Haitian treaty commission: Pierre Hudicourt and  
 nbers, and Edgar Larouche, secretary. Recommend repre-  
 rtment, who speaks French, meet commission upon arrival  
 accommodations Annapolis and Washington and special  
 polis to Washington be arranged. Request *Prairie* be in-  
 made in advance arrival Sec. Nav., Washington, and flag

"CAPERTON."

r 6 in further connection with the Haitian treaty commis-  
 sion to the Secretary of the Navy:

now sailed for United States. Urgently recommend loan  
 e immediately, as previously recommended in my 231229.  
 has inherited months of unpaid debt and has incurred  
 g country to realize necessity of ratifying treaty. Salaries,  
 s amounting to \$500,000 must be paid before December 20.  
 nt prestige will be lost amongst Haitians and serious condi-  
 xpect part of cabinet will resign unless Government can  
 by this date. Settlement of existing problem will be de-  
 United States impeded under present conditions. Believe

immediate favorable action on this recommendation vital and  
22206.

"C.

In reply to my recommendation relative to a loan to the Haitian Government made on December 6, the Secretary of the Navy on December 8 sent the following:

"22206 and 231229. In view of article 1, section 9, paragraph 8 of the constitution, officers nominated in your 18329 can not be appointed by me until special authority obtained from Congress, which may take place. Treaty negotiations did not provide for arranging for loan until a commission of commission in Washington, D. C., and there are certain matters which will be adjusted by commission. State Department averse to loan being made without assurance it will be properly disbursed. Can you assure disbursement made under supervision naval officer pending appointment by President? provided in modus vivendi? Loan negotiations will be expedited as soon as a commission subject to foregoing. For information, State Department by radio statement from occupation to November 30, showing total amount collected from each general source, total payment received from Government payment for work done under your direction by general and balance on hand acknowledged. 10008.

Information as to the intentions of the United States Government in reference to executing the terms of the modus vivendi was very helpful in guiding me in the administration of Haitian affairs, and I on December 10 sent the following message to the Secretary of the Navy:

"1008. Information as to United States Government intentions in reference to executing terms of modus vivendi very desirable in guiding the administration of Haitian affairs at this time. Is it intention to ask Congress to pass necessary resolution authorizing naval and marine officers to take offices under Haitian Government or will civilian nominations be made? latter, when may these appointees be expected to arrive Port-au-Prince? 15410.

"C.

In reply to the department's radiogram 10008 of December 8 requesting information relative to the question of expenditures and collections of duties since the occupation I forwarded the following:

"10008. Total collections to and of November, \$953,372. Including coffee, \$366,098; miscellaneous exports, \$144,227; imports and marine duties, \$443,047. Expenditures, \$179,519, divided as follows: Customs, \$22,099; public works, \$66,763; military and civil government, \$64,200; service, \$26,447. Transferred to Haitian Government, \$393,000, which includes \$48,000 to Central Railroad; balance, \$308,853, of which \$325,972 was in hands of Admiral Caperton and \$54,681 in hands of disbursing officer. Figures given closely approximate, as returns not all in for November. 231229.

"C.

On December 11, 1915, there was considerable unrest on the Dominican border in the vicinity of Monte Cristi and Dajabon. The American customs officials in the Dominican service stated that the Dominicans were hostile to the Americans, particularly to the Americans occupying Haiti. Dominican officials used to visit Haiti, but that now they never crossed the border owing to the presence of the Americans; and that the people of Santo Domingo were much agitated over the reported pressure being brought for making an addition to the present treaty between the United States and Santo Domingo, especially as to the clause for the formation of a constabulary. The formation of a constabulary would affect the politicians and officers connected with the rural police, who would lose their present graft. It is fairly well established that the Dominican authorities were aiding Haitian criminals and aiding Haitian bandits.

With reference to the question asked by the Navy Department as to whether or not I could assure that disbursements of a loan made by the completion of the work of the commission would be made under

officer, pending the appointment by the President of the officer *modus vivendi*, I made the following report to the Secretary 2108. Can assure disbursement of \$500,000 will be made under E. L. Beach, United States Navy, under following written Haitian Government: 'With regard to the disbursement of \$500,000 gold desired to be received by the Haitian Government 20, 1915, it is agreed that the advice of Capt. Beach for the expenditures to be made from the \$500,000, and that Capt. Beach will be required by the depository bank in this amount. This procedure applies to this advance only considered as an application to the terms of the treaty of 1825. It is equally agreed that in order to facilitate the payment will be at his office at the hours of service, and that he will comply to the payments regularly ordered by the law fixing (Signed) Louis Borno.' Recommend this sum be deposited in National Bank. This bank already agrees in writing as follows: 'With regard to the \$500,000 proposed to be deposited with this bank as a repository, the Haitian Government, the bank agrees that on all with particular deposit the prior signature of Capt. E. L. Beach, will be required; provided, however, that instructions to be passed to the bank by the depositor when the above said de. (Signed) Reine.' Secretary of the Navy, Washington, 10412. (Aperton.)

The situation in north Haiti was quiet. Many people were apparently friendly.

On the temporary appointment of financial adviser and other congressional action, the department on December 13 advised in account of constitutional restriction impossible to appoint and other officials without congressional action. The department in the meantime officers are discharging these duties, not such is the case. Acknowledge. 21013. Daniels."

I advised the department as follows: "21013. Status of affairs here the same as prior to signing of *modus vivendi*. Considered practicable to proceed under the terms of the *modus vivendi* nonappointment of necessary officials. Instructions received of the Navy, Washington, and flag *Wyoming*. 11414.

By the signing of the *modus vivendi* was now under the officials provided by the treaty to carry the same into effect. Recommended officers for these offices, and as there was no objection could be done by me or by the Haitian Government, I continued to request further instructions in the matter.

On request for further instructions in the matter the department advised me as follows: "11414. Department has assumed that appointments of financial adviser, general receiver, engineer for engineer for sanitation these duties were being performed by Capt. Beach, Paymaster Conrad, Lieut. Oberlin, and Garrison, respectively. Is such the case or not? 18014.

In foregoing message I on December 15 advised the department that Officers mentioned are not performing duties mentioned in treaty, nor are any other officers performing these duties. Paymaster Charles Conrad, Col. L. W. T. Waller, Marine Asst. Surg. P. E. Garrison are performing duties somewhat provided in the treaty for financial adviser, general receiver public works, and engineer for sanitation, respectively. Subordinate officers aiding me in maintaining military command, under authority department's radiogram (20018), August, military instructions as have been issued. The terms of the treaty to effect by the *modus vivendi* are not being carried out by the government has made repeated requests that United States ratify of *modus vivendi* agreement and urge immediate appointments made. Have explained constitutional restriction preventing making appointments, have stated that civilian appointments are not possible, and have offered to recommend such appointments. I have earnestly requests appointments of naval officers and recommended efforts be made to expedite these appointments. Can not

joint resolution be immediately obtained from Congress authorizing terms naval and marine officers to serve temporarily under Haitian Government. Secretary of the Navy, Washington, and Flag *Wyoming*. 11315. (For the benefit of the committee it is stated that the department's (20018), August, mentioned in the foregoing will be found in my covering the date Aug. 19, 1915.)

In explanation of the foregoing I desire to make the following remarks: The status of our administration in Haiti was at this time purely one of military control. The terms of the treaty as placed into effect by the modus vivendi were not being carried out by anyone, nor could they be until appointments were made which would give a legal status to the appointees. For the protection of the United States' interests and the officers concerned, it was necessary to gain the benefits to accrue from the treaty and prevent misguided interpretation on the part of the Haitian Government, no officer should attempt to perform the duties defined in the treaty until their legal status and their authority and responsibility could be definitely assured by proper appointments. At the same time the present military control should continue.

The Haitian Government had made repeated requests that the United States carry out their part of the modus vivendi agreement and urged that appointments be officially made. I had explained the constitutional provision preventing naval officers accepting appointments, had stated that appointments could be made at once, and had offered to recommend appointments. The Haitian Government earnestly requested appointments of naval officers and requested that special efforts be made to expedite appointments.

From a cablegram received by the American minister on December 12, 1915, appeared that the possibility of making the loan of \$500,000 to the Haitian Government was very slight. I therefore made the following recommendation to the department: "Dispatch received by American minister to-day that possibility of making loan of \$500,000 to Haitian Government is very slight. It is now recommended that I be authorized to transfer Government funds in my possession to meet immediate pressing demands for funds to be disbursed under agreements similar to those contained in the modus vivendi. If this be done, it will be necessary to arrange payment of interest on similar obligations from funds to be later loaned to the Haitian Government. Secretary Navy, Washington, and Flag *Wyoming*. 22220. Caperton."

(NOTE.—The message 10412, mentioned above, may be found quoted in my testimony covering December 12, 1915.)

It having been decided to turn over to the Haitian authorities the management of all activities now being undertaken by the American forces for which expenditures were then being made under the heads "Military and civil government" and "Public works," with the exception of such activities as were necessary to maintain military control under martial law for the purpose of preserving peace and order, I, on December 20, issued the following instructions: "I have decided on this decision in a letter to the expeditionary commander, which is as follows:

"1. It has been decided to turn over to the Haitian authorities the management of all activities now undertaken by the American forces for which expenditures are made under the heads "Military and civil government" and "Public works," with the exception of such activities as are necessary to maintain military control under martial law for the purpose of preserving peace and order.

"2. To this end you are directed to proceed with the preliminary arrangements necessary.

"3. (a) You will designate officers at each of the places where work is being done under control of these activities, who will make an inventory of the utilities, works, repairs, etc., in progress and who will confer with the representatives appointed by the Haitian Government who are to receive control of these activities.

(b) Furnish squadron commander with the names of the officers designated.

(c) The terms of the arrangements will be forwarded to the squadron commander in each case, together with your recommendations, before the place is actually surrendered.

(d) For your information Mr. Price is designated by the Haitian Government to receive the Hydraulic Service at Port au Prince. W. B. C.

On December 21 a band of outlaws was reported to have been seen near Maissade. A marine patrol was sent to investigate.

in north Haiti. A marine patrol while investigating robbery in the vicinity of Perches had a slight skirmish with a five thousand rounds of ammunition were captured by Dominican border, having been buried there. The locality through the secret service. Incriminating papers had been found in Haiti from a Caco chief, one Darius Davilmar, including a letter from Cuba written in September, in which he styled himself as operating against the Americans. It was rumored that the recent Caco troubles.

the decision to turn over to the Haitian authorities the public works, etc., I on December 22 transmitted to the American Secretary of the officers who would consult with the Haitian officials to make the necessary arrangements.

I received the following radiogram from the department: "Many marines as possible sent north at earliest practicable date and make recommendation. 13021. Daniels."

Accordingly, on December 22 I advised the department as follows: "In view of present unsettled relations between United States and Haiti, the necessity of maintaining present military control of situation under modus vivendi are made, in view of public work carried on under present status of military occupation, and in view of the necessity of organization, training, and arming of constabulary and their assumption of duties of maintaining peace and order unassisted, the marine force now ashore in Haiti be not reduced at this time of the Twelfth Company, and that Col. Waller remain here as usual. Recommend that twelfth company of marines be sent to Second Regiment and ordered proceed north on *Washington*. This company has been on continuous cruise service for about one year without leave or recreation, and need of leave and recreation as crew of *Washington*. Secretary of Navy and flag *Wyoming*. 16122. Caperton."

Mr. Andrew was appointed secretary of war and navy, and I so reported this fact to the Secretary of the Navy.

On the turning over to the Haitian Government of the activities of the public works under "Public works" and "Military and civil government," I made the following recommendations to the department: "Control of public works and civil expenditures assumed by me is now to be turned over to the Haitian Government. Monthly payments of \$25,000 now authorized was not estimated under the activities to be transferred, it is recommended that the same be authorized. Expenditures made by me for public works have averaged \$12,700 per week, and similar expenditures for funds are to be transferred should be limited to this amount. Estimates from Haitian Government will be required for the same for these purposes. Secretary Navy, Washington, and Caperton. 14127."

I received a letter from the President setting forth what the situation due to the lack of funds, etc. I transmitted this to the Secretary of the Navy, as follows:

I received the following letter from President Dartiguenave: "Mon Dieu, plus que quatre jours pour la fin de l'année. Toutes nos affaires sont plus de deux mois, vous ont suffisamment renseigné que, malheureusement, les pires Gouvernements n'ont pas laissé le peuple aux prises quand l'année se renouvelle. C'est le pays entier qui, par conséquent, me le rappelle. Hier, Je vous ai écrit et jusqu'à ce jour j'attends votre réponse au sujet de l'argent qu'il nous faut pour la continuation de l'occupation. Je dois ajouter que, dans la situation de crise à laquelle nous sommes en train de traverser, par manque de moyens de subvenir aux obligations de l'Etat, J'ai de sérieuses raisons de craindre que les choses ne se disloquent, si la question d'argent pour la fin de l'année. Et je crains aussi qu'il ne me soit difficile, dans ce cas, de vous en dire davantage. En attendant votre réponse, je vous renouvelle, mon cher, l'assurance de mes meilleurs sentiments. Signed, Dartiguenave."

## TRANSLATION.

MY DEAR ADMIRAL: There are only four more days before the end. All our conversations for more than two months have sufficiently shown that even at the worst periods the worst Governments have not learned to struggle with hunger when the new year began. The entire reminding me of this fact by letters and telegrams. Yesterday I am still awaiting your reply on the subject of money, as our money is retained by the occupation. I must add that in the acutely critical situation through which the Government is passing, due to lack of means of meeting the most pressing obligations of the State, I have serious reasons to believe that the council of ministers may be dissolved if the question of money is not settled before the end of the year. And I also fear that it will be difficult for the Government to form a new cabinet. Awaiting your reply, my dear Admiral,

Yours, very respectfully,

DAE

On December 30 I received from the department the following message transmitting to me a message to the American legation from the Haitian Government relative to the loan to the Haitian Government:

"Your December 18, 6 p. m., eliminating the appropriation for public work, public debt, and service of the armistice contained in the Haitian budget for 1914-15, that budget, although contemplating a large deficit, met the requirements for an average monthly expenditure of about \$150,000 gold a month."

"Inasmuch as the Haitian Government had to make no expenditure for public work, public debt, and service of the bank during the months of November, and December, it should have needed on a basis of the budget the sum of \$450,000. During these months the Haitian Government has actually been in receipt of \$385,000 advanced to it by office. It should therefore require but \$65,000 to cover the deficit. The department believes that the law of December 2 contemplates the expenditure of \$1,000,000 for these three months is unwise and is not prepared to authorize the use of an advance of \$500,000 upon any loan to be made for the purpose contemplated in that law and will not under the terms of the law also increasing the foreign debt of the Republic of Haiti for any purpose. The Commission informs department that Minister Menos has received from President Dartiguenave instructing him to request department to authorize officer No. 17 to pay over all the funds in hand to be received from the loan of two million, and states that situation of Government is in a ministerial crisis imminent."

"The department's opinion regarding such loan is stated above. It considers the funds held by officer 17 to be in the nature of a trust fund. The moneys do not belong to the Haitian Government but to the holders of the different debts of the Government. In view, however, of alleged necessity, the department will report immediately by cable the amount in your opinion absolutely necessary to defray salaries of public employees for months of November and December while, notwithstanding advance of \$25,000 per week, the Government is surprised to learn have not been paid. Lansing.' 19029. Daniel."

In answer thereto I forwarded for the American minister to the Haitian Government for transmission to the Secretary of State, the following:

"For Secretary of State. 'Your December 29, 7 p. m., Navy. It is impossible to obtain at once from the Haitian Government a complete statement of the situation requires, the information necessary to enable me to form an opinion and report immediately the amount absolutely necessary to defray salaries of public employees for months of November and December. The Haitian Government now states that to avoid crisis by covering most pressing needs for November in the Provinces and December in Port au Prince is imperatively needed. Immediate favorable reply urgently requested. 19140. Caperton."

On December 31 I received the department's radiogram, which is set out below, answering my messages of December 20 and 27, requesting information, etc.:

"22220 and 14127. National Bank of Haiti, which is operating on a basis from which an immediate unsecured advance could be obtained, is not prepared to restoration of contractual right before it would consider making such a loan. This was not acceptable to Haitian commission. Offer of a ten percent loan stipulated for guaranty by United States which can not be given."

in the near future in addition to current revenue are not nothing can be done until after a thorough investigation of available resources. The State Department as evidenced in the letter to Minister Blanchard is not satisfied with the purpose of the additional funds. For the above reason it is deemed inadvisable to make the payment to the Haitian Government of the reserved fund. Delay in securing advance or loan is not due to cause of the United States, but to unsatisfactory conditions. Do not turn over control of public works or any other civil government which have been assumed by you to the United States until so directed by the department, because State Department status quo be maintained until the officials provided for the modus vivendi have been appointed and are ready to assume the modus vivendi provides for settlement of certain questions by the United States and State Department in Washington, D. C., before money is paid per week be paid over to the Haitian Government unless the department authorizes. The foregoing has been submitted to the department which concurs. Acknowledge. 10130. Daniels."

On January 3, I received the following message from the department: Minister Blanchard regarding message 15031 to him sent this message for disbursement of \$50,000, etc. Obtain verbatim copy of this message and provision as outlined by State Department. Acknowledge.

On January 3, I received the department's radiogram 15031, transmitting message to the American legation. This message was authorized to make use of \$50,000 of the funds in my possession for the payment of unpaid salaries of the public employees referred to in the message of December 30, 5 p. m. It was directed that the money be paid to the Haitian Government, but should be drawn out by me or my representatives, who shall pay salaries to the public employees, from whom they will obtain receipts. Preference shall be given to minor employees who are said to be in arrears. This message further directed that all salaries be discontinued, including that of the minister of war and the palace guard should be immediately disbanded; and that, in 1916, and until arrangements could be made by officials of the modus vivendi, I should have complete control of disbursement of allowance for maintenance of the Haitian Government by my representatives in the various ports to see that the money reached the public employees in the Provinces. Conditions were quiet throughout Haiti. The commanding officer of the regiment at Cape Haitien reported that conditions in North Haiti were better than they had been for many years; that cultivation was being resumed; new habitations were being built; and that the land, more or less, was being occupied again. Rumors were current at the time of projected revolutions and hostile propaganda at the time of the country but nothing serious seemed to develop. Some time the north occurred but was quickly suppressed. Bandit hiding or in Santo Domingo. The attitude of the governor of the Dominican authorities at Dajabon was apparently more friendly to the United States than it had been. It seemed to be aiding our forces in maintaining order on the island. Some slight disturbance between the police and the soldiers occurred on December 25. Patrolling by our forces in North Haiti was

The department's instructions contained in the department's radiogram of December 30, orders were given to the commanding officers of the military units on January 3, informing them that the public works of military and civil government would not be turned over to the Haitian authorities and directed them to cease the arrangements previously thereto.

On January 3, a report was made to the Secretary of the Navy on January 5 regarding disturbances which occurred in Port au Prince early on that date: the day barracks occupied marines at Port au Prince fired on the Haitians. This was followed by firing in other parts of the city. The city was fired on several times. All disturbances suppressed in the city.

One Haitian killed and some wounded. Corpl. Wedor,

Marine Corps, slightly wounded in foot. Disturbance apparently of a nature against Dartiguenave government and American occupation. Arrests of leaders and bad characters made to-day by marines and some rifles captured. Precautionary measures under martial law taken. Prince now quiet. Secnav, Washington, and Flag *Wyoming*. 22205.

With reference to preparing a system for paying Haitian employees and creditors as directed in the department's radiogram of December 31, following to the Secretary of the Navy:

"In preparing system for paying Haitian employees and creditors in 15081. It is important to know whether system is to be continued after appointment of necessary officials. Plans laid now show comprehensive in character in order to insure efficiency, but if system is discontinued such plans must be less comprehensive with partial efficiency. It is recommended that, if practicable, treaty arrangements this method of disbursements. 15107. Caperton."

In connection with the disturbance on the morning of January 7 at Port au Prince, it was discovered that the outbreak was part of a well-planned plot, etc., and on January 8 I sent the following message relative to the Secretary of the Navy:

"Disturbance Wednesday morning, Port au Prince, part of well-planned plot covering Port au Prince, Les Cayes, and South Haiti in general. Engaged belong to black party as distinguished from mulatto. At Port au Prince were Pierre Paul, Misael Codio, Pradel, Annabel E. Philogene. Latter three, with several other minor leaders, have been arrested and confined. Pierre Paul and Misael Codio escaped. This movement was made in favor of ex-Senator Paulin or Pauleus Sannon for President. Contemplated assassination of President. North Haiti entirely quiet. No cause for alarm. No cause for alarm. Situation in our hand. Secnav, Flag *Wyoming*. 14108. Caperton."

On January 9 I received State Department's message "Bomky" Department code, by radio and transmitted it to the American Legation. I also received the department's 18008, directing me to cooperate under the provisions of State Department's "Bomky," quoted as follows:

"Flag *Attention* invited to State Department Bomky to American Legation. cooperate carry our provision. 18008. Daniels."

During this time our patrols continued to work in north Haiti. No disturbance was reported quiet with the exception of some petty stealing.

The municipal elections were now due in various parts of the country. The disorders were to be expected as the result of them here and there. Mayor Goave the election lists were stolen, so that the election could not be held and in order to avoid disturbance at that place I found it necessary to arrest the mayor of the town, who was responsible for the safety of the election, under arrest and take entire charge of the town. I reported the matter to the department on January 10, as follows:

"Municipal elections now due; expect minor disorders. Election lists stolen. Mayor Goave has been stolen; to avoid disturbance have found it necessary to arrest Mayor Petit Goave under arrest and take entire charge that town. 5,000 gourdes has been offered for Pierre Paul and Misael Codio. Flag *Wyoming*. 22010. Caperton."

The *Prairie* arrived at Port au Prince on January 10 from the United States. Commander K. M. Bennett, United States Navy, on this day reported to me. Commander J. F. Carter, United States Navy, in command of the *Castroville*.

In accordance with a request dated January 10, I, on January 11, transmitted from the American minister a paraphrase of State Department's message related to the disbandment of the so-called palace guards. This message related to the disbandment of the so-called palace guards. State Department's wishes and instructions relative to the gendarmerie at its place, and is in substance as follows:

LEGATION OF THE UNITED STATES OF AMERICA, PORT AU PRINCE, HAITI.

January 11, 1916.

Rear Admiral W. B. CAPERTON, United States Navy,  
Commanding United States forces in Haiti and Haitian waters.

U. S. S. "Wyoming."

SIR: Referring to your note of January 10, 1916 No. 434-16, I have the honor to inform you that the following message sent by the Department of the Navy, 6 p. m., January 8, 1916, referring to the legation's telegram of 5 p. m., January 5, 1916, which I communicated to you and which stated that refer-

Government and that you were carrying out the provisions as been received and a paraphrase thereof is herewith information?

Washington that it has been accepted that the so-called shed.

State proposed to the Haitian Commission, in arranging organization of the gendarmerie, that the following provision gendarmerie shall be the sole police and military force of minister maintained this would be contrary to the Haitian provides for a president's personal guard. He objected to "military" and now says that he has telegraphic instructions January 6 which permit him to accept the department's the words "excepting a palace guard not to exceed 250" ng this would allow conformance with the Haitian constitution the palace guard is an unnecessary extravagance, and its the future well develop into a source of danger to the in existence it would be impossible for the gendarmerie palace. And if the palace guard remains in existence it for any members of this gendarmerie to be detached on al attendance on the President. I am instructed to bring discreetly to the attention of the President and to show safety may be at stake. The department therefore be the commission accept the following phraseology: "Members shall form the personal guard of the President of Haiti, shall be the sole police and military force of the country." raised by the Haitian minister.

furnish the department with a copy of the telegram which I am also instructed to suggest to the President to n, and to hasten my reply in order that on Monday next include this matter with the commission. I have the honor

servant.

A. BAILLY-BLANCHARD,  
*American Minister.*

cently arrested in connection with the outbreak in Port au Prince on January 12 and this fact so reported to the Navy

diagram 17012 in answer to my 15107 of January 7, was 15103 and is quoted as follows:

system for paying employees and creditors of Haiti that the present time can only be of a test nature and would require revision and amplification by the financial adviser as opportunity. It is much to be desired, however, that the method to be put in force shall be as comprehensive and as simple as the means at your disposal will permit. In this view of the fact that no expenditures are now being made for the services of the public debt, and for the treasury and as the disbursement for the public works and the public revenue are being met from other sources, it is hoped \$100,000 per month or its equivalent in gourdes, which you are to use for necessary current expenditures of the Haitien Government more than sufficient for this purpose. It is intended advance authorized in department's 15021 shall be used in the Provinces for November, and salaries in Port au Prince.

Dating from January 1, 1916, it is desired that you shall make monthly payment of \$100,000 to pay the salaries of public employees of the Haitien Government for services rendered except the salaries of public employees in the Provinces and that payment shall be limited to actual necessary expenses and supplies incurred subsequent to January 1. Every effort to prevent salaries from being paid to Haitians whose salaries are not authorized by the present pernicious system of the Government orders. From information in the post-office department it appears that many of the expenditures contravene the budgetary law, and particularly in the budgetary law of 1911. It is ill advised and probably in excess of the revenues

which may be available for such purposes in the future. It is desired that each should use own discretion as to the payments which are to be made, and that they should not be bound by the budgetary law in making the payments. The funds are in the nature of trust funds and it is highly important that proper receipts and vouchers be obtained covering disbursements, so that the interest of those for whose benefit the revenues have been received may be protected as fully as practicable. The foregoing has been presented at a conference with and with the concurrence of the State Department. The details of the system adopted should be transmitted by radio if practicable, or otherwise by mail, and a copy of the detailed instructions issued by the State Department forwarded when available; acknowledge. 17012. Daniels."

In reply to the above, on January 14, I forwarded the following letter to the Secretary of the Navy giving a paraphrase of the scheme for the payment of salaries, etc.:

"17012. Haitian Government is now forwarding all salary lists to the administrator of customs. These are being checked against the budgetary law, deductions, absences, etc., are eliminated. Corrected lists are then prepared, and individual receipts having functions of checks, but not negotiable, are delivered to individual employees who will obtain the funds by presenting the identification at the bank. Instructions have been issued to the Marine detachments in the Provinces to investigate lists of employees, insuring that individuals are entitled to pay, to deliver receipts to the cashier at local branch of national bank as above stated. Entire payment is being carried out under direct supervision my representative. Report covering system forwarded in mail to-day. 14014. Caperton."

In connection with the above I wish to add that on the same day I forwarded to the Secretary of the Navy by mail a letter describing the system proposed for carrying out the provisions of the department's letter of the 12th instant; this letter containing four inclosures, including instructions to the National Bank of Haiti, the expeditionary force, and instructions from the administrator of customs to the collectors to carry along the same lines, covering the payment of Haitian employees.

Upon the receipt of the department's radiogram of December 30, 1914, the President of Haiti and the members of his cabinet were informed of the contents contained therein, that no further funds would be turned over to the United States Government directly, but that necessary payment of salaries would be made to the individuals concerned under the supervision of Rear Admiral Caperton, the American representative. This information caused much dissatisfaction, and the direct reply was to the effect that such a method could not be accepted by the United States Government. In view of the implied insult contained in the proposition, plans were suggested by the American authorities, intended to so arrange the matter as to negate the implied insult. But as they all included the cardinal principle that the money should actually be placed in the hands of those to whom the salaries were due, under the supervision above referred to, none were acceptable. Finally, a representative of the Haitian Government agreed to turn the business of paying salaries, etc., completely over to Rear Admiral Caperton, and to his assistance in furnishing the lists of employees to whom payment was due. As this appeared to be the most direct method of arriving at the desired result, it was decided to so proceed.

Referring to the above objection by the President and cabinet I thought it fair to make a few remarks for the information of the committee. I thought why I considered it necessary to pay each individual employee by check to my representatives. It will be remembered that I had been instructed to pay \$25,000 weekly to the Haitian Government to meet its current expenses for salaries to Government employees, etc. As I recall the circumstances, the latest date there came to me many complaints from employees, especially in the low positions, that they were not receiving their salaries, and that much of this weekly allowance was going for purposes not intended. To insure the actual payment of this money to the people and for the purpose for which it was intended, the foregoing recommendations and arrangements were inaugurated. Much pains and many instructions were taken in order to insure the first payment under the new régime successful and pleasing to all. A special reception or writing room was fitted up in the National Bank of Haiti, and arrangements made for paying promptly, and at the same time care to issue new bills in any denomination requested. I was much surprised shortly after this to receive many letters from people who had been rejected in the first place to this mode of payment, and throughout

highly praised by everyone, as the employees found out that they received all of their pay and not a part of it as heretofore. It was a great relief to pay to certain "paymasters" (I believe was the term) the whole amount due certain districts, which resulted in the said districts receiving a large percentage of the pay and the individuals left. I believe the first payment of about 14,000 employees was made the third or fifth of the month, which was very gratifying to them.

Military leader and one of the chief men in the attack of Port au Prince, was arrested near the Dominican border by Maj. ... on January 16, and was brought to Port au Prince, ...

Dartigue, the minister of public works, resigned from the ... otherwise remained unchanged.

I request that the balance due the gendarmerie on January ... of its authorization at the monthly rate agreed upon be ... of the gendarmerie to cover expenses of equipment and ... were available, the department answered that this request ... as soon as the Haitian commission signed the necessary ... that in the meantime to proceed under previous authori- ... the gendarmerie.

I received the department's radiogram 18025, in which it was ... conversation with the State Department Minister Menos ... alleged pressing needs of the department of the interior. He ... Washington that as the State Department had no means of ... necessity for meeting these needs the matter might properly ... The department requested my consideration and recom- ... connection and directed that I be guided by previous instruc- ... follows:

... conversation with State Department to-day Minister Menos ... matters, to alleged pressing needs of the department of ... as informed that as the State Department had no means ... necessity of these payments the matter might properly be ... Your consideration and recommendation in this connection ... previous instructions. Acknowledge. 18025. Daniels."

... on this date to the Secretary of the Navy that the palace ... in the capacity as a band for the gendarmerie. The cost ... \$20,000, including pay, uniforms, instruments, and music. ... additional to the allowance for the gendarmerie. The ... the reorganization of this band to add to the dignity of the ... message follows:

... t palace band be authorized in capacity of band for gen- ... annum, \$20,000, including pay, uniforms, instruments, and ... additional to allowance for gendarmerie. President has ... on of this band to add to dignity of Government. 22426.

... a statement of the customs receipts and expenditures to

OFFICE OF ADMINISTRATOR OF CUSTOMS,  
PORT AU PRINCE, HAITI.

*Customs receipts and expenditures.*

	Gold.	Gourdes.	Gold.	Gourdes.
1. ...			\$1,266,932.46	1,026,945.26
31:				
...	\$33,140.70	68,814.85		
...	56,634.73	295,084.07		
Government...	44,862.80	281,934.33		
...	15,821.12	103,945.96		
Government!	553,000.00	138,750.00	703,459.35	898,529.21
			563,473.11	138,416.05

... Railroad.

... rent for Les Cayes for the month of December, 1915, had not been received. ... December allotment.

CHAS. CONRAD.

The commander in chief, Admiral F. F. Fletcher, arrived at I on the *Wyoming* at 8.30 a. m. January 27. He paid official calls on the president of Haiti and the American minister and held a conference with the commander cruiser squadron. The commander in chief left for G at 5 p. m.

In answer to the department's radiogram 18025 of January 25, 8.10 p. m. January 27 that the department of the interior wished to have lump sums for undefined payments; for example, about \$4,000 for secret service and other expenses for December. I have insisted on detailed lists of payments and amounts for salaries only prior to January 1. and so informed the Secretary of the Navy, as follows:

"18025. Department of interior wishes to obtain lump sums for secret service payments; for example, about \$4,000 for secret service and other expenses for December. Have insisted on detailed lists giving names and amounts for salaries only prior to January 1. 20127. Caperton."

On January 29 Capt. E. L. Beach, United States Navy, assumed command of the *Tennessee* and Capt. B. C. Decker, United States Navy, assumed command of the *Washington*.

The flag of the commander cruiser squadron was on January 31 transferred to the *Tennessee*, and so reported to the Secretary of the Navy, the chief, and forces in Haiti.

On February 2, 1916, local military officials under the titles of chiefs of arrondissements, chiefs of sections, and commandants of companies were discharged throughout Haiti. Military and police functions were taken over by the gendarmerie. On the preceding day, February 1, 1916, detachments occupied 109 different stations throughout Haiti, with the intention of which would suppress brigandage, disorder, etc.

On this date I sent the following radiogram to the Secretary of the Navy reporting conditions, etc.:

"Dr. Audin appointed minister of public instruction. Public instruction transferred to charge of Minister Borno. Government discharging necessary officials in all departments. New method of paying Government employees is being received with general satisfaction. This method is direct and on time should break up pernicious system of discounting. Many demands being made for back debts, but am not considering present. 13402. Caperton."

On February 5, in reporting conditions to the department. I sent the following radiogram:

"Everything quiet. Thirteen hundred enlisted constabulary and guards not enlisted but under constabulary authority now performing control and police duty throughout Haiti. Brigandage and pillage. Complete order everywhere exists. Peasants now have feeling of security and are planting their farms. General feeling of relief throughout Haiti. Contentment with American occupation and intentions except among discontented politicians. Government and people eagerly awaiting action on treaty and introduction of American capital. 23105. Caperton."

The Haitian Government, though well aware of the orders of the United States Government regarding the payment of expenses of the Haitian Government, and of the amounts that were available, was constantly making estimates of expenditures entirely beyond the amount allotted for the support. This forced me to return such mandates to the Haitian Government as they were not payable under my orders.

In a message to the department on February 6 I described the conditions as follows:

"Office of commandant arrondissement declared abolished by the President. Civil duties assigned to them are now being discharged by Government attorneys. President informed me personally this morning that the Haitian Government is looking much better now for Haitian Government in the sense that it is not against it by discontented politicians is noticeably losing touch with the people throughout Haiti glad of assurance of security that detachments will give. 22206. Caperton."

On February 8 I reported the financial situation and made recommendations to the department in a message as follows:

"Am paying salaries public employees by nonnegotiable non-transferable checks. Injunction brought on bank in many cases attaching salaries permits not more than one-third salary attached any month. If

one-third salary paid employee, system of discounting salaries perish. Should attachments be not allowed, Government and should show United States had but little regard or respect for custom. Recommend that I be instructed to inform Government that attachments interfere with purpose of United States they and bank will be given military order to that effect. This discounting salaries has been engaged in by comparatively few. I believed that this system would entirely stop if it became known who discount will not be aided by United States in collecting. 8. Caperton."

Correspondence with the department on this question the department on February 20, sent the following instructions in regard

00312. Authority granted; issue military order disregard attachment of salary of Government employees, especially attachments. It is desired to respect Haitian law so far as relates to you may recognize attachment of one-third salary by court upon act on for legitimate debt with discounting of salary. 19. Josephus Daniels."

At this time were more or less quiet, I took this occasion, in American minister and the administrator of customs, to on trip of the north and accordingly left Port au Prince inspecting the following-named places: Mole St. Nicholas, Cap-Haitien, Fort Liberté, Ouanaminthe, Grande Rivière, and returned to Port au Prince on February 22, 1916. I was quiet in all places visited and was received most cordially by natives. After this inspection trip of north Haiti I became convinced that constabulary must be increased about one-third its present strength and recommended to the department that it be considered by the department in the treaty estimates.

At the desire of the Haitian Government to send diplomatic representatives to the various countries, on February 28 I sent a message to the department:

The department proposes to send diplomatic consular representatives to American and American posts, in most cases relieving those now appointed and each one relieved entitled by law to three expenses. Cost of these changes, \$17,725. Recommend that be postponed for the present and that expenditures be limited to representatives not needed abroad. 12428. Caperton."

Citizens called on me on March 1 and requested that I forward to the department stating that the resident investors for loans were suffering on account of nonpayment of interest. Held by many poor people who depended on this interest to there was no market for the sale of these bonds, largely due to currency in circulation as pointed out by me before in messages.

This committee requested that payment of this interest, of \$100,000, be made immediately, thus relieving those distressed also assisting business conditions by placing money in circulation. These facts and approved this committee's request in a message immediately sent to the department.

As to the financial situation, on March 4 I sent the following message to the department:

All customs funds to my credit are held by bank separate from they are not now available for banking operations. If requested to transfer part of balance to New York, it could be made when offered and transmit them to New York for credit to bank's own risk. In this connection attention is invited to the interest on foreign debt. Recommend that semiannual interest due be paid as fast as funds are available and that the department commence immediately in order of dates past due. This is done here for foreign drafts and lower the discount rate and funds now impounded. Consideration should be given to the service of foreign debt is to be handled entirely through the other drafts on Europe can also be purchased for this purpose to cover coffee shipments. Latter would make a more free market might conflict with plans of State Department for reorganization. Owing to lack of information here regarding financial conditions being developed in Washington it is difficult to make more

definite recommendations, but suggest that this matter be referred to an adviser as soon as selected.

"No room for unfavorable public opinion if funds are to be used for foreign debt. Bank has used funds forwarded to purchase drafts in absence of demand for transfer of credits abroad can not help situation. 11104. Caperton."

In reply to the foregoing messages and recommendations the Department on March 15 sent me the following instructions:

"Flag 21129, 14101, 11104, and 21413. You are authorized, in pursuance of the Haitian authorities, to apply \$500,000 of surplus funds of Haiti now held by you on a per cent basis to the purposes for which the revenue had been lawfully pledged by the Government of Haiti on July 27, 1915. Statement furnished by the National Bank of Haiti shows an amount which should have been applied to each purpose during the American occupancy and proration should be made on basis of the amount. As payments have been made under your direction for some of the purposes which revenues were pledged, such payments should be deducted from the pro rata share now available for these objects, and in cases where such payments have exceeded the pro rata share nothing should be paid. It is believed that March 1 would serve as convenient date for these payments, this distribution being authorized at present to relieve financial stringency than to settle outstanding claims against the Government, and with this object in view the money should be put in circulation in Haiti with least possible delay. Should it be necessary to purchase in Haiti sufficient drafts on Paris or Le Havre from the National Bank for service of foreign loans, arrange to have manager of the bank take purchase drafts on New York and have money transmitted to New York through New York agent of the bank. It was stated in departmental communication (December) National Bank of Haiti probably only source from which immediate unsecured advancement could be obtained, and it was recommended that steps looking toward securing such a loan should be taken prior to the outbreak of controversy between bank and Haitian Government which might subject negotiations with Haitian commission. Assessment of local financial matters mentioned in your 21413 should await appointment of special adviser, which will be made as soon as possible. Trade and Commerce Department states it would seem that during the present high prices of cotton, which will probably be maintained until dyes can be obtained from the East, if method of prorating not thoroughly understood, further instructions should be given. Acknowledgment. 15016."

In connection with the foregoing, my message to the department is quoted as follows:

"14409 and my 16110. Balance in my account February 29, 1915, \$35,000. Payments in February were \$300,000, and transfers for disbursements \$100,000. It is believed that revenues will not fall appreciably during next year. As coffee shipments will continue to some extent during summer months, and shipments of logwood are now waiting transportation. Inform the Department of Commerce as to probability of logwood market during present high prices, with special reference to possibility of any country interfering. Exchange between gourdes and gold now 5 to 1, and will be made to hold it there. This can be done if present uncertainty can be remedied. Extremely important that immediate steps be taken to settle all valid claims against Haitian Government and thus restore confidence. It is earnestly hoped that bonded indebtedness will be paid and that all special liens on various custom revenues will be removed, otherwise it will be impossible to properly revise tariff. If this rating of available balance as contemplated would be unnecessary, claims should be paid regardless of particular affectations involved. Recommend immediate short-term loan of \$500,000, to be expended in settlement of Haitian debts, to be used in addition to balance of receipts available for that purpose. A commission should be appointed as soon as possible to pass on all claims. This loan should later be applied to consolidated debt, and any balance should be available for public use. In appointment of financial adviser and general receiver is having no permanent steps can be taken pending their arrival. 21413. C."

Conditions in Mexico having become acute, the following message was received from the department: "In case circumstances should require, U. S. S. *Prairie* will be sent Mexico with regiment marines. Do not relinquish any part military control now exercised by

tial law as now in force without receipt further instructions." I on March 12 advised the department in a message forces now in Haiti not more than 1,700 men. This force to maintain present military control of country and can not be unit without greatly prejudicing United States control Constabulary are neither sufficiently trained nor reliable without support of all forces present. Urgently advise our present position this island. 23512. Caperton."

At the approaching session of Congress, which was to assist part of April, campaigning was going on amongst senators to embarrass the Government. This information came to me from various sources. It was well appreciated that with the American intervention was impossible, so other means were adopted to force the Government out, being planned somewhat as follows: When April, if the enemies of the Dartiguenave government were so, a vote of censure and lack of confidence in the Government passed and the President impeached. The charges were to be against the constitution."

At this campaigning President Dartiguenave made a statement, Capt. E. L. Beach, United States Navy, late in the month substantially as follows:

"The enemies of the Government will be in sufficient force to be passed, I expect to be able to control Congress. I believe of the reforms I have instituted, which have been to curtail expenses and discharge unnecessary employees, cut fraud out of Government contracts. Because I have not acceded to some who rated high the value of their services and for other reasons. Because I have suppressed the war department, army, and navy, a refusal made was for Haiti's good and with the advice and assistance of American officers. There is but one thing to do—to revise the constitution to fit the present needs. The following changes are required: Reduce 39 senators and 102 deputies—double the number needed. Reduce the amount to one-seventeenth of the entire revenue of the country. The number must be reduced to less than half the present number. The present constitution provides that no foreigner may acquire or hold land, prevents foreign capital from entering. Article 6 must be revised. The constitution must suppress the war department and the gendarmerie. The magistracy and civil service must be reformed. There are other needed reforms. My government will urge the necessary steps to revise the constitution on these lines. If the Government hostile and refuse there will be but one thing to do. I request the American Government to advise me to do this, nor to express any opinion on the matter, but I request the forward assurance of Admiral Caperton that the Government will receive complete military protection. I will call for a constituent assembly of about 50 representatives, patriotic Haitians, who will revise the constitution according to present needs. I request you to explain to Admiral Caperton and state that I desire from him an assurance that I be forced to dissolve the chambers my Government will call for of the United States, if needed."

Who was present when the President made the foregoing statement, Capt. Beach, stated to Capt. Beach that the President hoped that he would have Capt. Beach explain the situation and purposes of the statement in detail to American officials in Washington. This was Beach's trip to the United States on the *Tennessee*.

He was reported to the department in substance, and in reply I advised the Government.

March the President sent copies of the following letter to representatives of the Government in the various civil districts and commissaries of the Government near the various civil courts:

10TH OF MARCH.

President of the Government in the civil district of ———.

SIGNER: The president of the permanent committee of the Government in accordance with the agreement of a majority of his colleagues to call to the members of the legislature with a view to meeting on the first Monday in April for the accomplishment

of work which the President has not yet been able to fully undertake of this character.

In view of this unusual act, I have thought, and am in agreement with the members of my cabinet, that it is desirable to anticipate a misunderstanding by making known through you to the senators and deputies who are in the district the reasons why it will be desirable, in spite of the opening of a permanent committee, that the opening of the session of Congress should not take place until the Government is in possession of full authority in regard to the legislative work for the year. No member of the convention may ignore the facts that since the meeting of the convention there has left for Washington with all instructions and powers the order to find, with the assistance of the good offices of the United States, the moneys to liquidate the debts of the Government for 1914 and 1915; to provide to the public services sufficient resources for 1915 and 1916; to provide to redeem the interior debt and pay the budget of 1916 and 1917; to organize the new public service of Haiti; to ascertain a method of reconciling the claims of the receiver general with the privileges guaranteed to the bank of the tract; to reconstitute the office of the secretary of treasury; to reach an agreement with the national railroad; to harmonize our laws with the provisions of the convention; and in a loyal effort, undertaken in common with the officials of the American Government, to prepare the solutions of problems relating to national work, which should have the favorable attention of the legislature this year.

But although it has in no sense neglected its mission and although it has already made appreciable progress, the commission has not yet completed the end of its work, and before it returns the President can not be fully satisfied as to its intentions.

Who under these conditions will compose the legislative body? Will it be that we shall again have a session of eight or nine months entirely devoted to useless agitations? And, furthermore, where may the money be found which will be necessary in order to pay the salaries of the representatives?

All these considerations, Mr. Commissioner, appear to me to be of great importance. I decide me, in agreement with the cabinet, to recommend to you that you should make to the knowledge of the members of the legislature actually present in the district that the President has not been convinced by the permanent committee of the senate of the advisability of a meeting of the Congress in April. He will not accept any responsibility for anything that may result from such a meeting.

The President does not ignore his obligations to the National Congress. He has no idea of taking away their prerogatives. But at a time when the country is completely dominated by the circumstances under which we live, why should we consider inflexible rules which have never before been applied? Why have the inflexible character which it is now considered opportune to apply to them? And while nothing can relieve the responsible officials of the Government to account for the business of the Republic, to prepare the budget, to organize the constitution of October 9, 1889, and to reassemble the elements of the national forces, is it not right that the President should be permitted to choose the time when this work can be accomplished?

It is with the certainty that these wise reflections will be appreciated by the members of the assemblies who live in your district that I renew, Mr. Commissioner, assurances of my high consideration.

DANIEL

Notwithstanding the efforts of the President to have Congress meet in April, the meeting until the return of the commission, then in Washington to report to the United States relative to the details and operation of the Haitian Congress met on April 3 and 4, but no quorum was present.

The official journal of Haiti, *Le Moniteur*, issued on April 5, published the decrees of the President of Haiti dated April 5, 1916. One dissolved the Chamber of Deputies and decreed that the chamber of deputies shall be convened except in case of emergency constituent assembly to, in cooperation with the executive power, to prepare the constitution of October 9, 1889, and perform such legislative work as may be called for by the President. The other decree created a council of administration composed of 21 members appointed by the President, whose duties shall be, first, to give its advice on all projects which the Government deems fit to submit to the second, to prepare and formulate laws, decrees, and other acts of the Government; third, to give its opinion on the questions which the President shall desire its action; third, to give its opinion on the questions which may be submitted to it by the President and his

at this constituent assembly would revise the constitution to amend the present treaty and that the council of state would act with the view of drawing up and preparing such changes and laws as might be required for the purpose. I therefore, on April 5, informed the Secretary of Legation in Chief of the following by radiogram.

Enclosed is a translation of the decrees of the President of Haiti as issued by the Moniteur on April 5 dissolving the senate and creating the

# DECREES CONCERNING THE COUNCIL OF STATE.

Dartiguenave, President of the Republic.

It has been shown by experience that legislative business requires the presence of the council of state, which consequently necessitates the presence of a suitable number of political assemblies and with the executive authority:

## DECREES.

The council of state is appointed whose functions are:

To advise on all plans which the Government may consider fit to

To draw up bills, decrees, decisions, or other documents concerning the Government which require its attention.

To answer on all questions submitted to it by the President of the Republic.

The secretaries of state may be charged by the executive authority to supervise the bills which have been passed by the council of state.

The council of state is composed of 21 members, appointed by the President of the Republic. The secretaries of state have the power to participate in the meetings of the general assembly and secondarily in the meetings of the council of state.

The bureau of the council of state, composed of a president and two secretaries, is elected by the council by secret ballot.

The bureau lasts for one year and may be indefinitely renewed. The President of the Republic presides over the meetings of the council of state.

The functions of the council of state are incompatible with every other function. Nevertheless, specialists, engineers, jurists, or others may be called on a public service to take part in the work of the council of state as councillors, with a consulting voice; and in this case, during the time they retain the rights, prerogatives and salary belonging to them, they are not able to draw their salary with that from the council of state.

The council of state is divided into four sections. A public administration will decide on the interior order of the operations of the council of state, on the division of these operations among the sections, on the functional assembly, on the rotation of members between the sections, on the personnel which will be nominated by the President of the Republic and in general on all the measures necessary to the satisfactory functioning of the institution.

A monthly remuneration of \$150 will be handed to each councillor of state.

At the National Palace, Port au Prince, April, 1916, the one hundredth anniversary of the independence.

DARTIGUENAVE.

MAYARD,  
Secretary of the Interior.

Secretary of Finance and Commerce.

Secretary of Justice and Public Worship.

Secretary of Foreign Affairs and Public Works.

Secretary of Public Instruction.

Secretary of War, Navy, and Agriculture.

## DECREE.

Dartiguenave, President of the Republic.

Whereas the life and development of nations obey the natural law and the public law must adapt itself;

Whereas for a long time public opinion and the directing authorities have recognized the necessity of reforming the existing constitution; and whereas former legislatures have formally manifested their willingness to do so;

Whereas to the reasons generally admitted up to last year there have been added others of still more urgent a nature, created by the new conditions imposed upon the Nation;

Whereas it is indispensable, in order that the convention of September 1915, may be properly applied and may produce the advantages intended, to accomplish the revision at as early a date as possible, of a large number of constitutional texts, notably those concerning public defense, financial institutions, reports of the public authorities, the number of deputies and senators, the right of real estate property;

Whereas with the present procedure of this revision it is impossible to accomplish, in the proper time, these urgent reforms and a decision of a character conforming best to the national necessities and to democratic principles governing our institutions, must be introduced with delay;

Whereas the present chamber of deputies was formed by a special consultation which invested it directly with constituent authority, and whose distinctive fundamental character is not possessed by the senate or the public;

For these reasons and on the advice of the council of the secretaries of state;

## DECREES.

ARTICLE 1. The senate of the Republic is dissolved.

ART. 2. The chamber of deputies will be convened in exclusive session as constituent assembly to revise, in cooperation with the executive, the constitution of October 9, 1889, and take in hand organized public administration and all other acts of an urgent character which will be presented to it by the executive.

It will consist of an absolute majority of its members. (A majority of more than half the number of members.)

ART. 3. A salary of \$300 per month will be allowed to the constituents in their seat.

ART. 4. The present decree will be published and executed by the president of state, each acting with respect to that which concerns him.

Issued at the National Palace, Port-au-Prince, April 5, 1916, and in the thirteenth year of the independence.

DARTIGUENAVE.

By the President:

CONSTANTIN MAYARD,

*Secretary of the Interior.*

LEON AUDAIN,

*Secretary of Public Instruction.*

EMILE ELIE,

*Secretary of Finance and Commerce.*

A. ANDRE,

*Secretary of War, Navy, and Agriculture.*

E. DORNEVAL,

*Secretary of Justice and Public Worship.*

LOUIS BORO,

*Secretary of Foreign Affairs and Public Works.*

The Senate did not meet on April 6, as on coming to the senate building they found the doors locked. The permanent committee met in the house of the Chamber of Deputies and decided to request the keys from the secretary of the interior. On this date the President of Haiti sent a lieutenant of gendarmerie to lock the doors of the senate building. A. August Daumec by name, locked the building at about 2.45 p.m. and then took the keys to the President, who then directed Lieut. Daumec to take them to the minister of interior, who was present. This Daumec

Senate considering this measure rather irregular decided to meet at 10 a. m. at a private dwelling. What action was contemplated was not known. I took no action in this matter other than to prefer.

above facts to the Secretary of the Navy in a message as follows:

With orders of the President, the senate building was locked. The President of the permanent committee of the Senate have in the legislative body views this procedure as an attempt upon the rights and that they have decided to meet at a private dwelling. I am taking no action except preserving peace and

"CAPELTON."

I received a message from the department asking if the Haitian Government agreed to the distribution of the surplus revenue as authorized and in reply thereto I advised the department as follows:

The Government agrees to distribution, although opposed to payment at this time. Government has published in newspapers fact that being made and money has been transferred for that purpose.

"CAPELTON."

Members of the permanent committee of the dissolved Senate and members met in the house of one of the members and decided to take action of the President in dissolving the legislative bodies. They collected in the yard of the Senate and decided to take the Senate. Some of these deputies were intoxicated.

About 60 members of the dissolved Chamber of Deputies, who were in accordance with the President's decree as a constituent body in the yard of the senate building. No work was done except the "procès verbal," stating that no quorum was present.

The President issued a statement in the official newspaper, Le Soleil, he stated that if the deputies would not perform their duties in assembly he would call a general election for a new constituent

In a meeting of the "notables" of the city a committee was organized with President Legitime as president of the committee, to interview the opposition. This committee of prominent nonpartisan citizens met in an endeavor to bring about an amicable understanding between the President and the legislative bodies.

On the 10th of April, I held a conference with the President of the Republic on the possibility of the Government reaching an agreement with the legislative bodies in connection with the necessary changes to the constitution. There were present at this conference, besides myself, the President Legitime; the secretary of state for foreign affairs; the commander of the expeditionary forces ashore: Lieut. Col. Charles G. Long, United States Army; Lieut. Commander W. D. Leahy, commanding officer of the USS Albatross, who since February 23 had been acting as my chief of staff; and a Haitian Government interpreter, Deputy.

The extreme desirability that the Government and the opposition should reach an amicable agreement. I stated to the President that I had been told by presumably reliable persons of the opposition, members of the nonpartisan citizens of Haiti, that such an agreement was impossible. The President agreed to receive suggestions and to give such suggestions full and honest consideration and to take such action as was possible for the welfare of Haiti. In negotiations which might be started might not be interfered with by the dissolved chambers were requested not to meet in the city as legislative bodies.

Mr. Borno, secretary of state for foreign affairs, came on board the USS Albatross for an interview. Mr. Borno at this conference discussed the basis of the opposition and made a verbal statement of a "statement" which would be satisfactory to his Government.

A conference consisting of ex-President Legitime, Minister of the Interior, M. Leon, president of the Chamber of Deputies, Col. Waller,

Lieut. Commander Leahy, and myself, a proposed basis of agreement between the Government and opposition, which had been previously prepared by the Chamber of Deputies, was discussed at length. The opposition made no material concessions to the Government. Following this an appointment was made with the President, at which the following were present: Ex-President Borno, M. Mathon, member of citizens' committee, Col. W. H. Leahy, and myself. After reading the opposition's proposed basis of agreement the President of Haiti informed ex-President Legitime that it was not possible for him to consider it, and that further discussion of the matter was useless. At the completion of this discussion, the President prepared a statement of the Government's proposed basis of agreement, which he offered to concede to the opposition in every material point which they desired. He stated that his decree of April 5 should not be revoked and that the two houses of the legislature should in this session make a complete revision of the constitution in order that it might be placed entirely in agreement with the American convention and fit the new conditions which had arisen in the country since the convention; and that the two chambers after organizing a constituent assembly and appointing a committee to formulate the proposed changes in the constitution, should adjourn for two months in order to give time for information necessary for the formulation of changes might be received from the Haitian commission then in Washington. This last stipulation was made by the Government in order to avoid the large expenditures of public money which would be necessary in order to keep Congress in session pending the receipt of information from the Haitian commission in Washington, when there would be no useful work for them to perform.

After extended conferences with the two sides of the controversy it became evident that the President justified his decree and action subsequently on the necessity for obtaining a prompt and complete revision of the constitution in order that it might agree with the American-Haitian convention, and fit the conditions which had arisen in virtue of this commission and also the new forms which had for many years been recognized as necessary. He was also influenced by the necessity for economy in the expenditure of the public money.

On April 27 the dissolved Senate and Chamber of Deputies met at the President's house and organized as a national assembly. This was done in accordance with the agreement. I have since been assured by the president of the Chamber of Deputies that the meeting was due entirely to a misunderstanding in regard to the necessity for permission to meet. No work was done other than that of forming a national assembly. It was then stipulated that the two bodies should stand by the dissolved legislative bodies that there would be no further action until an agreement was reached by the opposing factions.

At 8 o'clock p. m. on the 29th of April the president of the Senate, the president of the Chamber of Deputies, with several of their colleagues, met at the place of meeting and the president of the Senate showed a resolution signed by a majority of the Senate directing him to refuse acceptance of the basis of agreement, unless it could be stipulated that the legislature should retain all their legislative functions. The president of the Chamber of Deputies at the same time informed me that his chamber could not accept the proposal without the concurrence of the Senate.

I then informed the President that the failure of my efforts as an intermediary to obtain an agreement between the Government and the opposition made it necessary, in order to insure the maintenance of peace and order, that I should comply with my orders to support the Government of the President, and of my intention to support it.

This information was then given to the president of the Senate and the president of the chamber of deputies, with the request that it be communicated to the members of the two dissolved legislative bodies.

During many conferences with the opposition to the Government the opposition had stated that there was much dissatisfaction to certain members of the cabinet, but none in regard to the President himself. I then informed the President of this matter, and he stated he was aware of the dissatisfaction and had already prepared the necessary papers for the dissolution of his cabinet.

At 11 a. m., May 2, the minister of foreign relations, Borno, called by appointment to discuss the present situation. He informed me that the President of Haiti had completed arrangements for dissolving the cabinet but had not yet definitely selected all of the members of the new cabinet. He also informed me that the President was considering the names

of state, which was to be formed in accordance with the decree of April 5, and that it was the President's desire to have the services of some prominent members of the Government, if they could be induced to serve, his idea that he wished all factions to be represented in the work of the constitution.

May 2 I also met on board the flagship, by appointment, the president of the chamber of deputies, and the two chambers. These men requested that I make a further attempt at continuing negotiations looking toward an agreement between the Government and the opposition, and assured me that the two chambers were now in favor of agreement, which they had refused to consider on the basis of the fact that I had informed both the Government and the opposition on April 29 that the failure of the opposition at that time to accept my other conciliatory efforts on my part useless, and that I would report the recognized and established Government, and in fact that the Government had already taken steps, which I had withdrawn, to carry out its work of reform with the assistance of the support it, such as dissolving his cabinet, etc., I informed the members of the opposition that it would not be possible for me to continue further negotiations, and that I regretted extremely the fact that I could not bring about an amicable agreement.

On the dissolution of the cabinet by the President, on May 3 I reported to the Minister Borno that the President's cabinet had been dissolved.

A few days the reports from Santo Domingo showed that the situation was fast approaching a crisis; therefore on May 9 I reported to the Secretary of the Navy and stated that I would proceed to Santo Domingo at daylight on May 10, to arrive there the following day.

On my en route to Santo Domingo on the *Dolphin*, I sent the following telegram to the department, the information contained therein having been received by radio from Port au Prince:

Announced in papers. Borno foreign affairs, public works, justice, agriculture. No communication with San Domingo.

"CAPERTON."

On May 12, 1916, I arrived at Santo Domingo City on the *Dolphin* at 6.05 a. m., May 12, 1916. I received by cable a message from the department stating that it had been requested of me to relieve Admiral C. McR. Winslow and asked that I date possible for me to get away in case my relief was not possible. I further added that owing to the peculiar conditions it was requested that I remain with my successor, at least, for the present.

At 9 a. m., I turned over the command of the cruiser squadron to Charles F. Pond, my successor, and proceeded via Washington to the command of the Pacific Fleet, in accordance with my request. I was relieved by Admiral Winslow as commander in chief of the Pacific Fleet, assuming the rank of admiral.

I entered in there as a statement that it was requested, and I stated the details of the request, if you could recall.

The committee adjourned until Monday, October 24, 1921, at



# OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

**MONDAY, OCTOBER 24, 1921.**

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Washington, D. C.*

at 10.30 o'clock a. m., pursuant to adjournment, Senator  
(chairman) presiding.

McCormick, Oddie, and Pomerene.

Ernest Angell and Maj. Edwin N. McClellan, United States  
their respective representative capacities as hereinbefore  
Walter Bruce Howe, as counsel for the committee.

**MAJ. GEN. GEO. BARNETT, UNITED STATES  
MARINE CORPS, COMMANDING THE DEPARTMENT OF THE  
SAN FRANCISCO, CALIF.**

General, will you give your name and rank to the stenog-  
rapher?

Major General Barnett, United States Marine Corps,  
Department of the Pacific; station, San Francisco, Calif.

During what period were you commandant of the Marine

from February 25, 1914, to June 30, 1920.

This covers the entire period of the American occupation

at that time. They are still there; yes, sir.

You began your service before we landed in Haiti?

Yes; yes, sir.

What transpired in Haiti up to the time of your  
departure from San Francisco was during the period of your command of the

Marine Corps.

Thank you, General, if you will proceed to comment upon your  
communications regarding the allegations of harsh usage  
made by the Marine Corps, in your own way, that that would  
be to what we have in mind.

Mr. Chairman, has that report been incorporated in our

report has been published by the department.

How long is it?

It is 110 pages in this report of the Secretary of the Navy.  
There is no doubt.

It is published in the report of the Secretary of the Navy

Can we each be furnished a copy of that report?

There were plenty of them at headquarters; I have no doubt

I saw at the time newspaper abstracts from it.

I took a very few abstracts from that.

But I would like to have the opportunity to read it.  
Thank you, sir.

Let me, then, ask that Maj. McClellan supply to the com-  
mittee reports to which reference is made—the Mayo report and  
—in so far as that has been printed or mimeographed.

Maj. McCLELLAN. Yes, sir.

The CHAIRMAN. I do that seeking to economize in the printing.

Senator POMERENE. That is, Admiral Mayo's report?

The CHAIRMAN. Yes.

Gen. BARNETT. Admiral Mayo was the president of the court of inquiry. Senator POMERENE. Has Maj. Turner's report ever been printed graphed?

Maj. McCLELLAN. No, sir. Maj. Turner's report, from what I can see to what is in the committee's mind, consists of all the investigations initiated by Gen. Barnett's order—

Gen. BARNETT. That is right.

Maj. McCLELLAN. After he had read certain court-martial records.

Gen. BARNETT. That is right.

Maj. McCLELLAN. A naval court of inquiry was carried on both in the United States.

The CHAIRMAN. I want all that correspondence.

Gen. BARNETT. I will say here, Senator, that the Turner report mentioned had not been received up to the time I was relieved as commander of the Marine Corps; but since I was relieved, in the headquarters of the Marine Corps I saw a copy of Maj. Turner's report, as forwarded by Col. Russell. No action was taken on that report I do not know; I was not informed.

The CHAIRMAN. We want all the correspondence, and that we will put in the record.

Gen. BARNETT. As I remember, an investigation was ordered by me immediately upon receipt of my letter, and a report by Maj. Turner was forwarded to headquarters after I left, and I think in that report I remember it—I just casually glanced over it one day after I was relieved. Matter of information—I think Maj. Turner's report was pretty good. It recommended certain trials by court-martial.

The CHAIRMAN. Did Col. Lay have to do with that investigation?

Gen. BARNETT. Col. Lay had this to do with it. In the organization of the Marine Corps when I was commandant, as always, all court-martial records, when marines are tried, first are sent to the Judge Advocate General of the Navy, who, before forwarding them to the Secretary of the Navy for approval or disapproval, sends them to the commandant of the Marine Corps, who, by indorsement, returns them to the Judge Advocate General. Col. Lay went to the Secretary of the Navy. Col. Lay was in the office of Gen. Haines, who was adjutant and inspector of the Marine Corps at that time and in charge of the records of the Marine Corps, and Gen. Haines had Col. Lay to read all court-martial records. Of course, I did not have to read all the court-martial records carefully, but it was Col. Lay who read all the court-martial records carefully, and if they contained anything of importance, out of the ordinary, routine matter, instead of just a formal indorsement upon them and returning them directly to the Judge Advocate General, before making any indorsement he would bring them to me, and I would read the records then.

The court-martial cases of Pvt. Johnson and Pvt. McQuilkin were brought to me by Col. Lay of such an unusual character that, after he read them to me, he brought them to Gen. Haines, his superior in his own department, and Gen. Haines then brought them to me. I read those two cases.

Senator POMERENE. Let me ask you a preliminary question there. Do you use the expression, "to read all court-martial proceedings"?

Gen. BARNETT. Yes, sir.

Senator POMERENE. How many of them were there?

Gen. BARNETT. A great many.

Senator POMERENE. Arising—

Gen. BARNETT. Not in this case. I mean all court-martial records of the Marine Corps. If a general court-martial any place in the world tried, the record is sent to the Judge Advocate General's office, and then, as a routine, it comes to me as commandant of the Marine Corps.

Senator POMERENE. These two cases were our own cases, were they not?

Gen. BARNETT. Our own cases, the cases of two marines who were tried in Haiti by a general court-martial. Those cases were brought to me by Col. Lay, and I was so startled by the disclosures shown in the report, particularly by the statement of the counsel for the accused, who was named Spear, at that time in the Marine Corps—

corporate in the record Lieut. Spear's argument. ut. Spear in his argument for his client stated that these was counsel for Pvt. Johnson—that in th's case where they cted, the court should not judge them too harshly, because a general custom, and that he. Lieut. Spear, had himself ses of executions of that kind. eutions without trial?

sir.  
You mean down in Haiti?  
sir. Now, I wish to say right here, which has, in my ed bearing on my act in that case, that in the first place officer of the whole Marine Corps. A certain condition tion by the records in these two cases, and particularly ounsel for the accused, and I considered that some drastic at once. I, being commanding officer, it was up to me to ction that I thought at that time, and still think, regard- the court of inquiry or anybody else, that I had to take. yself, and I settled it promptly and quickly, and I settled ce an official letter on the 27th day of September, 1919, s came to my attention.

letter to whom?  
tter to Col. Russell, the brigade commander of the marines I took what I considered at that time, and what I still n. I claim that nobody had a right to question my mode as long as my work was done efficiently. It was done ason, because Col. Russell got my letter, and got my per- wrote five days later, because I had reread the cases in as so impressed with the importance of these two cases r letter, which I have copied in my report, stating to ond letter, or reiterating, what I said before, the absolute ation.

Nearly all of this is Greek to me.

ill be glad to enlighten you.

Tell me who Johnson and McQuilkin were and what

Johnson and Pvt. McQuilkin were two privates in the ed in the province of Hinche, under the command of a in the Marine Corps in Haiti named Brokaw. Accord- duced in these two cases, these—

What was the charge against them?

charge was murder.

Of some native?

two or three natives. The record, which you will have, o or three people who were killed—two at least were ed that they were taken out by order of Lieut. Brokaw, wo marines, Johnson and McQuilkin, and put alongside Johnson and McQuilkin were ordered to shoot them,

whom?

kaw. Brokaw has since been committed to an insane re, I think. I stated in my report, as will appear in this could be taken in the case of Lieut. Brokaw because he um at that time.

no was commandant of the marines or constabulary, or time?

that time the commandant of the marines was Col. sell, and in charge of the gendarmerie, as they call it in Williams.

What was the pretended reason for the execution of

I have no knowledge of.

By Johnson and McQuilkin?

never tried to show any reason for it whatever. I would , that it would be better to get the records of the courts- exact charges rather than rely on my memory, because o last September.

The CHAIRMAN. We have the records.

Gen. BARNETT. That was, as I say, over two years ago; but I am convinced in my own mind, knowing this case from A to Z, that it is not a case of any unlawful action by any Marine in Haiti—the first kind of case ever came to my desk.

Senator POMERENE. How soon did you learn about it after it occurred?

Gen. BARNETT. A very short time. The case was forwarded to the Advocate General immediately after the trial, and on the same day, after, probably—a few days, anyhow—he forwarded the case to the Secretary of the Navy. It was on the 27th day of September, 1919, that I got the record. On the next day I read it carefully and put an indorsement on it returning it to the Advocate General; and knowing that that case, in the ordinary course of events, would in a very few days be presented by the Judge Advocate to the Secretary of the Navy for approval or disapproval, having my indorsement on it, and having written the same day to Col. Russell, commanding officer in Haiti, telling him my views, as formed on account of the testimony and the statement of counsel for the accused, I went to the Secretary of the Navy and told him that I had gotten two cases from Haiti which troubled me very much, but that I had written the necessary order for their removal. I sold for complete correction of the faults, as disclosed by those two cases. I said all right.

Senator POMERENE. It was pretty hard to correct them if they were wrong.

Gen. BARNETT. I know; but to prevent anything of that kind in the future. Those cases were, as a matter of fact, a very few days later taken up by the Secretary of the Navy, and he signed them, approving both cases. By the way, course—

Senator POMERENE. Approved them?

Gen. BARNETT. No; approved the action of the court.

Senator POMERENE. That meant a disaffirmance of your position?

Gen. BARNETT. No; not at all. There was no question of affirming or denying the time at all—none whatever. I put a formal indorsement on it, just as I did to the Judge Advocate General. That is all I could put on a case, because the case was finished—settled. I simply showed by my indorsement that it had passed before me and that he had carried out the naval regulations in presenting it to the commandant of the Marine Corps for any action he wished to make.

Senator POMERENE. In what respect were those two men, John Quilkin, to blame if they were simply carrying out the orders of their superiors?

Gen. BARNETT. That was not for me to decide; that was for the court. I did not have any witnesses before me at all.

Senator POMERENE. But I am asking you for your judgment as to what respect did they offend?

Gen. BARNETT. No man in the service is compelled or has a right to disobey an illegal order. That is the one case in the service where anybody is disobeying orders—if he gets an illegal order.

Senator POMERENE. Who is to decide what is an illegal order?

Gen. BARNETT. The man himself must decide and take responsibility. Now, as I say, knowing these cases would come before the Secretary of the Navy in a very few days, and not wanting him to think I had just passed important cases in a pro forma way, I spoke to the Secretary of the Navy three or three days later—maybe a week later—those two cases went up and he approved them, thereby taking the same action I had. I did this because the public press has done a lot of printing about this case. It was stated that the Secretary of the Navy did not know about the case until after my final report was published. He passed judgment on the cases and approved them absolutely a few days after—

The CHAIRMAN. Approved these decisions?

Gen. BARNETT. Approved the findings of the court.

Senator POMERENE. What was that finding?

Gen. BARNETT. That I do not remember. That was of no importance whatever, because I had no remarks to make upon the cases.

Senator POMERENE. Has this record been briefed in any way, or through that whole record in order to find out what the facts are?

not been briefed. It did not reach my office until last week, to take it up or touch it so far.

Is it your purpose to brief them?

I want to say, and say most positively, that I wrote that which is called the confidential letter, and I marked it "confidential" upon the same subject as the letter which I had written before, the official letter, and I wanted Col. Russell to know these cases, and I wanted him to strain every effort in investigation of this affair.

Both of my letters. Here is my letter. First, I had better September 27, 1919. This was the official letter. I marked it also, not personal, but confidential, because I did not want in Col. Russell's office in Haiti and have all his clerks see anybody of what might be expected in the line of an interesting reads as follows:

[Confidential.]

SEPTEMBER 27, 1919.

General commandant.

Commander, First Provisional Brigade, Marine, Port au Prince,

acts by members of the gendarmerie d'Haiti and marines in

the testimony in the general court-martial cases of Privates and John J. McQuilkin, jr., Marine Corps, and from the counsel for the defense in the case of Pvt. Johnson, First Lieutenant. Lawful executions of Haitians, called Cacos, have occurred issue immediately necessary and proper instructions regarding these actions.

Sergt. Brokaw, lieutenant of the gendarmerie, has been in the hospital, so no action can be taken in this case.

Investigation and submit a confidential report regarding the action, as stated in his argument as counsel for the defense in the case of Pvt. Johnson. A copy of this argument is attached.

Legal and unlawful actions on the part of officers and men of the gendarmerie d'Haiti can not be tolerated under

GEORGE BARNETT.

Now, General, you use the expression there, "executions

discriminate killing.

Indiscriminate killing?

Yes, sir.

To what extent had that been going on?

I knew only of these two cases, and I formed my whole opinion before me when I wrote that letter, that being the evidence of Johnson and McQuilkin, particularly the statement of the accused, who stated, in effect, that these men should not be executed, because they were following the general custom, and there had been many similar cases.

Was that all the information that you had, and all the information which you based your letter?

That was all the information I had.

After you had written that, did you make any further investigation to ascertain what the particular facts were upon which the statement was based?

That I ordered Col. Russell to make.

Are you coming to that later on?

Yes, sir.

Then, General, will you proceed to answer Senator Pomphrey, or, if you prefer, make a note of it and go on with your

Gen. BARNETT. My letter was received by Col. Russell. Here is of Col. Russell to my letter:

[Personal.]

HEADQUARTERS FIRST PROVISIONAL BRIGADE  
UNITED STATES MARINE CORPS  
*Port au Prince, Republic of Haiti, October 1, 1914*

Maj. Gen. GEORGE BARNETT,  
*Major General Commandant United States Marine Corps,  
Headquarters United States Marine Corps, Washington*

MY DEAR GENERAL: I received your letter in the last mail, and at once to assure you that I have taken up the matter you mentioned seriously and will go into it thoroughly. I am inclosing herewith a confidential order which I have just issued, as well as a proclamation which will be published in all the newspapers in Haiti, in the towns, and read at the markets to the people of each town by the mayor.

I have gotten out several other proclamations since my arrival, of quieting the fears of the people regarding the bandits.

Almost immediately upon my arrival things began popping here and there, left and, together with an unsatisfactory political situation, kept jumping.

I wrote Gen. Long the other day regarding conditions here, and doubt he has informed you.

We have now completely cleared the plain of the cul-de-sac of bandits, and at present they appear to be gathering in Honda Valley, possibly, of crossing the border and going to northern Haiti or to the descent in the plains. The latter I hardly believe, as we get at them easily when they are in the plains.

I am now making preparations to strike the band from Bellegarde, Cohobas, Savanette. It will be unable to cross the border if our forces go out, but those that get away will be forced to scatter and retreat to Grand Bois.

It is estimated that about 2,000 bandits infest the hills. The Charlemagne Peralte, who styles himself the supreme chief. I believe they are mostly armed with machetes, knives, pikes, a few pistols, 200 or 300 rifles. I don't believe that in all Haiti there are more than 500 rifles, if that many. They are very short of ammunition. They use ammunition and the Krag by tying a piece of goatskin on string around the base of the cartridge. I have consequently issued very strict orders regarding the accounting of our own and gendarmerie ammunition.

The Haitians, as you no doubt know, are a very hysterical people. Rumors are circulated among them daily that are simply ridiculous. Like children, they believe them and completely lose their heads. I am hard, in consequence, to quiet them; however, I believe I have no choice but to bucking them up. Of course, the officials seized the opportunity as much as they could out of the affair until I sent for the President (minister of interior), told him plainly that the Government, interfering with me, was obstructing my work and that I would not do any more things brightened up as far as the officials were concerned.

Yesterday I accompanied the American minister on a visit to the capital with the result that one of the cabinet members who has been a garrisonist has resigned, so that the political situation is also much better.

As you know, General, I shall give my very best to the situation. It is far from satisfactory; and with the backing that I know I may have at headquarters, I feel confident I can clear it up and make a record for myself.

With kindest regards to Mrs. Barnett and yourself,

Very sincerely,

JOHN H. RUSSELL

Then here is the proclamation. It is written in French and the translation here. The translation is not in the original report, as printed, but I have put it here.

(The proclamation referred to, both in French and English, is in full, as follows:)

NOUVELLE ADRESSE A LA POPULATION.

HEADQUARTERS FIRST PROVISIONAL BRIGADE,  
UNITED STATES MARINE CORPS,  
*Port au Prince, Republic of Haiti, 15 Octobre, 1919.*

Vous êtes tous convaincus maintenant que le régime de la corvée a été aboli. A une certaine époque, un tel travail par votre jugement a été jugé nécessaire, ce afin de vous ouvrir certaines parties de la terre qui étaient presque inaccessibles; mais il y a de cela plus d'un an que la nécessité pour de tels travaux n'existant plus, la corvée a été abolie et ne sera plus envigueur en Haiti. Nous établissons pour vous, dans votre Pays, une paix permanente, et nous vous engageons dans les travaux agricoles et autres et nous vous garantissons l'existence honnête.

Nous jurons de continuer à vaquer à vos occupations usuelles, dans lesquelles vous êtes entièrement et sincèrement protégés par l'occupation. Nous sommes déterminés à faire que les lois d'Haiti soient respectées et que vous ayez l'entière protection tous les bons et paisibles citoyens, tandis que les bandits.

JOHN H. RUSSELL,  
*Colonel d'Infanterie de Marines Commandant de la Brigade.*

NEW ADDRESS TO THE POPULATION.

HEADQUARTERS FIRST PROVISIONAL BRIGADE,  
UNITED STATES MARINE CORPS,  
*Port au Prince, Republic of Haiti, October 15, 1919.*

You are now all been assured that the reign of corvée has been ended. At a certain time a certain form of work had been judged necessary by the Government, which was the means of opening certain parts of the land which was almost inaccessible, but a year ago it had been decided that such work was not necessary. Corvée, consequently, has been ended and will never be in usage in Haiti.

We intend to establish for you, in your country, a permanent peace, and you may engage yourself in your agricultural enterprises and be able to earn an honest living.

We intend you to continue your former occupation with zeal in the peace which we entirely and sincerely protected by the occupation.

We are determined to enforce only the laws of Haiti and have no doubt that it will assure its entire protection to all the good and peaceful citizens and will drive out the bandits.

JOHN H. RUSSELL,  
*Colonel, United States Marine Corps,  
Commandant of the Brigade.*

HEADQUARTERS FIRST PROVISIONAL BRIGADE,  
UNITED STATES MARINE CORPS,  
*Port au Prince, Republic of Haiti, October 15, 1919.*

The Commander has had brought to his attention an alleged rumor that the gendarmes in Haiti to the effect that in the past the bandits have been summarily shot without trial. Furthermore, the men in the field have declared and carried on what is commonly called an "open season," where care is not taken to determine whether the natives encountered are bandits or "good citizens" and have been ruthlessly burned merely because they were unoccupied property otherwise destroyed.

It is the part of any officer or enlisted man of the Marine Corps and if true, would be a terrible smirch upon the unblemished reputation which we all hold so dear.

Any commissioned officer, or private of the Marine Corps, or any member of the United States Navy attached to this brigade, or

any officer, noncommissioned officer, or private of the gendarmerie guilty of the unjustifiable and illegal killing of any person whom he brought to trial before a general court-martial or military commission on charge of murder or manslaughter, as the case may warrant.

4. The unjustifiable maltreatment of natives and the unlawful seizure of their person or property will result in the trial and punishment of the offender.

5. All officers and noncommissioned officers are enjoined to see that the provisions of this order are most strictly enforced, and anyone having knowledge of the violation of this order and not promptly reporting it will be held an accessory to the crime.

6. This order will be furnished all commanding officers, and this confidential order will be carefully and fully explained to all noncommissioned officers, and private in the Marine Corps and gendarmerie d'Haiti in Haiti.

7. Commanding officers will report in writing to the brigade commander every officer and enlisted man in their respective commands who has been thoroughly informed and are fully aware of the contents of this order.

8. The chief of the gendarmerie d'Haiti will report in writing to the brigade commander, when every office and enlisted man in the gendarmerie guard is fully conversant with the contents of this order.

9. Upon arrival in Haiti, all commissioned officers and enlisted men of the Marine Corps will immediately be fully informed of the contents of this order, and the commanding officer of units to which they are assigned will report in writing to their immediate senior in command that this has been done.

10. The chief of the gendarmerie d'Haiti will have the contents of this confidential order carefully explained to all officers and men joining the gendarmerie and will be held strictly responsible that all officers and men of the gendarmerie d'Haiti are at all times thoroughly familiar with it.

JOHN L.

The CHAIRMAN. General, I think it would be useful if you would provide, you can, how the committee may pursue an investigation into the truth of the general allegations that there were punishments without trial.

Gen. BARNETT. As I stated before, the two cases that I know of are these two cases of Johnson and McQuilkin. In my opinion, no report should be made, and no legitimate report by a court of inquiry or any other body should be made, as to the justification for my letter, without the testimony of Lieut. Spear. Whether they had him or not I do not know, but, in my opinion, a report of anybody as to whether or not I was justified in writing that letter is foolishness, unless the testimony of Lieut. Spear can be obtained.

The CHAIRMAN. Now, General, we know where Lieut. Spear is. The issue is not the justification for your letter.

Gen. BARNETT. Not a bit, sir.

The CHAIRMAN. You mentioned Lieut. Spear. Are there any other officers of the Marine Corps or not, for whom this committee ought to find information bearing on this subject?

Gen. BARNETT. As I stated before, the only cases I knew of were these two cases. Now, as I said in answer to my letter to Col. Russell, as I was ordered, as I understand, by Col. Russell, in direct compliance with your letter, and was ordered made by Maj. Thomas C. Turner. The report was received. As I stated to you a moment ago, I saw that report at headquarters. I read that report over very carefully several times. I was relieved and after this whole business was up. As I remember, in accordance with the report forwarded by Col. Russell, the trial by court-martial of certain people. I have not the record because they never came to my notice. I was not commandant of the Marine Corps at that time, consequently the papers did not come to me. I have shown that report at headquarters, and I know that certain people were recommended for trial by court-martial. I do not remember definitely who, except, I do think, Maj. Wells was one man recommended for court-martial.

The CHAIRMAN. What Maj. Wells?

Gen. BARNETT. Clark H. Wells. I think Maj. Clark H. Wells was tried by court-martial by the Navy Department, and the court-

been tried or not I do not know. I will state, prompted by that he was not tried; for what reason I do not know. Johnson—I do not even know where they came from—but this I talked about a great deal at headquarters, and I heard that Lieut. J. P. Adams or Capt. J. P. Adams, who is now and probably at Charleston, S. C., would make a very good committee. I do not know what he would testify to. I never saw him in my life, never had a word with him. I have Goddard knows something about it. As a member of the committee, I would like to continue my statement as to what communications I had with the Secretary of the

Continue.

When I wrote my original letter I said that I spoke to the Navy about the two cases in general terms. No more knowledge of this case until in the summer of 1920. When I was on leave from the Secretary of the Navy to come to Washington of what I knew about the trouble in Haiti. Thinking that these two cases, I brought with me copies of my letters of October 2, 1919, and took them to the Secretary of the Navy with him at his desk. He read that letter absolutely from top to bottom, and we discussed it fully, giving full knowledge to him of what had been done in Haiti.

The Secretary of the Navy told me to make a report on Haiti, and my two letters were attached to that report, which only mentioned the cases of Johnson and McQuilkin, and those two letters were Appendages A and B. The Secretary of the Navy gave me time to read it then, but that he would take it home with him the next day. He sent for me the next day and said to me, "All right as far as it goes, but what I want is a complete showing in that report everything that has happened, everything given, every letter that has been written or received at the Marine Corps or Navy Department from the first occupation time when you were relieved on June 30, 1920."

As I have said, were appendages. He went on to say, "In your final report, instead of putting these letters on as an appendix in the body of your report, so that whoever reads the report can look back and see what the appendage is, but can read it

in the final report I put them in the report.

That the Secretary of the Navy sent for Gen. Haines and me to Haiti again, and again and in Gen. Haines's presence I wrote letters to the Secretary of the Navy. In my final report, as an appendix in the body of the report as directed by him, because everything I had received or written with reference to Haiti, whether written or received from Haiti, in the report.

In the report?

In this report; yes, sir; in my final report. After I had written a report of 110 pages the Secretary of the Navy said to me, "Go and read now; I will take it home with me to-night and read it tomorrow." I was under orders then to San Francisco and I was given permission to go, in accordance with my orders.

About 3 o'clock in the afternoon, he sent for me, and he had a car, and he said, "General, this is all right. You may carry on to San Francisco." Again, this letter was in this report. The Secretary of the Navy read my report that night I do not know that he had turned it over to Mr. Jenkins, his publicity man in the Navy Department, because Mr. Jenkins—

His publicity man?

Well, whatever he called him. He was a newspaper man originally from Baltimore. I do not know in what capacity he was connected with the Navy, but he attended to a great deal of personal matter

The Secretary's personal publicity?

I do not know what it was. Maybe Maj. McClellan can tell you more about it.

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Maj. McCLELLAN. It was not personal, although he may have done some work. He is a well known man there.

Gen. BARNETT. He was on duty in the department and is a well known a fine fellow.

The CHAIRMAN. What was his correct duty?

Gen. BARNETT. I do not know. Immediately when I saw the letter said to me, "You may carry out your orders and proceed to San Francisco. Immediately when I left the office Mr. Jenkins came up to me and said with me and said, "General, that is the most complete report I ever saw. I have been in the Navy Department." He shook hands, congratulated me and said good-bye to me. That lead me to believe that Jenkins read the report and reported to the Secretary that it was all right.

I left that evening for San Francisco. I was called back from San Francisco the morning papers had published my letter and made a great furor about this. I was surprised to find by the morning papers that the Secretary of the Navy had stated that he had never seen my letter until the morning. I immediately took the newspaper and went to the Secretary's office and in the presence of Gen. Lejeune and the Secretary of the Navy Mr. Woodbury I said, "Mr. Daniels, I see in the morning papers that you have stated that you never saw my letter until the morning." He said, "I never saw it." I said, "Excuse me, sir, but I saw it in my presence, read it, and discussed it fully the first time it was published." I said, "Again let me say to you, you did see it. I gave it to you again when you told me to make a report. I made the report and had these two letters appended, and you, in your own words, told me when I made a final report to put these letters in the body of the report as appendages, so that whoever read it would not have to look back at the appendages but would see them in the body of the report." He said, "I never saw it." I said, "Again excuse me, but you did see it. You sent for Gen. Haines and me to come here to your office and discuss it in Haiti, and again, in Gen. Haines's presence, I handed you those letters. Gen. Haines saw me hand them to you." He said, "Of course, General, I say I saw it I must have seen it, but I forgot it." I said, "You say that you had forgotten it, but that you had never seen it."

I simply make this statement to show that I was not making a mistake in this business, but I was informing the Secretary of the Navy of what I did, because I thought it was a most important matter.

While you said a moment ago that this was not an investigation but a justification for my letter, I do want to say to this committee that the very best means that I knew of as commanding officer to correct a mistake had come to my notice in an official manner. I was the one to be judged and acted, and my letter was thoroughly understood by my staff. Col. Russell, who acted so promptly and so well that a few months later Gen. Lejeune, the commandant of the Marine Corps, went to Haiti to inspect the force. He found everything correct and in apple-pie order, and was largely responsible for that was my letter which had brought to the attention of Col. Russell's attention, and his prompt action, showing that he understood my letter, was the result.

The CHAIRMAN. This condition, subsequently corrected, grew up under Col. Russell's command before it was brought to his attention?

Gen. BARNETT. Yes, sir. Col. Russell was one of the best officers I ever knew. He would always take every action possible to correct every fault which came to his attention.

The CHAIRMAN. I did not ask that. Please answer my question. These killings, indiscriminate or otherwise, took place under Col. Russell's command. Gen. BARNETT. Yes, sir.

The CHAIRMAN. He did not bring them to your attention; you brought them to his attention?

Gen. BARNETT. They were brought to my attention by—

The CHAIRMAN. He did not clean things up and put them in apple-pie order until you called the matter to his attention?

Gen. BARNETT. I do not suppose he ever knew of them until it came to his attention through me, and then he took prompt action. Senator Russell a few moments ago asked a question about what these people were doing. On page 236 of the Navy Department's record I find the following:

THE ACCUSED WERE PROMPTLY BROUGHT TO TRIAL.

McQuilkin, the privates named in Gen. Barnett's letter, were members of a firing squad which "unlawfully shot and killed" two Haitian prisoners on May 22, 1919. Johnson was killed June 26 and McQuilkin July 1, 1919. At the court-martial it was testified that this was done by Brokaw's orders. Senator Pomerene asked a few moments ago—about the trial—

Q. Maj. McClellan, will you learn how it was that Brokaw was tried?

A. He is insane.

Q. I want to find out by whom he was adjudged insane.

A. All right, sir.

In this connection, I wish to state that when this conversation was had between the Secretary of the Navy and the Assistant Secretary of the Navy and the Assistant Secretary said to me that I was at the court-martial and that certain testimony and the statement of the counsel showed me that illegitimate killing had taken place. They said to me that, because this statement of counsel for the accused was not a statement of counsel, and it was perfectly well known that criminal cases often made statements which could not be taken to say here that I felt, and still feel, that I was perfectly justified in my word, which was an official report made to that court-martial for the accused, and because he was an officer in the Navy, a statement made to me, because he knew, and everybody knew, that the record would come to me, and I would read it, and I also knew that it was a statement made to the Judge Advocate of the Navy, because he knew the record would go to him, and I made it to the Secretary of the Navy, because he knew that the Secretary of the Navy for final action. I therefore claim that in taking the word of a commissioned officer and in believing it to be true.

Q. Where was this court-martial held?

A. I do not remember the exact place; in Haiti.

Q. Did it pass through the hands of the Judge Advocate?

A. Yes, sir.

Q. And the occupation in Haiti?

A. Yes, sir.

Q. Did he make any indorsement on it?

A. No, sir; not to my recollection.

Q. Will we get the name of the judge advocate in Haiti who was

A. Important enough to call to the attention of Col. Russell, the Judge Advocate General in Washington?

A. That would be on those two cases. I say that I took this statement because, in all my experience of 44 years in the service I have never of course that a statement made to me by a commissioned officer will admit that in civil cases or criminal cases counsel may be prejudicial or in favor of a certain man whom he is defending. I believe of an officer acting as counsel for an enlisted man or for a statement other than true. I took that statement as true. I wrote my letter, believing that it was true.

When this whole thing was over, as far as these letters are concerned, a report came in from Maj. Turner, forwarded by Col. Russell, that he saw until afterwards, after this thing was brought to the court of inquiry was ordered to investigate the Haitian affair. The court about five minutes and asked three or four questions of me. I wrote this letter, etc. I was also asked three or four questions of the number killed, etc., and a correction was made by Maj. Alland, who had compiled the data for me from the Navy. He had made a mistake in addition, and instead of being 3,250

there were 2,250 killed. I never saw the precept of that court of inquiry from their report I judge that one of the things they were ordered to do was whether or not I was justified in using my phrase that indiscriminate killing had gone on for some time. They found in their report that I was justified, although that is a question of opinion. As I stated a moment ago my opinion is entirely different, as well as entirely different from the opinion of the court, was before me, largely because of the fact that I think I was justified in making the statement of the officer.

In the final paragraph of that report they said that the publication of charges and the statement with reference to indiscriminate killing was most regrettable, unwarranted, and everything of that kind. The statement was taken by every newspaper in the United States, and by individuals, especially outside of the service that I know about myself, as a censure of me for having written this letter. Knowing the Navy I knew that no court of inquiry could censure an officer without having him a party to the trial and allowing him to appear and introduce evidence. It was not made a party to the trial, and my conduct was not under inquiry, but the concluding paragraph of their report was so badly worded that advisedly, because a thing must be badly worded that is misinterpreted by everybody, and a report on anything can only be for the purpose of creating an idea in the minds of those making the report—as I say, it was so bad that every paper in the United States, especially the Army and Navy Journal, and the Army and Navy Journal, took it up as meaning severe censure. They were not justified in that, well knowing that after I was furnished with an official copy of this report of the court of inquiry, containing the censure of me which the papers had taken to be a censure, I wrote a letter to the Secretary of the Navy, of which I will give a copy to the committee, and I stated in that letter that I had read this report of the court of inquiry—

The CHAIRMAN. If you are going to give the letter to the stenographer, I want to summarize it for the committee?

Gen. BARNETT. I think you had better hear it right here in general. In that letter I stated to the Secretary of the Navy that I had read the report of the court of inquiry, and that I was shocked to find that every paper in the United States, and hundreds of friends of mine who had written to me for having been censured by this court, had taken it for granted that I had been censured. Well knowing that this could not be so, and not intended so by the court, I requested him, as Secretary of the Navy, to have the court of justice to one of the oldest officers in the service, to disavow the report and give it publicity the same as the other had been given publicly. I had been seriously injured by this report of the court of inquiry.

The Secretary of the Navy received this letter, and after some time he gave me an answer, failing to comply.

The findings and conclusions of the court of inquiry and my letter to the Secretary of the Navy are as follows:

[Navy News Bureau. Release morning papers of Sunday, Dec. 19, 1920.]

Secretary Daniels authorizes the following:

"The court of inquiry which convened on October 19, 1920, by the Secretary of the Navy to inquire into the conduct of the personnel of the United States naval service that has served in Haiti since June 28, 1915, has reported its findings, which Gen. Lejeune, major general, commandant of the Marine Corps, and Secretary Daniels to-day approved."

Following are the conclusions of the court:

"The court, having thoroughly inquired into all the facts and circumstances connected with the allegations contained in the precept and having considered the evidence adduced, finds as follows:

#### "FINDING OF FACTS.

"1. The court finds that two unjustifiable homicides have been committed, one each by two of the personnel of the United States naval service who served in Haiti since 28 July, 1915, and that 16 other serious acts have been perpetrated against citizens of Haiti during the same period by individuals of such personnel.

is further that these offenses were all isolated acts of individuality. In every case the responsible party was duly brought to trial, found guilty, convicted, and sentenced.

There was found no evidence of the commission of any other unjustified or other serious, unjustifiable acts of oppression or of violence against the citizens of Haiti, or unjustifiable damage or destruction of property by any of the personnel in question.

The fact that the only unjustifiable acts found by the court to be those wherein disciplinary action has already been taken, and no further proceedings could be had in the matter, the court is not necessary to report further upon the question of responsibility.

#### "CONCLUSIONS.

Paragraph 2 of the precept, it is the conclusion of the court that there are no proper grounds for the statement that 'practically no improvement of natives has been going on for some time,' as alleged by Brig. Gen. George Barnett, United States Marine Corps, to the effect that the United States Marine Corps.

The amendment to the precept calling for the conclusions of the court as to the general conduct of the personnel of the naval service in Haiti, 1915, the court does not consider that the small number of offenses that have been committed by a few individuals during the period in question are entitled to any considerable weight in conclusion as to the general conduct of such personnel. It is the conclusion of the court that some offenses would be committed. However, considering the service in Haiti, it is remarkable that the offenses were so few that they all may be chargeable to the ordinary defects of the personnel, such defects as result in the commission of similar offenses in other parts and elsewhere in the best-regulated communities.

The conduct of our troops of occupation can be fairly judged by the results of their occupation.

For the first time in more than a hundred years tranquillity and security may be said to prevail in Haiti.

The people themselves welcomed the coming of our men and are glad to see them depart.

The maintenance and maintenance of tranquil conditions and the security of the country all over the Republic of Haiti has been an arduous and thankless task. That task our marines have performed with gallantry.

The court refrains from recording its opinion of much, and that the reflections which have been made upon the officers who have been in Haiti.

The characteristic of those officers, from the brigade commander down to the private, has been their sympathetic attitude toward every step that has been taken for the betterment of the country and to improvement in the physical, moral, and conditions of the population.

The lack of resources and inadequate administrative authority they have had to contend with where anything more than suppression of organized insurrection was required.

The remarks apply with particular force to those officers and enlisted men of the United States Marine Corps who have been serving as officers of the gendarmerie in Haiti.

The study of the matters in issue, based not only on the evidence presented but also upon other original and reliable sources of information, and the observations while in Haiti, the court regards the charges against the personnel as ill considered, regrettable, and thoroughly unjustified on a portion of the United States Marine Corps which have been called to a most difficult, dangerous, and delicate duty in Haiti in a manner which merits the highest commendation. The adverse criticism is entitled to the highest commendation. The proceedings of this twenty-first day of the inquiry was read by the court after having finished the inquiry, then, at 11 o'clock a. m., the action of the convening authority.

"H. T. MAYO,

*Rear Admiral, United States Navy, President.*

"JESSE F. DYER,

*Major, United States Marine Corps, Judge Advocate."*

UNITED STATES MARINE CORPS  
*San Francisco, Calif., December 19, 1920.*

From: Brig. Gen. George Barnett, Marine Corps.

To: The Secretary of the Navy.

Via: The Major General Commandant.

Subject: Findings and conclusions of the Haitian court of inquiry.

1. I have read carefully the "Navy News Bureau release morning Sunday, December 19, 1920," authorized by Secretary Daniels and the findings of facts and the conclusions of "the court of inquiry convened July 28, 1920" and "approved December 19, 1920," by General major general commandant, and Secretary Daniels.

2. I note the first paragraph under "Conclusions" reads as follows: "Referring to paragraph 2 of the precept, it is the conclusion of the court that there have been no proper grounds for the statement that the indiscriminate killing of natives has been going on for some time," in the letter from Brig. Gen. George Barnett, United States Marine Corps. Col. John H. Russell, United States Marine Corps."

3. No officer in the Marine Corps can be more pleased than I am that the allegations of indiscriminate killings have been disproved.

4. In this connection I invite attention to the fact that while the "indiscriminate killing" was my own, the allegation of such misconduct was not made by me, and I preferred no charges against any person, nor did I publish or authorize the publication of anything.

5. In reviewing a court-martial case I read a statement of a colonel, officer, Lieut. Spear, in substance that he had personal knowledge of cases where Haitians had been executed without any legal process. I immediately directed the local commanding officer to fully investigate and in order to avoid unnecessary publicity I sent these directions in a letter marked "Personal and confidential."

6. It is, of course, evident that I would have been neglectful of my duty as commandant of the Marine Corps had I failed to order an investigation.

7. I note also paragraph 11 of the "conclusions" of the court (concluding paragraph), which reads as follows:

"After a careful study of the matters in issue, based not only on the facts in the record but, also, upon other original and reliable sources of information, and the court's own observations while in Haiti, the court regards the reflections on a portion of the United States Marine Corps which have been published as ill considered, regrettable, and unwarranted reflections on a portion of the United States Marine Corps which has performed difficult, dangerous, and delicate duty in Haiti in a manner which, instead of calling for adverse criticism, is entitled to the highest commendation."

8. Unfortunately (for me) numerous newspapers and numerous individuals having read in conjunction paragraphs 1 and 11 of the conclusions of the court of inquiry, have construed them to mean, in substance, that "Brig. Gen. George Barnett has made ill-considered, regrettable, and thoroughly unwarranted reflections on a portion of the United States Marine Corps which has performed difficult, dangerous, and delicate duty in Haiti in a manner which, instead of calling for adverse criticism, is entitled to the highest commendation."

9. I am constrained to believe that this is not the construction intended by the court or the reviewing authority. Otherwise it is certain that the court would have been made party to the inquiry and accorded the right of appeal at vindication, as provided by Navy regulations.

10. The record will show that I was not made a party to the inquiry. I received no intimation that my conduct was under investigation. I must assume that neither the court nor the reviewing authority intended that the court's findings and conclusions should convey the impression that the court had been guilty of making unfounded, unwarrantable, and ill-considered reflections against others of my corps who were entitled to commendation and reward.

11. I am thoroughly convinced in my own mind that the court did not intend to reflect on me or my conduct in mind when they drafted the eleventh paragraph of their conclusions, but that they had in mind the numerous newspaper articles published, with the publication of which I had nothing whatsoever to do.

12. The records will show, and the Secretary of the Navy has personally seen, that on numerous occasions, in my annual reports and in other reports, I have accorded and in my capacity as commandant of the Marine Corps

ation for the conduct of marine officers and men in Haiti; realized the dangerous and delicate nature of their duties aside to their accomplishments. This especially in my final year of the Navy.

report of the conclusions of the court of inquiry has been that my personal conduct in connection with the case has diverted upon by the court and through their approval by Commandant and the Secretary of the Navy.

a number of newspapers (vide attached clippings from the *Star*, dated December 25, 1920), this construction of the have received dozens of letters from friends and acquaintance that I should be so censured.

tion is correct I request as an act of simple justice to an honorable service that the Secretary of the Navy give out a press to correct the impression that has gone broadcast over that the court found me guilty of misconduct and the marine Corps and the Secretary of the Navy approved the

GEORGE BARNETT.

only to that letter is as follows:

NAVY DEPARTMENT,  
*Washington, January 10, 1921.*

of the Navy.

George Barnett, United States Marine Corps, commanding Pacific, No. 36 Annie Street, San Francisco, Calif. General Commandant.

and conclusions of the Haitian court of inquiry.

Gen. George Barnett's letter 12-30-20.

With reference (a), there is transmitted herewith for your of the Navy News Bureau release of December 19, 1920. this release does not contain any news items other than conclusions of the court of inquiry and the fact of their approval by the General Commandant and the Secretary of the Navy. complained of by you which appeared in certain newspaper from the department, and the department therefore with reference to them.

to paragraphs 4 and 5 of reference (a), your attention is that your official report of Haitian affairs shows that the affairs mentioned in the general court-martial proceedings Walter E. Johnson and John J. McQuilkin, jr., was directed to the brigade commander in Haiti, dated September 27, and a confidential letter was not written until October 1920; also, that the following allegations are contained in the confidential letter above mentioned, namely:

of one private for the killing of a native prisoner brought his counsel which showed me that practically indiscriminate gone on for some time."

most startling thing of its kind that has ever taken place and I don't want anything of the kind to happen again. the knowledge gained only from the cases that have been that the Marine Corps has been sadly lacking in right and you to see that this is corrected, and corrected at once." also invited to the fact that while you did not publish the confidential letter above mentioned, yet you did include it in a public document, which you had been informed and which announced would be given to the press in its entirety upon omission by you.

you are informed that, although the court of inquiry was meant to investigate and determine whether there had been a date killing of natives in Haiti for some time, as alleged in the confidential letter to Col. John H. Russell, it was not up to your conduct, and that, therefore, the court did not hold the inquiry.

JOSEPHUS DANIELS.

The CHAIRMAN. The controversy between you and the Secretary concerns the committee.

Gen. BARNETT. Entirely so; I understand that. I am simply showing that he did have knowledge, the same knowledge that I have. As I have stated before, this letter shows that he refused to make a request to state whether or not that finding referred to me, which he did not, because it was one of the most positive regulations that I refer to me in any possible way. I thought, and still think, that a man, appealed to officially by one of the officers who had at least done service for 45 years nearly, was entitled to a statement from the the Navy—

Senator POMERENE. With regard to these executions, is it claimed that these men were shot by direction of this sergeant who was demoted?

Gen. BARNETT. Oh, no, sir; that has nothing to do with the case. The only question that ever came up at all about the whole affair was not there had been any indiscriminate killings in Haiti, and how many.

Senator POMERENE. Your opinion is, I take it, that these two men were mates?

Gen. BARNETT. Yes.

Senator POMERENE. Has your further investigation enabled you to find out many others there were?

Gen. BARNETT. Only as I have stated in my letter, only the one as having been seen personally by Lieut. Spear, counsel for the Government, then from the report on file at the Marine Corps headquarters by which who was directed by Col. Russell to make a report. I do not know of any others are in that.

Senator POMERENE. Are you able to state just briefly here your judgment, were the causes which led up to this state of affairs?

Gen. BARNETT. No, sir; I was not there, and the only knowledge I have of the cases were these two court-martial cases.

Senator POMERENE. Who can give us that information?

Gen. BARNETT. Col. Russell, I have no doubt.

Senator POMERENE. Have you any one else to suggest?

Gen. BARNETT. Maj. Wells, I have suggested, while you were out. and I mentioned three or four while you were out.

Senator POMERENE. I will not ask you to repeat them, then. Are there any in this country now, or down there?

Gen. BARNETT. Some of them are here and some of them are down there.

Senator POMERENE. You, I believe, made the statement before we came to the Senate Chamber that you took charge down there at the time of our occupation; did I understand you correctly?

Gen. BARNETT. The marines?

Senator POMERENE. Yes.

Gen. BARNETT. Yes; they were landed at once.

Senator POMERENE. What were the general orders which were given at that time? In other words, what were the reasons for sending you down there if you know?

Gen. BARNETT. That was given to Admiral Caperton, who was in command. He has been before this committee for a week and probably stated the facts of that kind.

Senator POMERENE. Well, I was not able to attend the hearing, but I have been attending two or three other committees.

Gen. BARNETT. The orders were given from the Navy Department to Admiral Caperton, who was in supreme command down there.

Senator POMERENE. You have not been down there?

Gen. BARNETT. Yes; I was down there on a tour of inspection in 1917, with the Assistant Secretary of the Navy, Mr. Roosevelt.

Senator POMERENE. And how long was that after the marines were landed there?

Gen. BARNETT. They landed in 1915, and I was there in 1917.

Senator POMERENE. What condition did you find then?

Gen. BARNETT. I found an excellent condition. It is so stated in the report made to the Secretary of the Navy, when I got back. I went from Haiti to the other on horseback through the mountains.

Senator POMERENE. Did you have any knowledge at that time of any undue aggressions by our marines or others against the natives?

had no knowledge, nor did I hear of any case, and I dis-  
with the President of Haiti and with other prominent men in  
rish priests and the local officials in the different towns  
passed.

E. They were nearly all Negroes, were they?

A. I heard of them, and I heard no complaints whatever.

E. Was there any objection at that time to our possession of

heard none. I heard many remarks to the contrary.

E. Was there any outbreak, revolutionary or otherwise,  
re?

A. None whatever.

E. Or have you learned of any since the time the marines

here had been many occasions.

E. That was early after they took possession?

A. Once after that there was a concerted attack on Port au

E. By natives?

A. By natives, and was repulsed by the marines, and followed  
y, and properly so.

E. From a military standpoint, did you see anything to crit-  
by these marines?

A. I did not, and so stated in my report to the Secretary of the  
me back very much pleased. I heard it stated by numerous  
t for the first time in a long, long time the people felt at  
markets, and the markets were full of Haitians. Thereto-  
nable to go to market because they would be robbed, etc., or

E. Then the burden of your complaint grows out of these  
proper executions?

A. Entirely from those two court-martial cases and the state-  
for the accused. That was the only knowledge I ever had,  
the Marine Corps, of any trouble in Haiti.

E. Has the department made any further investigation?

A. The department sent Gen. Lejeune down there. I made this  
summer of 1920, and Gen. Lejeune went down later on and  
on, and reported everything in good shape. I understand—  
true—that the Secretary of the Navy has been down there  
the court of inquiry, of which Admiral Mayo was presi-

E. You mean Secretary Denby, do you?

A. Yes, sir. Of course, I do not know what they found. I have  
report, or heard any statement from them, but I have read  
that they found things in good shape.

E. Well, did you find any objection at that time that you  
our marines being there?

A. I found none whatever, and I am sure that Secretary Roose-  
velt would make exactly the same statement, because we made

E. You think, then, it was the consensus of opinion up to  
here that the marines were a good influence there for law

A. I think entirely so, with a very large portion of the population.

E. Did you find any sentiment there to the effect that the  
trying to take possession of the island for the purpose of  
, or anything of that kind?

A. I never heard any such remark.

E. Of course, you knew there was no such disposition on the  
States authorities?

A. I certainly felt it, and think so yet. I think the landing was  
and the marines have been kept there ever since, in my opin-  
United States considered was for the good of Haiti. And,  
in any way the Marine Corps for their action in Haiti, no  
them more praise than I have given them in my annual

reports and in my report of my inspection down there, and in m  
I saw the construction of roads, I saw prisons cleaned up as clean

Senator POMERENE. You speak of the construction of roads.  
roads being constructed under the supervision of the marines?

Gen. BARNETT. The gendarmerie.

Senator POMERENE. How was the labor performed, and who paid

Gen. BARNETT. They were under the corvee system at that time.

Senator POMERENE. Who was it that issued these orders for the  
marines do it?

Gen. BARNETT. The gendarmerie, which was a part of the Ha  
ment; that is according to Haitian law.

Senator POMERENE. As I understand, under that system down  
tives may be directed to do a certain number of days' work on the

Gen. BARNETT. That is the corvee system.

Senator POMERENE. And did you find any opposition to that or

Gen. BARNETT. I heard none.

Senator POMERENE. How were these men fed?

Gen. BARNETT. Fed by the gendarmerie.

Senator POMERENE. Who furnished the provisions?

Gen. BARNETT. The gendarmerie.

Senator POMERENE. And that was by the Haitian Government?

Gen. BARNETT. That is a part of the Haitian Government; it is  
of the Haitian Government.

Senator POMERENE. No part of that was furnished by our mar

Gen. BARNETT. The officers of the gendarmerie were marines.

Senator POMERENE. Were they furnished good food?

Gen. BARNETT. As far as I saw. I only saw one meal. I saw  
working on the road, and when I passed there it was lunch time  
the only meal I saw.

Senator POMERENE. There have been conflicting statements ma  
committee, so far as I have heard them. One was to the effect t  
were eager to work there on the road, because they got better fo  
wise. The other was to the effect that many of these men were i  
there under what was something akin to a peonage system, and  
Did you observe anything which would—

Gen. BARNETT. I heard nothing and observed nothing to that  
have stated in this final report of mine, I had heard rumors only  
substantiation for them whatever. I do not even remember wh  
said it, but I heard rumors to the effect that the corvee system  
of trouble, on account of abuse by having natives from one pro  
on the roads in another, contrary to the law. I do not know wh  
true or not.

Senator POMERENE. We had a rule, or did have until very re  
country, in different States, that the taxpayers or men who were  
work a certain length of time on the roads?

Gen. BARNETT. At one time I remember the Secretary of the  
about some objection to the corvee system, and I happened to b  
at that time, and the Secretary of the Navy made practically t  
ment that you have made, that that was the common custom in  
It was done under Haitian law. Whether or not the corvee sys  
abused I have no knowledge whatever except these rumors, and  
stantiate them in any way whatever. I do not even know wh  
from. But the officers who were on duty in Haiti with the gend  
to be able to state fully about that.

Senator POMERENE. Let me ask you another question. As I  
we have charge of the customs down there, have we not?

Gen. BARNETT. That, Senator, I can not answer any questions o  
because it was under a different department entirely. We ha  
ever to do with it.

Senator POMERENE. You got no information which would lead  
an opinion as to whether it was satisfactorily administered or not

Gen. BARNETT. None whatever, because I never had the slightes  
slightest knowledge with respect to the customs. That was h  
under the—I forget what they call him—I think it is the receiv

Senator POMERENE. Well, from the standpoint of law and orde  
you were down there last was there then a necessity for our m  
there?

think so undoubtedly.

E. Why?

Because I think that Haiti has the best Government and the best that it has had in 100 years. I think the improvements we have made in the asylums, in the prisons, in the schools, and in the hospitals are almost entirely due to the marines.

E. Well, you had the different revolutionary factions there,

think so.

E. And you think the demoralized condition of the island is?

It seemed so to me. I think it got to be in a condition where it was necessary to have a stable government.

E. Is it your judgment from what you have seen down there for us to continue our marines there?

For the present I unhesitatingly say so.

E. For how long a time would you say?

That I think is utterly impossible to answer. It depends on

E. Did you discover that the nationals of other countries, Germans, or British, or French, had any objection to our having

I heard none. I went to a dinner given by the American minister and another luncheon given by the President.

E. Who was the American minister at that time?

M. Baily-Blanchard, a man from Louisiana. He had been secretary of the legation in Paris, and was afterwards made minister at Haiti.

E. To say, I went to a dinner given by him, and to a luncheon given by the President, where we met practically all the different representatives of the Prince, and I heard of no complaint whatever.

E. The interchange of letters between yourself and Col. Russell in October, 1919, have you heard anything from which you could confirm or deny Spear's statements before the court-martial gave an accurate account of the conditions there on which he was

I have not heard. As I say, shortly after these letters were written in September and October, 1919, Col. Russell was ordered to make this report, and that is the only information I have had, because of the time that I was relieved as commandant of the Marine Corps, and I have not seen, except in a casual report, and that is the only information I have had, because of the report of the court of inquiry, of which Admiral Mayo was

E. Now, you understand my question was wider than one directed at the reports. What I would like to know is if since the time in October, 1919, you have heard from any source whatsoever any report, and that is the only information I have had, because of the report of the court of inquiry, of which Admiral Mayo was

I have heard no facts whatever. I have heard rumors that there were certain affairs down there, but they were the merest

E. Let me ask you in that connection, General, following the court-martial, was just being asked you, how long has Lieut. Spear been

I do not know. I do not know when he resigned.

E. Is he a West Pointer?

Yes, sir; he came in the Marine Corps during the war.

E. He was a civilian before that?

Yes, sir; and I think he is a civilian now.

E. Do you know him personally?

No, sir; I never saw him.

E. You have no means of judging of him temperamentally,

No, at all. I never saw the man and never heard of him in connection.

E. Do you know what his business was prior to going into

Gen. BARNETT. No.

Senator POMERENE. Do you know whether he had any experience in martial matters or legal matters?

Gen. BARNETT. No knowledge whatever.

Mr. HOWE. Do you know what Lieut. Spear's duty had been in the time he acted as counsel for these accused?

Gen. BARNETT. I do not.

Mr. HOWE. Do you know what regulations, if any, there were reported by the Marine Corps of any occasions when natives met in the hands of members of the Marine Corps, either by authorized or by battle casualty?

Gen. BARNETT. I only know the custom of the service which would require, of course, a report of any deaths. Even after an engagement, a report is made of the number killed, as far as they could get at it; killed and maimed, as far as it was possible to find out, of course, in a short time, and regulations, without any specific orders whatever, would absolutely require reports as to killings.

Mr. HOWE. Did you understand Lieut. Spear's remarks to the effect that he referred to killing by marines not subsequently reported officially?

Gen. BARNETT. I d.d.

Senator POMERENE. You have referred to these illegal killings, etc., and that statement seems to apply to the higher or more severe class of cases which were inflicted upon these prisoners. Did you see anything that would lead you to believe that there were other cases, where a lower grade of penalties are concerned?

Gen. BARNETT. No. My letter contained everything that I knew.

Senator POMERENE. Let me ask you another question. In answer to the question which I asked, you said that you discovered what you regarded as an improvement in their educational facilities, etc. I wish you would go into detail and tell the committee what led you to believe that, or what you based that conclusion. Let me say that I ask this question because it would appear from the testimony of one or more witnesses before this committee that there was no improvement in educational facilities, and that the marines and our occupancy there was simply a drain on the island's revenues.

Gen. BARNETT. I think that statement is absolutely wrong. I have no doubt that improvement has been made in many ways. I saw the report, and I say to you now, that during this trip across Haiti with the Assistant Secretary of the Navy, Mr. Roosevelt, we stopped at a little village and town we passed through and sent for the head of the village, and for the parish priest, and we discussed these matters with the physicians at the hospitals, and we discussed them with the natives, the people in charge of the hospitals, and we visited the prisoners, and we who had been in Haiti before saw the improvement ourselves.

Senator POMERENE. And you had been there before?

Gen. BARNETT. I had been there before, and I did not need any argument to show me whether or not improvements had been made.

Taking the matter of the prisons alone, I know that years before I came to Port au Prince and Cape Haitien were very vile places. I know that I inspected them, you could eat your dinner with perfect safety in the prison, off the floor or off any bed. The beds were bunks made of planks. And I talked with numerous people, as I say, the parish priests, the head men of every village, and we invited any criticism or question that we could ask. Mr. Roosevelt was very much interested in this thing. When he being my senior, he conducted these questionings wherever we went, with the parish priests and the head men of these villages. I do not think I had been there before, but I say that any man who had ever been there would see himself the improvement in these places, in the management of the prisons, and in the hospitals.

Senator POMERENE. Did these priests there have charge of the education of the children?

Gen. BARNETT. Yes, sir.

Senator POMERENE. They had control of that, I suppose? Were these schools, do you know, or were they public schools belonging to the Government?

Gen. BARNETT. I think probably they were parochial schools, but I saw were Catholic priests.

Did any of these priests or other head men make any effort to educational facilities, or hospital facilities, or any-

do not think so, from the fact that when we came back, the Mayor and I were both very much pleased with our inspection of the conditions down there.

Then, as I understand you, the statements you got from the head men were merely corroborative of what your own eyes saw in condition?

Yes, sir.

Education and hospital business is concerned, I do not know of any one as a witness than Gen. E. K. Cole, who was in command at that time when we made our inspection there.

He is of the marines?

Yes, a marine—one of the best officers in the Marine Corps. He devoted his whole undivided time to it, and went from one end of the island frequently, and he was very well thought of throughout the trip wherever we went he was received most heartily.

Well, is it your belief that these people down there are ignorant and appreciate the benefits to be derived from increased education?

I do not think the mass of the people have a thought on that subject. I do not think the whole mass of the people have a single thought, that far in thought at all. They are absolutely illiterate. I do not know to-day who would vote for a change in the conditions in the island. People who are of a little higher class in education, etc., are the Government themselves.

Then you think it is a sort of conflict between the high and the low?

Yes, entirely. I do not think the mass of the people have any subject than children would.

And, in your judgment, they are sort of treated as such,

that is my idea. They should be given every consideration by the Government, and should be given every facility for improvement in the future coming into control, but the people are ignorant, not fitted for it yet.

At 3.30 o'clock p. m., a recess was taken until 2.30 o'clock p. m.)

#### AFTER RECESS.

We reassembled at 2.30 o'clock p. m., pursuant to the taking

of the subject. I understand there is a matter you would like to put in the record in connection with the occupation in Haiti.

At the session this morning I was asked whether any improvement had been made in the educational facilities in Haiti. I stated that I wished to state that my knowledge of that came from this trip to Haiti with the Assistant Secretary of the Navy, Mr.

What year was that?

That was in January, 1917, and with Gen. Cole, who was in command of the Marines in Haiti at that time. I wish to say that the improvement, if not wholly, due to the general uplift of conditions in Haiti, but largely, as far as I could see, from the warm personal regard and interest held by everybody wherever we went, and the influence of the American Government in lending his personal assistance and general approval of the work wherever we went. They were largely, as far as I could see, Catholic schools. There was no law for it. We do not understand it, to take charge of education at all, no more of hospital work, but I wish to state that at a big hospital in the hands of the Catholic Church in northern Haiti—we visited it and have never seen greater affection displayed than what we saw at that hospital. He had done, not officially, but for the general help he gave in the way of moral help, moral uplift, and little things he had done for the personal way.

I think I stated very explicitly what knowledge I had with reference to the educational system. The school there was not, in my opinion, of a high status as the hospital part. They did a great deal of work there, but it was not of any treaty provision; it was done by general good feeling and understanding.

Senator ODDIE. What is your opinion regarding the action of the Marine Corps in this matter?

Gen. BARNETT. I can say that outside of the knowledge that I had of the two court-martial cases of Johnson and McQuilkin, together with the statement of Lieut. Spear, the counsel for the accused, it is the only thing I have heard in my official career against the action of the marines in Haiti. My work, in my opinion, has been splendid, and nobody has praised me for it. I did in all of my annual reports, and in my report which I made to the Secretary of the Navy when I came back from my visit to Haiti, and I say that I think they have done the country a great deal of good, and that the country is much better off for their presence there than it would have been without them.

Mr. HOWE. General, going back to the statement made by Lieut. Johnson-McQuilkin investigation, was it ever proved that the facts stated in that statement of Lieut. Spear were actually facts?

Gen. BARNETT. I have no investigation to prove that, one way or the other.

Mr. HOWE. Has it ever been shown by any reliable information that the criminal killings by marines had ever taken place in Haiti?

Gen. BARNETT. That is all the knowledge I have on the subject. I have in my original letter, and in my final report to the Secretary of the Navy, stated the whole knowledge that I have is the simple statement by Lieut. Spear. I have no other corroborative evidence whatever.

Mr. HOWE. And the subsequent investigations you are familiar with, are they not?

Gen. BARNETT. I am not familiar at all with the court of inquiry. I have not seen their report or had reported to me. I have not found.

Mr. HOWE. Were there any other proceedings besides the proceeding of the court of inquiry, which would have a bearing—

Gen. BARNETT. Yes; as I stated this morning, after I was relieved of my command of the Marine Corps I saw the report of Maj. Turner, but it was not before me as an official paper. I never passed on it, and therefore it is not clear in my mind as it probably would have been if I had been in command. I suggest, of course, that the committee get that report and read it. In my opinion is that in that report Maj. Turner stated some cases of killing, but not these; I am not sure of that.

Mr. HOWE. Were there any other investigations?

Gen. BARNETT. No; I know of no others.

Mr. HOWE. This, then, is really your statement and testimony; you have referred the committee to those published reports, making no comment of your own.

Gen. BARNETT. None whatever. I have no comment to make, because I have not seen them, except in the most casual way.

Mr. HOWE. And you have no independent knowledge of your own of the state of affairs or facts?

Gen. BARNETT. None whatever.

Mr. HOWE. Did the entrance into the war of the United States have any effect of changing the personnel of the higher Marine Corps officers in Haiti?

Gen. BARNETT. It did change a great many; it changed the officers because it was my desire, when the war came on in Europe, to send to France of the older, deserving officers and men to France as possible, because I recognized the fact that they had had a couple of years or three years' service in Haiti, and therefore they were well fitted for the work.

Mr. HOWE. Those officers who had been in charge up to the time of the entrance into the war were experienced officers of the Marine Corps, were they not?

Gen. BARNETT. Certainly.

Mr. HOWE. And, in your opinion, well qualified for their duties in Haiti?

Gen. BARNETT. That is the reason I sent them there, sir.

Mr. HOWE. After we went into the war, and after this necessity arose for new personnel, were their successors down there men of equal experience and ability in your opinion?

Gen. BARNETT. I should say almost; yes, sir. I did not weigh the balance at all. Like all details in the Marine Corps, they took what was available as far as possible, for foreign service.

just ask it in this way: Those then who were there before the war had about the same rank, did they not, when they were near.

True, however, that those who came there after our entry received more rapid promotion than their predecessors; in the case of younger men?

It applied particularly not until about 1918, when our first promotions and the promotions came along with that, and naturally the rank of colonel would not have been of the rank of

and had shorter periods of service in the different grades?; but God knows they had all been long enough.

Do you know whether the important steps during the occupation were the dispersal of the Haitian Senate in 1916 and 1917, were they in the State Department, or in the Navy Department, or in the

now it was not in the Marine Corps; otherwise I have no doubt that was done by the admiral, and the orders did not

you do not know where that determination originated? I have no knowledge whatever. My people were there simply to obey the orders which were received through the Navy

that reply would be the reply to questions about most of the things taken?

with reference to finances, all with reference to the occurrence to everything except the purely military handling of

those things you have no knowledge as to what department the orders originated in?

The orders did not come through me at all. I only got the orders to the marines.

A slightly different question. Was the employment under the institutions of the corvée ever referred to the head-quarters of the Marine Corps?

Never.

Do you know whether it was ever referred to the Navy Department?

I think not. I can not answer positively as to that. I know it was referred to the Marine Corps.

Did your Marine Corps officers down there were in doubt as to whom they should consult? Did they consult through the Marine

Did they ask information of the naval authorities?

Up to a certain point they would ask their own superior as a thing beyond his power to decide, he himself would refer to a naval officer.

Did you have a senior naval officer in Haiti?

Not in Haitian waters.

It is possible, then, that the employment under the United States corvée system may have been referred to the Navy?

That I am utterly sure of.

It is possible it may have been; you have no knowledge as to whether or not?

I have no knowledge as to whether it was or not. I do not know if it was possible, because I have no means of stating one way or the other.

It might have been referred to the financial advisor, but I do not know. As I stated a while ago, my understanding of it is that it was, under proper conditions, carrying out a Haitian law, under Haitian law by the Haitian troops, the gendarmerie.

The question may never have been raised and presented to me.

It may not.

As you know?

As far as I know. I know that certain orders were issued with the corvée system by the marine officers.

Mr. HOWE. To what extent was the gendarmerie under the control of the Marine Corps?

Gen. BARNETT. The gendarmerie was officered by Marine Corps commissioned officers were of the Marine Corps.

Mr. HOWE. And what authority was there for that arrangement?

Gen. BARNETT. It was a treaty arrangement, approved by Congress, by the Haitian Government and by order of the Secretary of the Navy, which stand, was approved by the Secretary of State, and certain additional provisions allowed the officers in Haiti and Santo Domingo, and that was passed by Congress, too. That is an act of Congress.

Mr. HOWE. To what treaty do you refer?

Gen. BARNETT. I refer to the treaty between the United States and Haiti.

Mr. HOWE. Of what year?

Gen. BARNETT. I have forgotten the year. It never came to me after its adoption, but I know there was a treaty, and I know Congress passed an act in 1916 authorizing the employment of marine officers in the gendarmerie, and stating definitely that their increased compensation was to come from the Haitian Government. They got their regular pay as marines and then this additional compensation. The act of Congress authorized the officers to receive compensation, because an officer in the United States would not receive remuneration from a foreign Government without a special act of Congress.

Mr. HOWE. Do you know who gave the order for the original landing at Port au Prince and at Cape Haitien?

Gen. BARNETT. I have understood it was Admiral Caperton. He gave the order.

Mr. HOWE. You have no personal knowledge of that?

Gen. BARNETT. No.

Mr. HOWE. Do you know whether the Navy Department or the War Department ever advanced any plans in connection with the promotion of officers in Haiti?

Gen. BARNETT. I do not think they had authority to, accordingly I think it was all done by moral suasion, by general example, and by the encouragement of the officers.

Mr. HOWE. Do you know of any recommendations which were made to obtain the authority of law?

Gen. BARNETT. They have tried to get authority of law, but it has not been granted yet, according to my understanding.

Mr. HOWE. By "they" whom do you mean?

Gen. BARNETT. Congress.

Mr. HOWE. Who has tried?

Gen. BARNETT. The Navy Department.

Mr. HOWE. What did you understand to be the function of the gendarmerie in Haiti. General?

Gen. BARNETT. I understand the function of the Marine Corps in Haiti consists of two things: First, that a portion of the officers and the men of the Marine Corps are detailed to the gendarmerie by special order. That is, they are detailed to the gendarmerie. Although the gendarmerie officer gets pay from the Haitian Government, in any emergency he is still a marine and still under the command of the senior marine officer there. The senior marine officer is in command with all the marines under his command, and the function of the Marine Corps in Haiti is for the preservation of general order, which would be to put down any attack by the Cacos, so called, who are a sort of bandits. The general preservation of order throughout the country.

Mr. HOWE. What is the relation, for instance, between the Haitian Government and the marines?

Gen. BARNETT. So far as I know, there is no principle connection between the Haitian Government and the marines proper, except the marines who are in the gendarmerie. I do know that the senior marine officer in Haiti, been in frequent conferences with the President of the Haitian cabinet, giving them advice, but how strong the advice was I do not know.

Mr. HOWE. Did the American minister exercise any control over the marines?

Gen. BARNETT. No, sir.

Mr. HOWE. Did any of the American-appointed civilian officials exercise control over the marines?

Gen. BARNETT. Only the financial advisor, with reference to the money. The gendarmerie and the marine officers of the gendarmerie.

rough the financial advisor, and the financial advisor from  
t, I think, quarterly, allotted to the chief of the gendar-  
marine officer, an allocation of funds for the upkeep of  
every capacity—military stores, building equipment, arms,  
and everything for the quarter.

The financial advisor was not authorized to give any direc-  
tant of the marines down there?

He whatever.

commanding officer, I mean.

He whatever.

were the general or specific instructions issued through  
merican forces in Haiti, regarding armed conflicts and deal-  
similar subjects?

did not give the order. A man was sent down there to  
country, most of the time, if not all the time, was under  
man on the spot, where there is martial law, has absolute  
ary situation, and he reported to headquarters, the Navy  
y reported to the Marine Corps practically through head-  
ference to the orders I gave. We did not attempt in any  
individual action of any body of troops in Haiti. That  
tary commander, who was a naval officer. The naval  
understand it, did not in any way attempt to take charge  
e military procedure, per se. That was left to the senior

ast direct knowledge or opportunity to judge of the feeling  
ard the American occupation was in 1917, during your

at was the last time I have ever seen or talked to a

you any means of judging or saying whether or not there  
in the attitude of the Haitians since that time?

ave not.

l, is there any matter which you think you could or should  
sent time which would be of assistance to the committee  
understanding of the affairs in Haiti?

do not think so. I think I have stated everything that  
nowledge, and the action that I took on the things which  
ot know of anything. As I have stated before, I have no  
of any trouble in Haiti. I know simply from official re-  
me, and I have told you this morning the action I took  
em.

Mr. Howe, I will say that naturally, being given orders  
of the Navy to make a report on everything that happened  
me the marines first landed there until I was relieved as  
Marine Corps. I made this report, which certainly con-  
ing I could find in the Navy Department, assisted by  
he historical section, everything relating to what occurred  
commandant of the Marine Corps.

pt. Angell has asked permission to ask some questions, and  
he did the other day, and we are not establishing any  
ais, but it is simply as a matter of courtesy.

m willing to answer any questions anybody asks me.

o the gendarmerie, General, you have testified that the  
rmerie were of the Marine Corps, and so provided for  
do you know who chose, or rather, who was responsible  
organization of the personnel of the gendarmerie? I do not  
officers of the Marine Corps.

as responsible for it, I think. I signed the orders, but I  
uggestions from different officers and different members of  
u time to time officers were sent to Haiti, and from time  
n command of the gendarmerie in Haiti would state to  
rine officer in Haiti that there were certain vacancies in  
the senior marine officer in Haiti would make a report to  
tain people. These people had to be mentioned by name to  
the President of the United States to be detailed to the  
they could draw the extra pay as gendarmerie officers.  
an officer was detailed to the gendarmerie the final order  
y the President of the United States.

Mr. ANGELL. When you used the expression "these people," you meant the members of the Marine Corps who were detailed to duty as officers of the gendarmerie?

Gen. BARNETT. Certainly.

Mr. ANGELL. I referred more to the whole plan of organization and choice of the general personnel of the gendarmerie.

Gen. BARNETT. That was sent by the senior officer of the gendarmerie, the senior marine officer and approved by him and sent to me and approved by me.

Mr. ANGELL. In other words, it was done by the Marine Corps and the Haitian Government at all?

Gen. BARNETT. Not at all; it was done by the Marine Corps, of course.

Mr. ANGELL. Did the officers of the gendarmerie choose the enlistment of the gendarmerie?

Gen. BARNETT. Undoubtedly; they were all Haitians.

Mr. ANGELL. Did they take and train men from among the Haitians?

Gen. BARNETT. I do not know what their scheme of enlistment was. They had that in charge the same as officers here who were in charge of the enlistments for the Marine Corps.

Mr. ANGELL. Do you know what attempts, if any, was made, to make native Haitian officers in the gendarmerie, as provided for in article 10 of the original treaty?

Gen. BARNETT. Our intention was originally as fast as possible to make Haitians junior officers and see if they could not soon be in a position to be captains of companies. That was thought of at that time.

Mr. ANGELL. Do you know how far that original plan was pursued?

Gen. BARNETT. I do not know. That was left entirely to the gendarmerie. It was under Haitian control entirely.

Mr. ANGELL. When you say under Haitian control—

Gen. BARNETT. I mean under Haitian control according to the treaty. They were essentially Haitian troops and they were paid by the Haitian Government.

Mr. ANGELL. And the choice?

Gen. BARNETT. Entirely with the marines.

Mr. ANGELL. This morning you made reference, General, to the roads?

Gen. BARNETT. Yes.

Mr. ANGELL. In Haiti?

Gen. BARNETT. Yes.

Mr. ANGELL. By or under the direction of the marines or gendarmerie?

Gen. BARNETT. Yes.

Mr. ANGELL. And for what purpose were those roads built?

Gen. BARNETT. For the general purpose that they would be of use in any country in the world. You can not have good military control; you can not have good business; you can not have good anything in any country without good roads. It took me four days to go from Port au Prince to Cape Haïtien through the mountains, over a road which originally had been a carriage road, according to history, and in many places it was impossible to get over it on horseback, and it was utterly impossible of traffic to go over, except the roughest sort of pack animals. The road was made from Port au Prince, up through St. Marc, up around the coast to Haïtien and Ouanaminthe, and they made such a good road there. I reported to me later that the chief of the gendarmerie took the road from Haïtien to Port au Prince to Ouanaminthe in 13 hours in an automobile. Senator ODDIE. How many miles is that?

Gen. BARNETT. I do not remember the number of miles, but it is a long road. It took us four days, traveling on horseback, on a hard ride, riding a day.

Mr. ANGELL. Was the principal purpose of building the roads that of military necessity?

Gen. BARNETT. I think that was the first thing that would naturally occur to a military man, and did occur to them, that before they could move troops out in the interior they had to have roads whereby they could move the commands with the necessary equipment and food, and everything to keep up a military establishment, and it was much easier for us to move our troops in the interior by truck than it was by pack animal, and we had to get the roads in such a condition that a truck could go over them.

Mr. ANGELL. Was the statement contained in paragraph 3 of a letter of the brigade commander, dated June 19, 1919, appearing in paragraph 3 of the report of the committee on the subject of the occupation of Haiti, that the roads were built for military necessity?

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Americans on the part of many classes of the people. Do you recall you give us any of the causes of that changed attitude in the spring of 1917?

Gen. BARNETT. I have no doubt that the report referred to in the graphs was largely the result of the trip Gen. Cole made with us from Port au Prince to Cape Haitien overland on horseback in January, which gave Gen. Cole a chance to see all parts of Haiti with us, and that time he saw the changed conditions, and saw they were as I reported. I came back, very favorable indeed.

Mr. ANGELL. Paragraph 171 reads:

"On May 29, 1917, Brig. Gen. Cole reported that he had made no locate causes for hostile attitude, but without success; and while his presence"—

Gen. BARNETT. It was constantly changing from day to day. It reports all the time that there would be an uprising here and an uprising when things had been very quiet.

Mr. ANGELL. Have you any recollection, then, as to what the cause was for this change, this newly hostile attitude?

Gen. BARNETT. No; I would not have known.

Mr. ANGELL. At the time of your trip to and through Haiti in January, when you, as you testified this morning, spoke to a great many people in the towns, was there no mention made to you and did you hear of anything of the forcible closing and dispersal of the Haitian Senate and Legislature in 1916?

Gen. BARNETT. It was never mentioned to me. Secretary Ransome with me, but whether or not he discussed anything of that kind with Haitian officials or Haitians in general I do not know. I was not a part of any such discussion.

Mr. ANGELL. Did you converse directly with the natives or through an interpreter?

Gen. BARNETT. Through an interpreter entirely. Secretary Ransome spoke French very often, and very often he conducted the questioning.

Mr. ANGELL. To come back once more to the question of the conditions in educational conditions in the schools, can you give us specific instances of such improvement as you say took place or along what lines was there improvement?

Gen. BARNETT. We visited the big hospital and school parishes. I mention one of the most pronounced cases, in north Haiti. I had heard of the old gentleman's name now, but he was one of the old type of men, priests, and he collected around him all of the sisters, and had no interest only of the hospital work but of the school work, and he was most anxious about the improved conditions and what Gen. Cole personally had done for them.

Mr. ANGELL. Do you know what Gen. Cole had done, or what the man said he had done?

Gen. BARNETT. No; I only know that he was expressing himself as being delighted with Gen. Cole's attitude and what Gen. Cole had done.

Mr. ANGELL. So far as you know there was no fund placed at the disposal of the marines or gendarmerie for educational purposes, was there?

Gen. BARNETT. I do not think so.

Mr. ANGELL. So that Gen. Cole could not have done anything through his personal influence or—

Gen. BARNETT. Sympathy.

Mr. ANGELL. Sympathy?

Gen. BARNETT. Yes.

Mr. ANGELL. Nothing tangible that could have been accomplished through the closing of schools or—

Gen. BARNETT. I think not.

Mr. ANGELL. Or the hiring of additional teachers?

Gen. BARNETT. He had no authority for that. I stated in my testimony some time ago that the Navy Department had been trying to get something which would give them authority to allocate money for that, but I think they have gotten it yet.

Mr. ANGELL. It is true, is it not, General, that a number of men in Haiti have made recommendations or requests for permission to attempt to improve educational facilities in Haiti?

Gen. BARNETT. I think so; undoubtedly.

eral, scattered through your report are various official reports from the marines and gendarmes, on the one hand, and the cacos, principally cacos, upon the other hand, as the result of which were casualties amounting to 2,250, I believe are the

es.  
the natives and either 14 or 16—  
very small number.

very small number for the marines and gendarmes during  
by your report, which is five years?

es.  
t have you to say, if anything, regarding the striking con-  
figures covering the casualties?

was largely like it was in the Philippines. There were a  
down there who would be friends to-day and so-called Cacos  
ad no uniform, and it was hard to distinguish one from the  
re not well armed. They were brave, but they would have  
ell-armed troops, especially with machine guns, and it is  
suppose that the contrast would be very marked and that a  
should be killed in comparison with the number of white  
lled.

that extent were machine guns used, do you know?  
do not. They had them there and used them if they found

there an artillery battalion?  
es; and they likewise used airplanes.  
ou know to what extent they used airplanes?

o.  
e airplanes used to bomb out supposed nests of Cacos?  
do not know the particular uses to which they were put. The  
to the commanding officer from them would not necessarily

in your opinion, the contrast between the figures of the re-  
on both sides were due largely to the superior military  
pment of our forces?

ntirely so, I think. Every marine is a good shot, almost of

what extent, if you know, were offensive operations, in the  
use, taken by our forces in Haiti against the natives?

the particular one was the capture of Fort Riviere. That was  
ir.

t was the affair when there were 51 Haitians killed but no  
side?

was quite an affair. The Haitians were not well armed,  
and fought to the best of their ability.

t is covered by paragraph 118 of your report?

ort Riviere was captured on November 17, 1915, the message  
Waller containing the following description:

t Riviere effected by four columns. Campbell, Thirteenth  
marine detachment *Connecticut*; Low, Fifth Company;  
a company from *Connecticut*; and automatic machine-gun  
nty-third Company. All companies were in their position at  
nd Butler and Low's company made the assault, supported  
panies. Hand-to-hand conflict in fort lasted 10 minutes.  
and twenty-two jumped parapet, but all were killed by  
matics, all avenues of escape being blocked. Forty-seven  
ble ammunition found in fort after capture. Fort of mortar  
substantial construction. The fact that this fort was taken  
ualty on our side speaks worlds for the ability and good  
ers concerned. Have sent to the cape for dynamite to destroy  
e destruction by blowing up will have great moral effect.  
ople returning to town."

s that operation fairly characteristic of the operations in  
y our forces against the natives?

should say that was a sample. They had a little better pro-  
they would have ordinarily, it being an old fort on a high

Mr. ANGELL. The operations conducted by us were, in the strict offensive operations?

Gen. BARNETT. Yes; except in one case, where the natives attacked Prince one night.

Mr. ANGELL. Do you know what the approximate casualties suffered in that attack on Port au Prince were?

Gen. BARNETT. In the attack itself and the subsequent operations were followed out into the mountains, etc., I think the exact number killed.

Mr. ANGELL. Those operations extended over a considerable time afterwards?

Gen. BARNETT. Several months.

Mr. ANGELL. In your opinion, General, was the method of operations used by our forces against the natives as typified by the attack on Jacmel genuinely necessary in the best interests of the maintenance of order?

Gen. BARNETT. I think it was. I have great confidence in the officer who was there at that time, Gen. Cole, and Gen. Waller also.

Mr. ANGELL. Referring to the proclamation which was published August 22, 1919, by the brigade commander, as appears and is reproduced on page 83, reading, "Citizens of Haiti: The time has come to stop to further bloodshed. It has been necessary to use stern measures to suppress the disorders in the north, and with the recent arrival of reinforcements we can use even sterner methods." Do you know to what that makes reference when it says, "The time has come to put a stop to bloodshed"?

Gen. BARNETT. The time to close the thing out, to stop the disorders coming down from the hills.

Mr. ANGELL. What is meant by the recent arrival of military reinforcements?

Gen. BARNETT. I imagine that means airplanes that arrived at Jacmel.

Mr. ANGELL. If I understood you right, General, this morning's proclamation, that largely as the result of your two letters to Col. Russell and that state of affairs was made in Haiti. Can you tell us what corrective specific steps were taken to correct such abuses as they had existed?

Gen. BARNETT. That was in the hands of Col. Russell, and, as of this morning, the evidence that correction had been made was that on November, 1920, Gen. Lejeune and Gen. Butler went there, under the Secretary of the Navy, and made an inspection and found things in shape.

Mr. ANGELL. You have no knowledge as to what particular steps were taken to change the state of affairs in Haiti?

Gen. BARNETT. He issued this proclamation and made it very effective. I read it to you this morning, it was a very drastic proclamation. As he said, was to be read personally to every marine in Haiti, to every officer, and to every marine arriving in Haiti at any time, and made it out. He got out his proclamation as the result of my letter and anything of that kind had existed, it must cease or they would be martialled. That is probably just what the result was.

Mr. ANGELL. Referring now, sir, to the corvée system, can you tell me in detail what abuses there were of that system?

Gen. BARNETT. I can not. As stated in my report, I had simply stated that there was trouble about the corvée system, but I had no record of any specific cases as long as I was commandant of the Marine Corps.

Mr. ANGELL. Do you know whether or not men were taken, and if so, were taken and forced to work outside of the district in which they lived?

Gen. BARNETT. I do not.

Mr. ANGELL. Do you know whether they were forced to work outside of the district for a period of three days?

Gen. BARNETT. I do not. That I have stated in my report. That there was trouble on account of the abuse of the corvée system, but I do not know what it came from, or what it was, I do not know.

Mr. ANGELL. So, you have no knowledge as to how widespread the abuse was, or in what particular it consisted?

Gen. BARNETT. I have not.

Mr. ANGELL. Nor who was responsible for it?

Gen. BARNETT. I have not.

Mr. ANGELL. Have you any knowledge at all as to why the corvée system continued, as seems to be the case from official correspondence, in the Hinche district?

have understood from the reports I have seen since that I spoke of this morning, the report made by Maj. Turner, of the Northern Province, Hinche, it was continued contrary to orders, and he was responsible for it probably was the officer in command of the Northern Haiti.

What was that?

Maj. Wells, I think.

Do you know definitely that it was continued in violation of

the senator, when you were not here this morning I stated that the report just mentioned, which was made by Maj. Turner, did not come up to the time I left the Marine Corps headquarters, but that this committee is going to request it, and that will probably give me knowledge whatever first hand of the abuses of the system. In connection with what I stated a moment ago about Fort Riviere, I will now read here paragraph 119 of my report:

No. 319, August 25, 1917, announces the award of medals to officers and enlisted men for gallantry in capturing Fort de la Riviere. The order reads in part as follows."

For what they were given this medal of honor. There are also showing the approval of the Navy Department of that

the general, do you know how thorough an inquiry the court of inquiry by Admiral Mayo made into the Haitian question?

I have no knowledge of that. I only know, as I stated this morning in reference to their finding, that that was the only part that was on the record of the court of inquiry is before this committee.

Who were the members of that court?

Admiral Mayo, Admiral Oliver, and Gen. Neville.

What was of the Marine Corps?

Admiral Mayo was of the Marine Corps, and Maj. Dyer was judge advocate.

Who was Gen. Neville on duty at that time he was assigned

to duty at the headquarters of the Marine Corps as assistant

commandant? What was after you were relieved as commandant?

After I was relieved; yes, sir. I was relieved on June 30,

Admiral Oliver been governor of the Virgin Islands?

I had two of three years—two years, I think.

Do you know whether there were any charges, official or unofficial, made or suggested against him arising out of his administration in the Virgin Islands?

I heard rumors. I never saw any trouble or paper on the subject, nor ever heard anything definite at all. I never saw any official

report. Do you do not know whether in that particular he was to a great interested party?

I had no knowledge of any trouble in the Virgin Islands at all.

What was the court of inquiry—I do not know how they conducted the thing of that kind—but my only interest in it was in their report. It was worded so badly that everybody misunderstood. I do not say a few people, but I say that everybody misunderstood it was a severe censure of me.

While Mr. Angell is looking at his notes I would like to ask a question. When I was in Haiti a little over a year ago I was told that a number of the natives had been butchered, and their bodies had been devoured by the natives. Did you, when you went down there, learn

anything? I did not. I heard nothing up to the time I left. I do know from the report that two American engineers down there were tied up and killed, and sent to pieces by the natives. Those people were tried by a court, sentenced to be shot—or hanged, I have forgotten which—their execution was approved in this country.

Did you not discover that a number of marines had been killed

and have, undoubtedly.

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Senator KING. You reported that?

Gen. BARNETT. Yes; I reported it in here. That was to be a country where war was going on.

Senator KING. This was told me by the natives as well as that one marine in particular had his head cut off, and his skull in some of their incantations there; did you hear of that?

Gen. BARNETT. I did not hear of it, but I can well understand it.

Senator KING. In performing their libations they had used a marine. I was told also that there were a number of natives at Port au Prince—possibly in some other city, I am not sure of a trial for the butchery of one or more little children, whose blood in their rituals, in their pagan, religious ceremonials.

Gen. BARNETT. Yes.

Senator KING. Did you learn what became of those natives awaiting trial?

Gen. BARNETT. No, sir; I did not; I have no report on that subject. Mr. HOWE. General, in answering Mr. Angell's questions concerning engagements and casualties in Haiti you, of course, rely on the officers down there?

Gen. BARNETT. Entirely; it is all in here.

Mr. HOWE. You had no personal knowledge of it?

Gen. BARNETT. None whatever; I took the official reports.

Mr. HOWE. Mr. Angell used the expression "offensive operation" in a strictly military sense, and that was the expression used in connection with the question to you with regard to the capture of Fort Riviere?

Gen. BARNETT. Yes.

Mr. HOWE. You did not conceive that to mean an unprovoked and unnecessary operation?

Gen. BARNETT. Not at all. I used "offensive" in the strictly military meaning that they went after them; they did not wait to be attacked after them.

Mr. HOWE. And the operation being carried out had the approval of the Department?

Gen. BARNETT. Not only the approval of the Navy Department, but the approval of the Navy Department that for that affair alone they were awarded medals of honor.

Mr. HOWE. You were asked a question by Mr. Angell as to whether the operation was characteristic of the many other operations in Haiti. It was. In what respect was the capture of Fort Riviere characteristic of other operations?

Gen. BARNETT. Simply because they went after them. They went after the Cacos wherever they met any of them.

Mr. HOWE. Not after the Haitians in general?

Gen. BARNETT. Not at all. They only went after the Cacos, which was typical in that, as I said, at Fort Riviere the Haitians had no protection than they had in most cases, because it was an old fort on a high mountain.

Mr. HOWE. General, in connection with a question asked by Mr. Cerning Gen. Cole's investigation for a hostile attitude toward the United States, I would like to read you sections 169 and 171 of your report. 169 reads as follows:

"On May 28, 1917, Brig. Gen. Cole reported that the British Consul had informed him that he was much worried over the propaganda being spread against the Americans and the changed attitude of the Americans on the part of many classes of people."

"171. On May 29, 1917, Brig. Gen. Cole reported that he had located causes for hostile attitude, but without success, and while his presence believed the belief of the British chargé to be caused by the fact that he lived with an 'alarmist.'"

Do you not think those two sections which I have just read you are a full reply to the question asked you by Mr. Angell?

Gen. BARNETT. I think undoubtedly they are a very good answer. I have heard rumors constantly about propaganda started by German agents there.

Mr. HOWE. But the fact remained that a rumor of a grievance among the Americans led, on an investigation, to the discovery of no special

specific cases. I find here in the report, in reply to the Senator King about marines being cut up, that there is one follows:

been removed from the body of Lieut. Muth. The body had been cut out, and heart cut off. The underclothing had been taken away, and the latter prob-

paragraph 251 of my report.

May I inquire, relative to the same military operations to which I directed your attention, whether those against whom you were seeking the overthrow of the existing government, and the operations of the American troops or marines was with the knowledge and approval, if not the direction, of the Haitian Government?

was in both cases.

Were any of the military operations there contrary to the consent and the native officials?

I think not.

Were they in harmony with their views?

As far as I know.

Was it aimed at the protection of law and order?

I think that without a force of marines there they would not have known it.

In connection with Senator King's last question, do you know of any military seizure of the customhouses in August and September, without the approval of the President and Government of Haiti?

I do not. You will have to ask, if you have not already, Admiral

I was not there, and Admiral Caperton was.

As to Mr. Angell's questions he asked you about the abuses

of the corvée. You know that the corvée did exist there as a system, do

you

have you any knowledge of any abuse of that system?

I have the slightest first-hand knowledge at all, sir.

Did it exist as a system before the American troops went

into Haiti? Just when it had been invoked I do not

know whenever it became necessary to build roads.

Do you know whether there is any comparison between that

tax system in some of the States?

I have understood it is largely the same, where a man may be required to pay so much tax. I know out West it was quite a common thing to have a boy.

The committee adjourned until Wednesday, October 26, 1921, at



# OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

WEDNESDAY, OCTOBER 26, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
Washington, D. C.

met at 10.30 o'clock a. m., pursuant to adjournment, Senator  
residing.

Oddie and Pomerene.

Ernest Angell, Mr. Horace G. Knowles and Maj. Edwin N.  
States Marine Corps, and Walter Bruce Howe, Esq., in their  
ative capacities as hereinbefore indicated.

**MAJ. T. C. TURNER, UNITED STATES MARINE  
CORPS.**

Major, give your full name and rank and your position in

C. Turner, major United States Marine Corps; in charge of  
headquarters, Marine Corps.

how long have you been in the Marine Corps?

Since January, 1901.

you in Haiti in the years 1919 and 1920?

Arrived in Haiti October 1, 1919, and left there on November

you, while down there, make an investigation of certain  
s in Haiti?

Yes, sir.

Were you the commanding officer?

Yes, sir; I was the brigade adjutant and acting chief of

Who was the officer in command at that time?

John H. Russell.

you state, please. Major, in connection with this investiga-  
when you received your orders and when you began the in-

the orders came through Col. Russell, from the headquarters

Yes, sir. I started the investigation about October 5, and I think

that year?

Yes, sir. I think it was completed sometime during the month of  
the year.

Investigation which we are now talking about, covered, did  
things, the actions of Lieut. Williams, Lieut. Freeman  
testimony by Lieut. Van Horn?

Yes, sir. I do not remember that Lang's name was mentioned. Wil-

do not remember that Van Horn's was.

Is there is a sworn statement of Lieut. Van Horn's here in  
not certain whether it was taken by you. I merely asked the  
to identify this report.

Yes, sir. You made a written report?

Yes, sir.

To whom?

Col. Russell.

Give that report here. Will you please give us a full descrip-  
s of making this investigation and taking the testimony?

Maj. TURNER. As I remember it, Col. Russell called me and a letter received from the major general commandant, and at the same time an order to me to make an investigation on the contents of the letter from the major general commandant.

Mr. HOWE. Does this document which I hand you contain the results of the investigation [handing document to Maj. Turner]?

Maj. TURNER. It does.

Mr. HOWE. Is this the original?

Maj. TURNER. No; it is not.

Mr. HOWE. I notice here that there appears to be the signatures of some of the sworn statements. It occurs to me to ask. Is this the original in so far as these sworn statements go?

Maj. TURNER. This is a part of the second part of the investigation. Lieut. Col. Hooker and myself took part. This is not the first part at all.

Mr. HOWE. Will you, taking that document by pages, indicate where the report begins and where it ends—where the first part begins and where the second part begins?

Maj. TURNER. This is in reference to an investigation made by me and myself.

Senator POMERENE. I would like to have the major give the details of the charges made, which he was to investigate, and give us a general statement of the conditions as he found them. I can understand how he can verify his memory by referring to the record later, but he can give us the substance of that, which will give us a bird's-eye view of it, and give us a reference to the record afterwards and read such parts of the record as will be of assistance.

Mr. HOWE. As I understand it, a part of this document which is this report will be put into the record later?

Senator POMERENE. Yes; but he can state what the charges were.

Maj. TURNER. As I remember the letter, it stated that during a court-martial the counsel for the accused had made various statements about the charges. I took this letter and attempted to investigate the contents of the letter, but was unable to get anything on that one particular case.

My investigation brought me to other matters that looked as if there were irregularities committed by marines down there.

Senator POMERENE. Now, be more specific. That is a very general statement. What kind of irregularities were they?

Maj. TURNER. The killing of prisoners.

Senator POMERENE. Go ahead.

Maj. TURNER. I went to Col. Russell and spoke to him about it. He told me to go to the bottom of it and get everything out of it I could. There was no difference what happened.

I examined a great number of witnesses, and the more I examined the more witnesses the more firmly convinced I became that there was little to be made of the whole thing.

The reports would come to me that certain prisoners had been killed. The deeper I went into it it looked as if the killings were a fact. I am not sure of fact—

Mr. HOWE. The killing of prisoners?

Maj. TURNER. The killing of prisoners. As a matter of fact, in one case, and that is in the case of Lavole, where I considered that he had been killed in an irregular manner.

Senator POMERENE. Give us the particulars of that case.

Maj. TURNER. That was some time in January, 1919, where I considered that Lavole had machine-gunned some 15 or 19 prisoners in a graveyard of the town of Hinche, but there was no evidence, nor could I find anything to that.

Senator POMERENE. Was this man Lavole a marine?

Maj. TURNER. Lavole was a sergeant of marines, and during the time mentioned, in January, 1919, he was a captain in the Haitian gendarmerie.

Senator POMERENE. How many were killed at that time?

Maj. TURNER. I am inclined to believe it was 19.

Senator POMERENE. Nineteen native prisoners?

Maj. TURNER. That was the report.

Senator POMERENE. What was the irregularity about it?

irregularity was that Lavoie was alleged to have taken and shot them in the graveyard outside of Hinche.

Q. What was their offence?

A.

Q. Was there had been no trial; is that it?

A. They were captured caco prisoners.

Q. Do I understand you to say that a marine had done this martial proceeding?

A. That is what was alleged.

Q. Where is this man Lavoie?

A. Lavoie left Haiti, and I do not know where he is now.

Q. Is he still with the Marines?

A. No, sir; he is not; he left Haiti some years ago.

Q. That is one instance, and there were 19 men killed?

A. That is alleged.

Q. That was something of an irregularity, was it not?

A. Yes, sir.

Q. Now, did you talk with Lavoie yourself?

A. No, sir.

Q. What did he say about it?

A. I would like to take a look at his testimony before saying that. I saw him exactly just now. This was a couple of years ago.

Q. I can understand how you will want to be accurate about it. Is it accurate. I thought perhaps you could give us, in a general claim was, and then you could supplement that later.

A. I remember it, I think he denied it, but I am not sure of it.

Q. Then you had better look that up and get all the facts.

A. You say there were other irregularities complained of. What irregularities were there?

A. Everything, Senator—everything; but, traced down, it was

Q. Go into the details as to what they were.

A. Rape, murder, and robbery.

Q. Did you satisfy yourself that there was nothing in these to understand that you were not able to get any proof as they occurred?

A. I was satisfied after the investigation that they were untrue. It did fall off to an end without being able to give me any definite

Q. When you speak of your witnesses, do you speak of natives

A. Natives and whites. Quite a number of these were not called into question because after talking to them I was convinced that

Q. That is of no value whatever. I put in the investigation the testimony which was of value. The rest was all hearsay.

A. Did you trace that hearsay evidence down to get hold of the primary knowledge of it?

A. No, sir; and could not get them; there was not anybody.

Q. Let us go back to this Lavoie matter again. Did his superior have any knowledge on this subject?

A. I do not think so at the time; no.

Q. Did they make any attempt to investigate this matter?

A. That I do not know. I think there was an investigation by the court-martial in 1919. I believe—that is my belief—that that matter was investigated, but how deeply he went into it I do not know.

Q. I think you ought to go very carefully into that record. Have you any matter and we ought to know exactly what the facts are

A. Yes, sir. Lavoie was discharged from the Marine Corps in 1919 and took a position with the sugar company down there, and later on went into the customs service, and later on left Haiti.

Q. What other investigation did you make? You say there were alleged irregularities, and you found nothing.

A. I investigated to find if I could put anything in this report of value. But there was nothing else found.

Senator POMERENE. What was the substance of your conclusion?  
 Maj. TURNER. I made no conclusions. I was ordered to make a report, but not to give an opinion or a conclusion. The conclusions are in Col. Russell's report.

Senator POMERENE. Have you since gone over his conclusions?

Maj. TURNER. Col. Russell's?

Senator POMERENE. Yes.

Maj. TURNER. Yes, sir.

Senator POMERENE. Do you agree with them?

Maj. TURNER. Yes, sir.

Senator POMERENE. Col. Russell, in his letter says:

HEADQUARTERS FIRST PROVISIONAL BRIGADE  
 UNITED STATES MARINE CORPS  
*Port au Prince, Republic of Haiti, March 1919.*

*Confidential.*

From: The brigade commander.

To: The Major General Commandant.

Subject: Report of investigation of certain irregularities alleged to have been committed by officers and enlisted men in the Republic of Haiti.

1. From a careful reading and study of the attached testimony and other reports, I am reluctantly forced to the opinion that Major Wells, formerly gendarmerie department commander in northern Haiti, is responsible for the conditions in northern Haiti as found by Brigadier General Wells on his inspection of the Hinche-Maïssade districts in March, 1919. The conditions were not actually due to his orders and instructions.

2. I am further of the opinion that these gendarmerie officers, who were in Major Wells's command who were enlisted men in the Marine Corps, or who were in the districts, were acting in accordance with what they believed to be the policy of their department commander.

3. It is difficult to believe that Capt. Doxey was not fully acquainted with Major Wells's policy and of the existing orders and conditions in the Hinche district.

4. There is no doubt, however, in my mind, as to whether or not the evidence as here brought out is sufficient to warrant a trial before a court-martial on charges of such a serious nature. It is extremely doubtful whether the evidence can be procured.

5. The event referred to herein occurred over a year ago. Many of the persons taken place in the personnel of the gendarmerie since that time. Some of the interested parties have either returned to the United States or have been discharged from the service. Mr. Lavoie, former captain G. D. H. of the United States Marine Corps, has left the service and Haiti, and his present whereabouts is unknown.

6. It is therefore recommended that these papers be referred to the Judge Advocate General, United States Navy, where the sworn statements and other evidence may be carefully sifted and weighed with a view to determining whether or not it is sufficient to warrant a trial.

7. If the decision is in the affirmative, it is requested that specifications be prepared by the Judge Advocate General, United States Navy, that a competent officer be assigned to temporary duty with this command as judge advocate of the court. At present, there is no officer at the brigade who is considered to have sufficient legal knowledge to conduct a trial to the best interest of the Government, where skilled opposing counsel is required.

8. The return to Haiti of all witnesses and interested parties, of course, be necessary.

JOHN T. WELLS

This sergeant certainly did not use the machine gun himself, but he has had some privates doing it: did he not?

Maj. TURNER. I do not remember whether the gendarmerie privates did it or not, but I am inclined to believe that Lavoie was supposed to have been the one to remember.

Senator POMERENE. I wish you would look up that record and see what the memory about that. We want to know what did occur down there and ought to have the facts.

Maj. TURNER. Yes, sir.

(Thereupon a recess was taken until 2 o'clock p. m.)

AFTER RECESS.

reassembled, pursuant to the taking of the recess, at 2 o'clock  
 will McCormick (chairman) presiding.

Turner, how many investigations did you make down there  
 you subdivide any of your investigations?

There was one main investigation, and later on, in January or  
 February, Hooker was ordered to assist me in making further investi-  
 gation, the fact that my duty at that time would not permit me to go  
 to visit the different points where information might be gained.  
 Investigation was made by me between October—I think about the  
 middle of the month—until the latter part of November.  
 The first investigation was begun at the direction of Col. Rus-

g, sir.  
 In connection with that letter sent by Gen. Barnett to Col.  
 Turner, dated September 27, 1919?

Yes.  
 It was referred to you and you were told to investigate, with  
 no starting point or basis—  
 the investigation; yes.

Yes, as I understand it, major, you investigated during the re-  
 middle of the month of October and began to take written testimony on  
 or?

Yes.  
 That written testimony, when it was completed, you turned  
 it in, did you not?  
 Yes.

After that had been turned in that Col. Hooker was directed  
 you in the taking of further testimony?

Yes; considerably after—two months.  
 Going to ask you if this document which I hold in my hand,  
 page 131, is not the written testimony to which we have referred  
 you to be taken on November 3, 1919?

Yes, sir.  
 Chairman, I offer for the record pages 109 to 131, inclusive.

Without objection, that will be inserted in the record.  
 Inserted to is as follows:)

NOVEMBER 3, 1919.

Major C. Turner, A. A. & I., U. S. Marine Corps.  
 Commander.

Investigation of certain irregularities alleged to have been  
 committed by officers and enlisted men in the Republic of Haiti.  
 Major general commandant's confidential letter dated Septem-

reference (a) I immediately proceeded to investigate the  
 case. I called in Sergt. Richard R. Siegert, United States Ma-  
 jor, duly sworn as stenographer.

JOSE BOLTE, Gendarmerie d'Haiti (corporal, United States Ma-  
 jor, called as the first witness, was duly sworn, and testified as

your name, rank, and present station.  
 I, Jose Bolte, corporal, United States Marine Corps, and a captain  
 in the Gendarmerie d'Haiti, stationed at Hinche, Republic of Haiti.  
 Statements have been made that both marines and gendarmes  
 were habit of having wounded cacos shot. Do you know anything

never issued an order of that kind?

Do you know that this has been done?  
 I know about it, but I have heard of it being done.  
 Where did you hear this, and from whom?  
 From Lieut. Floyd, Gendarmerie d'Haiti; Mr. Baker; and  
 the Gendarmerie d'Haiti.

6. Question. Who was in command at Hinche when the last rebellion occurred?
- Answer. Capt. Kelly had it in October.
7. Question. Who relieved him?
- Answer. Capt. Lavigne.
8. Question. Who relieved him?
- Answer. Maj. Doxey.
9. Question. Were you ever instructed to make private reports on reference to operations in the Hinche district?
- Answer. Not private reports, but telegrams received through our telephone were to be kept on file at the third company office under the name of the district.
10. Question. Who gave this order?
- Answer. Col. Wells.
11. Question. Why was this order issued?
- Answer. I do not know if it was caused by this investigation which was being conducted at Hinche.
12. Question. Did Col. Wells ever instruct you to disregard telegrams received from the chief of the Gendarmerie d'Haiti?
- Answer. No, sir.
13. Question. Do you know whether these or any other orders were disregarded?
- Answer. No, sir.
14. Question. Do you remember when the first order against the Cacos was issued?
- Answer. The first order came out in the latter part of August.
15. Question. Was this order ever disregarded?
- Answer. I do not know that this was done. I heard it from a chief of section named Joseph Marcellia, at Hinche (Belliot) and a chief of section named Joseph Marcellia, at Albert.
16. Question. Did the priest at Hinche ever inform you that he had been there that Cacos had been killed after they had surrendered?
- Answer. Yes.
17. Question. Did anybody at Hinche tell you that?
- Answer. No one at Hinche; but a marine named Sasse told me that he had been taken out of the prison at Hinche and shot, and the priest told me the same thing.
18. Question. Who issued the order for the shooting. Do you know?
- Answer. No, sir.
19. Question. You do not know whether this was reported to Col. Wells?
- Answer. No, sir.
20. Question. While you were at the cape did a telegram show to you any considerable trouble at the district of Hinche?
- Answer. Yes.
21. Question. Between what months were those telegrams coming?
- Answer. From the 1st of January to the middle of March.
22. Question. Do you know what became of those telegrams?
- Answer. They were left in the desk of the district commander at the time.
3. Second Lieut. EDWARD J. SIEGER, (Gendarmerie d'Haiti (corps des Etats Marine Corps), was called as a witness. was duly sworn, and gave the following:
1. Question. State your name and rank.
- Answer. Edward J. Sieger, second lieutenant, Gendarmerie d'Haiti (corps des Etats Marine Corps).
2. Question. How long have you been with the Gendarmerie d'Haiti?
- Answer. Since October, 1916.
3. Question. What duty were you performing between the month of October and March, 1919?
- Answer. Patrol duty in the Hinche district.
4. Question. Did you ever see wounded Cacos killed by marines?
- Answer. No.
5. Question. Did you ever hear that it had been done?
- Answer. No.
6. Question. Did you ever hear of an order abolishing corvee?
- Answer. Yes.
7. Question. When was it issued?
- Answer. September or October, 1918.
8. Question. Did you know of any corvees after that time?

and they were running corvee in Maissade.

told you that?

tians.

was in command of Maissade at this time?

lliams.

t were your reports to Haj. Wells as to the conditions of  
our time in command at Thomassique?

de reports to Capt. Lavoie. I reported conditions very bad.

you ever hear that Maj. Wells had ordered Lavoie or any-  
disregard Maj. Wells's orders at Hinche?

ou know that they had corvees at Maissade after the order  
ne out?

what Haitians had told me.

ou approve of killing wounded prisoners?

you really think that conditions were good in the gen-  
part of 1919?

not?

came in that telephone lines were being cut and houses

ou consider the Gendarmerie d'Haiti responsible for this

utely responsible.

in a way?

on't know.

VERDIER, Gendarmerie d'Haiti (sergeant, United States  
alled as a witness, was duly sworn, and testified as follows:

your name and rank.

rdier, captain, Gendarmerie d'Haiti (sergeant, United

ou ever hear of any prisoners—that is, Cacos—being shot  
?

e were you stationed in 1919, up to date?

en in Ouanaminthe since September, 1918.

ou ever hear that Caco prisoners were being treated

heard any remarks about it.

did the order against corvee come out?

1918.

ou ever hear that this order has been disobeyed?

at it had been disobeyed at Maissade by the magistrate.

g early part of 1919, did you have any trouble with cacos

district?

uly, 1919.

ou ever hear that caco prisoners had been shot in the

at some people had been shot in the cemetery at Hinche,

ther they were prisoners or cacos.

told you?

tian; I don't know his name.

ou ever speak to anyone about it?

o Capt. Kelly about it, but he said that it was not so.

was the only conversation you had on this subject?

told you of the corvee at Maissade?

member.

he white or Haitian?

e was white.

ou ever have any conversation with Capt. Bolte about

maltreating them?

at I told Capt. Bolte that I had heard a rumor that they

Hinche.

5. Second Lieut. P. JULES ANDRE, gendarmerie d'Haiti, w witness.

Mr. Alfred J. Holly was called as interpreter and was duly sworn. Lieut. Andre testified as follows:

1. Question. What is your name and rank?

Answer. P. Jules Andre, second lieutenant, Gendarmerie d'Haiti.

2. Question. It has been reported that there has been a lot of prisoners. Do you know anything about this?

Answer. I never witnessed any shooting, as I was at Thomom; there was some executions at Hinche and at a suburb of Hinche.

3. Question. Who was in command at these places?

Answer. Capt. Lavole.

4. Question. Did you ever hear of any other murders of any district of the north?

Answer. Yes; at Maissade, one named Garliner.

5. Question. By whose orders was the murdering done by at Maissade?

Answer. I don't know.

6. Question. Wasn't it generally known throughout the gendarmerie that these murders were the result of orders from Maj. Wells?

Answer. No.

7. Question. Can you give any reasons for these killings?

Answer. These officers acted pretty much as they liked, as they were seriously controlled by their superior officers.

8. Question. Do you know whether they had corvee at Maissade in the months of January, February, and March of this year?

Answer. They had it in December last year and in January of this year.

9. Question. By whose orders was this corvee ordered?

Answer. I don't know, but I presume it was by the order of Maj. Wells.

10. Question. Is it not generally known that this corvee was ordered by Maj. Wells?

Answer. I presume it was as he was in command of that district; orders came from him.

11. Question. What effect did this corvee have on the feeling of the north?

Answer. A very bad effect, and I think that it was the cause of the rebellion in the north.

12. Question. Did you see much of Maj. Wells?

Answer. I know him very well because he was my captain and colonel.

13. Question. Was he in the habit of using intoxicating liquors?

Answer. I never saw him intoxicated, but I know he drank.

14. Question. Do you know Maj. Doxey?

Answer. Yes, sir; very well.

15. Question. Was Maj. Doxey responsible in any way for the murders?

Answer. I think not, because he never had anything to do with the murders.

16. Question. Did Maj. Doxey know anything about the murders of prisoners at Hinche?

Answer. I don't know, because I was at the Cape and so was not at Hinche.

17. Question. Is there any bad treatment of prisoners in the present time, and if not, what is the last case of that kind you have heard of?

Answer. No; not at the present time. The last case was in the year 1911.

18. Question. Did the maltreating of prisoners stop when General Wells gave that order?

Answer. Yes.

6. FREDERICK C. BAKER was called as a witness and was duly sworn and testified as follows:

1. Question. What is your name?

Answer. Frederick C. Baker.

2. Question. Have you ever been connected with the gendarmerie and if so, for how long?

Answer. I have; I was attached to and serving with the gendarmerie for a period of three years, my service terminating April 1, 1911.

3. Question. It has been reported that marines and gendarmes were killing caco prisoners. Do you know anything about this?

hearsay.

g your time in the gendarmerie, were you ever ordered to take any prisoners?

one occasion. About November 1, 1918, while serving as District of Gonsivee, Haiti, Maissade was attacked by instructions committed there. On the date following this command, Maj. C. E. Wells, called me by phone to Gonaivos, and related the details of the attack and with a patrol from Gonaivos to Maissade. He further rs, if any were undesirable, useless, and he desired them expression of course meant to kill them. I followed out s going to Maissade and making a general patrol; no red, therefore none killed.

u know of anyone else who received like order?

st. Ernest Lavoie, G. D'H., Lieut. Sieger, G. D'H., and 'H.. I learned that they had received the same and similar

ou ever hear that any of the above-named officers carried

n informed and believe that Capt. Lavoie carried out these g under the orders of Maj. Wells when he executed 19 n January, 1919.

t generally talked about, among the marine officers and that prisoners were being "bumped off"?

ircles among the gendarmerie officers whom I knew best most associated it was understood, I believe, to be the mp off" as nearly as possible all prisoners taken. It was l by them all and it was generally understood among them. his understanding caused entirely by orders received from

st of my belief the whole incentive behind the executious orders and sanction given the act by Maj. Wells.

you very well acquainted with Maj. Wells?

was closely associated with Maj. Wells from November, 1919, serving as his assistant on road construction in the , and by virtue of nature of this I became close to him, weeks at a time continually in his company and with him

was the attitude of Maj. Wells with reference to reports th?

s often instructed me, along with others, to use the soft and except in cases of necessity or to comply with some ke no reports at all. He often explained th's by saying was too busy and had no time to receive or read reports l that he would be satisfied as long as the country was in e, and he neither cared nor wanted to hear of the details mpish this end.

Maj. Wells ever express any desire not to hear of these

stated that he did not want to hear of these things.

you ever seen Maj. Wells under the influence of liquor?

umerous times.

possible that some of these "bumping-off" orders were e had been drinking?

bink it possible that some were, although at the time he mp off" pr'soners taken in or around Maissade, I do not n the slightest affected by the influence of liquor.

Maj. Doxey entirely familiar with everything that was

pinion that he was. He was closer to Maj. Wells than e department of the north, and appeared always to coun-

Maj. Wells in all matters of importance pertaining to and out of Hinche frequently, and it would seem incon- entirely unconscious of the things that were going on.

e ever express any orders as to bumping off prisoners?

knowledge.

16. Question. Was it generally known or talked about that a that you referred to had been explained and gone over by Gen. visit to St. Michel in March, 1919?

Answer. It was. From others and all practically who had b by Gen. Catlin I learned that practically every phase of the cor have related were brought to the attention of Gen. Catlin at s his investigation at St. Michel and Hinche.

17. Question. At any time after Gen. Catlin's conference was by either Gen. Catlin or Lieut. Col. A. S. Williams or Maj. V conditions must change?

Answer. There was. I received an order from the chief of prohibiting in detail the execution of Oaco or other prisoners.

18. Question. What date was the order against corvee issued

Answer. October 1, 1918.

19. Question. Was this order ever disobeyed?

Answer. It was. This order was disobeyed in the districts Hinche from October 1, 1918, until some time in March, 1919.

20. Question. Was this order disobeyed by instructions from a

Answer. Capt. Lavoie and Lieut. Williams, when I inquired capacity as inspector of roads in the north as to by whose aut whence funds were coming to carry on their work, informed me had ordered them to construct roads between St. Michel and between Maissade and Hinche with corvee labor, and that he magistrates of Maissade and Hinche to make a certain contribu the corvee would be fed.

21. Question. What effect did the breaking of this order agai have on the people in the north?

Answer. It is my opinion that the corvee illegally formed 1918, and after the Haitian public generally knew and well und corvees and forced labor had been ordered suspended constitu factor in the dissatisfaction which led to revolution, and it is that the first Caco forces were largely recruited from the las This opinion is based on my experience of handling corvee I fall of 1917 and the spring of 1918, when I had under me directed the largest corvee ever formed in Haiti, numbering 3,00

Under the then existing conditions the members of my corve they were subject legally to be called up to do road work, offer and seemed contented during the entire operation—that is, the the road from Gonaïves to the Limbe River—and the first disc subject had its inception in the district of Maissade and Hin people learned that they were being forcibly detained, worked u knowing that the President of Haiti as well as the chief of t d'Haiti had ordered the suspension of corvee labor throughout t

22. Question. From your conversation with Marine and gen can you give an estimation of illegal executions in the district

Answer. Aggregating all reports and rumors, I would judge t ceed over 400 at least, and in this number there are included a of persons suspicioned or whose identity was never known.

23. Question. Was this estimate a low or high estimate?

Answer. This is a low estimate.

7. First Lieut. HAROLD H. WOOD, Gendarmerie d'Haiti (corpor Marine Corps), was called as a witness, and was duly sworn follows:

1. Question. What is your name and rank?

Answer. Harold R. Wood, first lieutenant, Gendarmerie d' United States Marine Corps).

2. Question. Do you know anything of the unlawful killing of Answer. No, sir.

3. Question. Have you heard in any way of the unlawful kill oners.

Answer. I had heard of some of them being killed.

4. Question. Where?

Answer. In Hinche and Maissade.

5. Question. Did you ever hear by whose instructions this was

Answer. I know nothing of instructions about actual killings o but instructions were said to have been issued not to take any p

When were these orders issued?

He said to have been issued by the department commander,

Maj. Doxey cognizant of these instructions which you had read?

I don't know, because at that time I saw Maj. Doxey but not him on a road.

Do you know whether Maj. Doxey was in or around Hinche about

Maj. Doxey was not there.

Do you know Lieut. Spier?

Doxey, United States Marine Corps, was called as a witness, and testified as follows:

State your name and rank.

Doxey, captain, United States Marine Corps.

What duty were you performing between the month of October, 1919?

District commander of the district of Cape Haitien.

Did this work take you into the Hinche district; that is, into the district of Hinche?

I was directed to go into the Hinche district on about October 18, 1919, and there until October 30 or 31. Again, I was ordered to leave on January 17 and remained there until March 31, 1919.

While in the Hinche district did you at any time hear of the killing of prisoners?

I did not in March I heard rumors of this.

What were these rumors?

The rumor was killing of prisoners, and that there would be a massacre.

Did these rumors say these prisoners had been killed?

In the Hinche district.

Was it in Hinche?

Necessarily in the district of Hinche.

Can you give the approximate date?

Did you attempt, if any, did you make to investigate these rumors?

Can you give any reasons for not investigating these rumors? I thought that I was not directed to investigate these rumors, and there would be an investigation.

What theory is, then, that if you heard of something wrong in the district you would not investigate it unless ordered. Is that correct?

That was not in my district at that time.

Can you say that some time in March you were ordered out in the district again?

From the 17th of February until the 7th of March.

Did you not hear these rumors in the Hinche district but

Did you ever mention these rumors to Maj. Wells?

I do not remember.

Did you ever hear that certain gendarmerie officers had reported off prisoners?

Did you hear of the killing of prisoners you referred to the killing of nine shot in the cemetery at Hinche?

I do not recall any particular incident in regard to these prisoners, but I do recall that there was to be an investigation of conditions in the district.

Was there an investigation, was there not?

Did these rumors have anything whatever to do with the district of Hinche?

I do not recall just when I heard these rumors. I don't know if it was before or after.

19. Question. Well, had it been while you were in charge would you have investigated it?

Answer. Yes; I would have if I were in charge of the district.

20. Question. Do you know Capt. Lavoie, G. d'H.?

Answer. Yes.

21. Question. Do you know Capt. Bolte, G. d'H.?

Answer. Yes.

22. Question. Do you know Lieut. Williams, G. d'H.?

Answer. Yes.

23. Question. Do you know Mr. Baker, formerly of the gendarmerie?

Answer. Yes.

24. Question. Have you ever had any conversation with the people with reference to the killing of Caco prisoners or the unlabeled any Haitians?

Answer. On about March 10 I received written orders in disposition would be made of prisoners, and I personally instructed Williams and others in district, as I recall now in this order its meaning to each officer and each gendarme before they left or may have been a conversation that I can not recall at this time.

25. Question. You state positively, then, that you do not recollect conversation held with the gendarme officers aforementioned with reference to the killing of prisoners or Cacos in the Hinche district.

Answer. I don't recall any, as I stated that I did not have with any killings.

26. Question. If you had had any conversation with any of the mentioned gendarmerie officers before March, it would surely have attracted your attention, would it not?

Answer. Not necessarily, because during this time there was much rumor and gossip going on, and I did not go in for either.

27. Question. Did you not consider it necessary, then, to consider the rumor or gossip in the district you command?

Answer. I did not command the district of Hinche until about March 10 and did not interest myself in anything that happened prior to that date, did after this date, and every rumor or report of killing had much to do with the rumor or report of it.

28. Question. Did you ever find that on an investigation that the rumors were true?

Answer. I remember of one prisoner who was killed—I believe while on a detail getting sugar cane. I investigated this and reported of it, as required then by regulations, and later was directed to make a more detailed report, which I submitted and was accepted.

29. Question. Who did the killing?

Answer. A private in the gendarmerie.

30. Question. What duty were you performing at Hinche between March 10 and October 31?

Answer. To operate patrols and try to capture Charlemagne.

31. Question. Were you in command of the Hinche district at that time?

Answer. No, sir.

32. Question. Were you the senior officer present?

Answer. After the 22d I was.

33. Question. The second time you went to the Hinche district in February 17, was it not? What was your duty then?

Answer. To see that there was no friction between the gendarmes and the marines.

34. Question. Were you the senior officer present then?

Answer. No, sir; not at all times. Col. Hooker would come in.

35. Question. If you heard any rumors of killings of prisoners in February 17 and March 7, would you have investigated them?

Answer. Not necessarily. I would have reported it to Maj. Wells.

36. Question. Did you ever make any report to Maj. Wells with reference to the killing of cacos, or prisoners, before the investigation of Gen. Wells?

Answer. I would have, perhaps, told him that I heard rumors of the district.

37. Question. Do you know of any investigation he ever made of the district?

Answer. I don't recall if he did or did not make an investigation.

38. Question. Would you know if he made an investigation?

Answer. No; not necessarily.



sation with Gen. Catlin told him that I knew there was too much and that the corvee was still in existence. Gen. Catlin then gave me instructions to go into the Hinche district and submit a report on what I found there. This report I forwarded about the middle of February, in writing, and in which I stated that I had seen 100 men doing corvee labor and had seen gendarmes maltreating Hinche I stopped a gendarme from whipping a woman in the street because her price for tobacco was more than he thought it should be. I reported this case to Capt. Lavoie in Maj. Doxey's presence. I was being beaten by three gendarmes with the butts of their rifles. Pere Belliot, of Hinche, and from Pere Lerue, of San Michel, told me that the inhabitants were in a state of terror and being killed. The bishop of the cape told me the same thing. This I did not see myself at that time witnesses to prove, but I could see that a reign of terror. When my report was received by Gen. Catlin I was sent for an interview, in which Gen. Williams and Maj. Wells were present.

My report was discussed and the existence of corvee was confirmed by Maj. Wells. From this time to March 6 or 7 verbal reports were made, when Gen. Catlin, on account of conflicting testimony, made a personal investigation himself. On March 7 he arrived in Hinche accompanied by Gen. Williams and Mr. Holly, where I met him and Maj. Doxey were also there. We all started the next morning for Maissade. On coming into the town there were some workmen. Gen. Catlin stopped and after being told by several that they were doing nothing, that some had been working since February, I asked for the early part of their work they spent the night in prison. They said that some of them had received 30 cents Haitian a day for about a week. Gen. Williams had promised them a gourde a day on the coming morning. Catlin told them that those who were not there voluntarily to stop on the side of the road. All but three did so. Two of these three were chiefs of the work and well paid and the other stated that he had stepped over because he lived in Maissade proper. The general gave testimony for about three or four hours, and the gist of it was that corvee had been going on and that several persons had been killed through the false testimony of the magistrat, Martial Preval, to the effect that there was no direct proof to many of the stories, but Lieut. Williams to having executed three or four and later five or six. Several persons had died to the death of Garnier, the notary, and Lieut. Williams a man had died. A report made against the magistrat by five citizens. They were confined in Hinche and tried in Maissade without a jury. Garnier stated in the court that this was not justice, or word for word. That night about 7 or 8 o'clock Garnier was taken to Williams the magistrat, and at 2 o'clock the next morning was found dead in the barracks yard, beaten with a club.

In Hinche that same day testimony was received from Pere Belliot, the magistrat, Savique Perlate, and Juge de Paix Monthe. They said many persons had been executed with a machine gun and that the execution was being continually in operation. The first statement was corroborated by Lang in a statement to Gen. Catlin and myself at the San Michel. Capt. Lavoie admitted to having taken six prisoners and executed them for disobeying orders. Both Lieut. Williams and Capt. Lavoie were where their instructions came from allowing maltreatment during Gen. Catlin's investigation. Marines were placed in all the towns as to give more men for patrols to the gendarmes in March, and I issued orders to them dated March 12 concerning their treatment of inhabitants.

(Copy of order attached, A. Copy of commanding officer, B. Copy of company, B.)

These instructions were repeated on many occasions and all the inhabitants thoroughly understood them. Such maltreatment of inhabitants was notice or were subject to proof and not idle rumors were punished by court-martial. On June 7 I investigated a report made against me as to his giving orders to shoot prisoners if sure they were Cacos. I told him he stated to me before Col. Wise that he had an order from Gen. Williams dated March 10, forbidding the shooting of prisoners. Maj. Wells had verbally told him that that order did not exist. The prisoners were actually in prison, and that he should go on.

nothing about it. I recommended and Capt. Hamilton was before a general court-martial for murder. This is the only I personally was told by one who had himself received Maj.ecute prisoners. There were many rumors and the impressionth was that such orders existed. I have heard many storiese wantonly killed, but upon investigation I have found thatand usually circulated by men who were trying to make themd men. I heard that Lieut. Ryan had killed two natives withommanded and brought him to trial before a general court-

you know anything of Lieut. Spear's actions?  
as at Hinche and in the north. He was in the south. I knowexcept that there was such an officer.

you know of any order forbidding corvee?  
n October 1, 1918, the chief of the gendarmerie issued suchr, on October 18, he issued an order stopping it all over.  
the corvee was going on in the Hinche Maissade, San Michel  
ese places were not mentioned in his first order. There was  
notice from the brigade commander to the same effect.

you know positively that the corvee continued after the

n February, 1919, I myself saw the corvee in operation near  
ups of between 50 to 75 men each were working on the roads,  
of about 45 in the market place at Maissade.

you know if Maj. Wells gave orders or knew that the corvee  
on there?

know; but Maj. Wells was in command of that department,  
e being built, which Maj. Wells knew; therefore he must  
ere was corvee.

HOLLY was called as a witness and testified as follows, after

at is your name and occupation?

lfred Holly; translator at brigade headquarters, United  
s, Port au Prince, Republic of Haiti.

March, 1919, did you act as interpreter for Gen. Catlin in an  
aissade?

eat as nearly as possible the conversation you translated for

ssade the greater part of the investigation was devoted to  
dence as to the continuance of and manner of conducting  
as to the treatment of the men, and the manner in which  
l, and as to the wages paid them.

e evidence tended to show that the peasants were "invited"  
emble at a certain place to attend an "audience" to be  
illiams, then in command at Maissade. When the country  
e place of rendezvous the lieutenant was not there and they  
to Maissade. When they arrived at this place they were  
for the night, and the next morning they were put to work  
the time the general was speaking to them the majority  
en kept at work for two months or more. Every night they  
rison to keep them from running away.

a declared that, as a matter of fact, they had been invited  
d work on the roads; that they considered the invitation as  
such was the custom in Haiti and because they knew of  
ose who refused to respond to the invitation were beaten  
e, and that some who tried to run away were fired at.

of the gang, with one exception, on being asked the question  
died that they would much prefer to return home and work  
which, they said, were going to ruins. All of them owned  
rights. The exception was the gang leader, who explained  
tain extent, responsible for bringing the men there; he could  
y that he preferred to be at home. In this case his presence  
entirely voluntary.

It was found that up to the time that the general was speaking to the none of them, with the possible exception of the gang leader, had been receiving wages to which he was entitled.

On being given permission to do so, the whole gang broke up and went home. There were complaints of illtreatment of the natives, and of persons beaten to death. One instance is that of the public notary of the place, a man by the name of Garnier. This man was arrested at the investigation of the justice of the peace and of the mayor of the commune (magistrate communal) taken to the bureau of the gendarmerie at about 7 o'clock in the morning and was beaten by the lieutenant himself until after 9 o'clock, when he was put in a rocking chair in which he died sometime during the night. The offense was that of having remonstrated with the judge as to the severity of the sentence rendered by him in a case in which the magistrate communal was plaintiff. I can not recall the particulars of the case, but I do remember the sentence was heavy fine plus imprisonment, and the notary thought in view of the fact that there were serious doubts as to the justice of the case the fine should have been considered to be a sufficient penalty.

Lieut. Williams's action in this matter seemed to have been due to his friendship or sympathy for both the mayor and the judge.

There were complaints of unlawful capture of cattle and other animals which were sent to the pound and which, under various pretexts, the lieutenant refused to return to the owners. Many, and among them all the gendarmes stationed at Maissade at the time, testified that Lieut. Williams had summarily executed some 12 or 16 persons, some with his own hands, and buried the bodies in the yard back of his office. The spot where the bodies were buried was pointed out, but the grass had been leveled down when it was learned that Gen. Catlin was coming to hold an investigation.

Maissade was the only place among those that was visited where the gendarmes bitterly complained of being illtreated by their chief.

All the evidence taken at this place showed that the lieutenant, the judge and the judge all worked together and that the one was the accomplice of the others.

The above is, to the best of my recollection, a true and faithful relation of the conversation that took place at Maissade in the month of March, 1900, between Gen. Catlin, then chief of the occupation, and the inhabitants of the place, that nothing has been added or withheld that in one way or the other might alter the value of the facts as they were given to the general.

11. The undersigned question many others, both civilian and commissioned, but while they all admitted of hearing many rumors of murdering prisoners none of them were able to testify under oath that such was so, and they had heard it. Almost everyone stationed in Haiti during the early part of this year seemed to have some knowledge of the fact that both marine and gendarmes were killing prisoners. It was very difficult to get any one to testify directly as, in the opinion of the undersigned, they were all culpable. As far as Lieut. Spear is concerned, no one seemed to know anything about him, and I am inclined to believe that his statement before the court that he had killed prisoners, was deliberately untrue.

12. That there were killings and many of them is undoubtedly true. I believe that all of these can be directly traced to Maj. Clarke H. Wells, who was in command of the district.

13. The gendarme officers in the district were all noncommissioned officers of the old Marine Corps, men who believed in their officers and to whom it was to be obeyed to the letter. These officers received instructions from Maj. Wells to bump off negro prisoners, and they carried their orders out to the best of their ability. I do not feel that under the circumstances they should be held responsible, and that the responsibility should be placed where it belongs on the shoulders of Maj. Wells.

14. Capt. Doxey's testimony was undoubtedly colored by the fact that he was attempting to shield himself, and even if his testimony was true he showed the greatest disregard for his duty when he neglected to report all rumors of killings to Maj. Wells. His work in Hinche seemed to be to get by and do nothing.

15. I am convinced that Corp. Edward J. Sieger, United States Marine, deliberately lied in his testimony. Sufficient evidence was brought out to show that he was included in the ones who received the "bump-off" order.

16. Sergt. Dorcas R. Williams, United States Marine Corps, who was in charge of Maissade as a lieutenant of the gendarmerie, could give quite a different evidence, if he desired, but he is now in the United States, probably dis-

fact that Gen. Catlin made an investigation at San Michel  
e that something wrong had happened. I have searched the  
pendence on this subject, but found none.  
ked "A," "B," and "C" is the only data on this subject in  
ade.

T. C. TURNER.

am not sure of this, but, as I remember, a letter came from  
f the Marine Corps directing Col. Russell to make further  
that is why Hooker was called in, because of his knowledge  
e probably had a better knowledge of the Haitians than any  
ere. And it was also due to the fact that I could not go out

could not go out into the hills because you were acting as  
nd chief of staff?

s; because of my duties I could not be away for any length

sh to offer for the record, Mr. Chairman, a copy of letter  
, 1920, from the brigade commander, Col. Russell, to Col.  
im to investigate. That is on page 30 of the report. I also  
etter dated January 11, 1920, from the same to the same,  
page 31 of the report, directing the cooperation of Col.  
Turner.

Col. Hooker was in command where at the time?  
was assistant chief of the gendarmerie at the time.  
e referred to are as follows:)

HEADQUARTERS FIRST PROVISIONAL BRIGADE,  
UNITED STATES MARINE CORPS,  
*Port au Prince, Republic of Haiti, February 12, 1920.*

commander.

S. Hooker, United States Marine Corps.  
he gendarmerie d'Haiti.

on by adjutant and inspectors department.

ter from this office, No. 5-18, dated January 11, 1920.

commander desires that every effort be made by you to expe-  
on mentioned in reference (a).

tion will be completed before the end of the present month.

t duties are such as to interfere with this work you will so  
e commander in writing, and the necessary action will be

JOHN H. RUSSELL.

Maj. T. C. Turner, assistant adjutant and inspector, United  
s.

JANUARY 11, 1920.

commander.

ard S. Hooker, United States Marine Corps.  
endarmerie d'Haiti.

on by adjutant and inspectors department.

y ordered to cooperate in the investigation of certain irregu-  
conducted by Maj. T. C. Turner, assistant adjutant and  
ates Marine Corps.

ill be made direct to the brigade commander.

JOHN H. RUSSELL.

, I will show you pages 55 and 59 of this report and ask you  
ur knowledge, that is the written testimony which resulted  
investigation?

s.

Mr. Chairman, I offer that for the record.  
rred to is as follows:)

GONAIVES, HAITI, *February 19, 1920.*

HOEN. lieutenant, gendarmerie D'Haiti, was called as a wit-  
that he need not answer any incriminating questions. testi-

t is your name?

O. Van Horn, lieutenant, gendarmerie d'Haiti, stationed at

2. Question. Where were you stationed in the latter part of early part of 1919?

Answer. At Ouanaminthe, Haiti.

3. Question. During the trouble at Hinche from October, 1918, Ouanaminthe used as a relay station for telephone messages to and from Hinche?

Answer. Yes, sir.

4. Question. Do you remember the nature of those messages?

Answer. Some messages were written and placed on file at Ouanaminthe. Some were verbal over the phone and relayed to their destination. Some related to transportation activities and some were reports from Col. Wells.

5. Question. Did these reports from Levole indicate that there was trouble in his district or not?

Answer. Yes; some did and some were to the effect that all was quiet.

6. Question. What were the nature of these reports during January and March, 1919?

Answer. I don't remember exactly what the reports were, but the things were not quiet. This was during December, when I was at La Meille, Haiti.

7. Question. Do you remember any instructions from Col. Wells as to the treatment of Cacos or Caco prisoners?

Answer. No; I never heard him say anything about that, but when he came up here he always told me he had to tell to the district commander.

8. Question. Have you spoken to other officers on the treatment of Caco prisoners; and if so, what was their idea on the subject?

Answer. I remember speaking to several officers, but I can't remember now or exactly what was said. But I was under the impression when I went out after an armed band of bandits I was supposed to kill them and get rid of them. When the prisoners were taken I treated them the same as other prisoners, like prisoners in the civil war. I brought them in to stand trial.

JOSEPH O. V.

*Lieutenant Gendarme*

Subscribed and sworn to before me this 19th day of February, 1919.

R. S. HO

*Lieutenant Colonel, United States Marine Corps*

*Sous Chef Gendarme*

A true copy:

R. S.

*Lieutenant Colonel, United States Marine Corps*

STATEMENT OF SERGT. LAMARTINE TOUSSAINT, FIFTEENTH COMPANY GENDARMERIE D'HAITI.

FIFTEENTH COMPANY GENDARMERIE

*Ouanaminthe, Haiti, October 1918*

Lieut. Van Horn, Gendarmerie d'Haiti, had turned over to me a man named Saul Peralte, to conduct to Mount Organise. On arriving at Organise he asked me permission to drink some water. I refused. He was crossing said river he tried to escape. I cried out "halt" on which he did not want to stop. Seeing that he was gaining ground I fired four times, the first time in the air and the last three times in the water. Bullets attained him in the back and went through his stomach. He fell, and in the space of three he expired.

Certified a true copy:

JOSEPH O. V.

*Lieutenant,*

CAPE HAITIEN, February 1919.

FRANK VERDIER, captain, Gendarmerie d'Haiti, was called as a witness. He informed that he need not answer any incriminating questions; and he answered me as follows:

1. Question. What is your name?

Answer. Frank Verdier, captain, Gendarmerie d'Haiti, stationed at Ouanaminthe since September, 1918.

Are you present at a conversation between Col. Wells and so, state the subject matter of this conversation, as far as it.

; I was present at this conversation, and most of the Caco situation. I don't remember the exact conversation, say that such men as Saul Peralte should be gotten rid of, as any mention made to the effect that either you or Capt. file your district and that it would not be necessary to make activities?

Have been mentioned, but I can't recollect. Have any instructions given to make it as hard as possible for

Instructions were given to make it hard for the Cacos, but I what they were.

Your opinion, what was meant by making it hard? What did want?

That Col. Wells meant to convey the idea to get rid of them,

Are you spoken to other officers on this subject; and if so, they have relating to these instructions?

I spoke to Bolte on this subject, and he had the same

During this trouble in Hinche, from October, 1918, on was not any station for messages from the cape to Hinche?

Do you remember any reports from Hinche to the department cape relative to the situation in Hinche?

Number receiving some telegrams regarding activities.

Are those messages confidential?

Came to and from Col. Wells and Lavole at Hinche, and personally at Cerca la Source. They referred to operations against of officers. I had verbal instructions not to let you see them with Ouananminthe.

Have you copies of those messages?

Probably certain I have. I will try to find them and give them to you there.

Do these Caco telegrams state that the situation in Hinche was

I consider so.

Do you remember whether Lavole was nervous over the situation, thought he could handle it without outside aid?

When I was in Hinche, in November, 1918, Lavole thought he could handle it, but later he requested that machine guns be sent to him.

Do you transmit any messages from Maj. Doxey to the department cape after he went to Hinche in January or February, 1919?

What were the nature of those?

Regarding the shipment of supplies.

Anything regarding the Caco situation?

There was something regarding the Caco situation, but I was.

Do you remember if these messages said that all was quiet, or that there was trouble with the Cacos?

Everything was quiet.

*Captain Gendarmerie d'Haiti.*

Described to before me, this 17th day of February, 1920.

*Lieutenant Colonel, United States Marine Corps.*

*Sous-Chief de la Gendarmerie d'Haiti.*

**R. S. HOOKER,**

*Lieutenant Colonel, United States Marine Corps.*

Mr. HOWE. Now, Major, I want to go into your method of inquiry, beginning in October, 1919, and beginning with the Barnett dated September 27, 1919. How did you go about it, Major?

Maj. TURNER. I interrogated everybody I could find. I started if they had heard of any of these things, and particularly that to the letter.

Mr. HOWE. That part of what?

Maj. TURNER. The part that the letter referred to about Lieut.

Mr. HOWE. In his statement in reference to killings?

Maj. TURNER. Yes; before a general court-martial. I could not find anything about Lieut. Spear. I did find rumors and statements that there were killings. So I considered, in view of the major general commandant's statement, I should continue with that, and I did so.

Mr. HOWE. Did you, in the course of your investigations, run across any rumors which were alluded to or may have been alluded to by Lieut. Spear?

Maj. TURNER. No.

Mr. HOWE. Did you see Lieut. Spear?

Maj. TURNER. No.

Mr. HOWE. Did you find anybody who knew Lieut. Spear?

Maj. TURNER. No.

Mr. HOWE. You did, however, run across other rumors of killings?

Maj. TURNER. Yes.

Mr. HOWE. What were the principal ones of those rumors?

Maj. TURNER. The only ones I could seem to get any information about were the alleged killing at Hinche in January, 1919.

Mr. HOWE. In order to identify that, what was the name of the officer who was supposed to have directed this killing?

Maj. TURNER. Capt. Lavole, of the Haitian gendarmerie; Ernest.

The CHAIRMAN. Was he an enlisted marine?

Maj. TURNER. He was a private in the Marine Corps, detailed as an officer in the Haitian gendarmerie.

Mr. HOWE. Was the name of Lieut. Williams, of the gendarmerie, connected with any one of these rumors?

Maj. TURNER. Yes; at Malssade.

Mr. HOWE. Was there any connected with the alleged killing of Lieut. Williams?

Maj. TURNER. Garnier was a notary; yes.

Mr. HOWE. You then proceeded to try to trace down these two rumors, and any other rumors you came across?

Maj. TURNER. Yes.

Mr. HOWE. Did you, as a matter of fact, learn of any other rumors besides these two?

Maj. TURNER. No. There were many rumors, but you would not believe them down and there would not be any foundation for them. You would not believe them as you could—I remember one case where a man told me he had seen the murders at Grande Riviere, and I ran it down and found his mother-in-law had told him, so he said, and his mother-in-law had been dead for many years, which would have been about six years before it possibly could have happened.

Mr. HOWE. Was that sort of luck you had in tracing a rumor that you ran into as to many of these statements made to you by witnesses?

Maj. TURNER. In almost all of them, yes.

Mr. HOWE. If, for instance, some one down there whom you were mentioning mentioned an occurrence or killing, and said some one had been killed, what would you then do?

Maj. TURNER. I would try to get the person who was supposed to have done it.

Mr. HOWE. If you got that person, what would he, in general, tell you?

Maj. TURNER. That some one else had told him, in almost every case.

Mr. HOWE. Did you, under those circumstances, follow out the chain, in turn, everyone who was quoted?

Maj. TURNER. Yes.

Mr. HOWE. Did this written testimony, which appears on the report which you have seen, embody the most definite part of what you learned?

Maj. TURNER. Yes; it was the only definite part I could learn, and I put it in writing.

Mr. HOWE. And that is all the definite part of it that you learned?

Maj. TURNER. Yes.

you give us an idea as to about how many individuals you written testimony you did not take during this investiga-

; I think about 50—probably 40; it may be 40.  
 report states, as an instance of these hearsay reports which testimony of Bolte at the bottom of page 109:  
 ce Bolte, gendarmerie d'Haiti, corporal, United States called as the first witness, was duly sworn, and testified

te your name, rank, and present station.  
 ce Bolte, corporal, United States Marine Corps, and a captain d'Haiti, stationed at Hinche, Republic of Haiti.  
 ements have been made that both marines and gendarmes bit of having wounded Cacos shot. Do you know anything

a never have issued an order of that kind?

you know that this has been done?  
 know about it; but I have heard of it being done.  
 ere did you hear this, and from whom?  
 it from Lieut. Floyd, gendarmerie d'Haiti, Mr. Baker, and merie d'Haiti.

no was in command at Hinche when the last rebellion

elly had it in October.

no relieved him?

avigne.

no relieved him?

oxey.

re you ever instructed to make private reports to anybody operations in the Hinche district?

ivate reports, but telegrams received through Onanaminthe to be kept on file at the Third Company office under lock

no gave this order?

ells.

hy was this order issued?

ot know if it was caused by this investigation which took

id Col. Wells ever instruct you to disregard certain orders chief of the gendarmerie d'Haiti?

o you know whether these or any other orders were dis-

o you remember when the first order against corvee came

st came out in the latter part of August.

as this order ever disregarded?

ot know that this was done. I heard it from the priest at and a chief of section named Joseph Marcellia and one named

id the priest at Hinche ever inform you that before you os had been killed after they had surrendered?

id anybody at Hinche tell you that?

at Hinche but a marine named Sasse told me that prisoners of the prison at Hinche and shot, and the priest at Hinche ing.

ho issued the order for the shooting? Do you know?

ou do not know whether this was reported to Col. Wells or

hile you were at the Cape did a telegram show that there le trouble at the district of Hinche?

"Answer. Yes.

"21. Question. Between what months were these telegrams co

"Answer. From the 1st of January to the middle of March.

"22. Question. Do you know what became of these telegrams?

"Answer. They were left in the desk of the district commander. Did you find and interrogate Floyd, Hayes, or Baker?

Maj. TURNER. I did.

Mr. HOWE. All of them?

Maj. TURNER. All of them; yes.

Mr. HOWE. What did you learn from Floyd?

Maj. TURNER. From Floyd—he stated that he had heard rumors know where they came from, and he did not know anything about

Mr. HOWE. You do not include Floyd's testimony among your mony.

Maj. TURNER. No; neither Floyd's nor Hayes's. Hayes state Floyd.

Mr. HOWE. That he really did not know about it?

Maj. TURNER. Yes.

Mr. HOWE. And Hayes's written testimony was not taken?

Maj. TURNER. No.

Mr. HOWE. What about Baker?

Maj. TURNER. I took Baker's testimony. Baker's testimon hearsay, too.

Mr. HOWE. And that you included, because there was something definite?

Maj. TURNER. Yes.

Mr. HOWE. Is that example typical of the way you went at the and of the thoroughness with which you went at it?

Maj. TURNER. Yes.

Mr. HOWE. Did you have any instructions from Col. Russell as and thoroughness of your investigation?

Maj. TURNER. I did. When I first took up the investigation were so bad that I went to him and told him what these rumors asked his advice on the subject. He told me, never mind, to go and get to the bottom of it and get everything in hand on that subject.

Mr. HOWE. And you proceeded to do so?

Maj. TURNER. Which I did.

Mr. HOWE. Did anybody direct you to discontinue your investigation?

Maj. TURNER. No.

Mr. HOWE. Never?

Maj. TURNER. Never.

Mr. HOWE. Then why did you stop investigating?

Maj. TURNER. Well, I could not find anything more. I could have thousands of pages with just that kind of stuff, hearsay. There was any further because I could not get anything definite.

Mr. HOWE. Major, as a matter of fact, were you trying to get anything definite there?

Maj. TURNER. Yes; I was. I had a feeling at first that there was a fair treatment to the Haitians. I thought it was up to us to stop it, but I did not know who was responsible, and it did not make sense, and, as I say, I had had this talk with Col. Russell, and I went on into the case and got everything out of it that I could.

Mr. HOWE. And when you handed in this written testimony with the date of November 3, you felt you had pursued the investigation as far as you profitably could?

Maj. TURNER. Exactly; as far as it could possibly be taken by

Mr. HOWE. Now, I am going to read from page 130, paragraph 10 of this report of your written testimony:

"11. The undersigned questioned many others, both civilian and military, but while they are admitted of hearing many rumors of murder, none of them were able to testify under oath that such was the case; they had heard it. Almost everyone stationed in Haiti during the year 1900 seemed to have some knowledge of the fact that both the gendarmes were killing prisoners. It was very difficult to get any one to testify directly as in the opinion of the undersigned they were culpable."

The CHAIRMAN. Who were equally culpable?

anybody who was telling these yarns down there, if they were culpable of misrepresentation or culpable of having told rumors that might have been true or might not mean here that they were equally culpable of killing

if it had been true, they were.

culpable of misrepresentation?

people I had been able to get who had talked would not give so I felt they were all equally culpable if it had been true. were some of these witnesses you d'd not believe in their or denials of crime?

aph 11 continues: "As far as Lieut. Spear is concerned, no anything about him, and I am inclined to believe that his court that he had killed prisoners was deliberately untrue." her comment to make on paragraph 11?

aph 12 says: "That there were killings and many of them but I believe that all of these can be directly traced to s, who was in command of the district."

ould like to state that these killings were in the corvee and ners. They were people who attempted to escape, and in re killed.

ose were the many killings to which you referred?

e certain that in this paragraph 12 you d'd not refer to old-blooded removing of a prisoner from prison and shoot-

the killing of escaped prisoners or people escaping from the

ple escaping from the corvees or people who had jumped d were killed, in these different Caco bands throughout the

aph 13, at page 131, says:

icers in the district were all noncommissioned officers of , men who believed in their officers, and to whom an order the letter. These officers received instructions from Maj. co prisoners, and they carried their orders out to the best not feel that under the circumstances they should be held the responsibility should be placed where it belongs, on j. Wells."

ment to make at this time on paragraph 13?

at the present time of the belief that Maj. Wells did issue o off prisoners?

I am not.

ou, at the time you submitted this report, of that opin'on?

if anything, have you learned which has changed your

d only been in Haiti a short time when I made this investi- ot thoroughly familiar with the character of the Haitians re I saw of them the more I became convinced of their un- any statement was concerned.

atement they might make?

statement they might make, yes. All their statements were benefit or to gain something.

s your present idea as to the extent to which the killings e went on, without reference to the shooting of natives in

ve no doubt there were many killed in the corvee.

ou mean that many were killed in attempting to escape corvee?

Maj. TURNER. Yes.

The CHAIRMAN. When they would jump and run they would

Maj. TURNER. They were shot.

The CHAIRMAN. Do you think that there were any executions

Maj. TURNER. Yes; I think there have been executions without my opinion, but I have no facts to substantiate that.

The CHAIRMAN. Does your report cover the harsh treatment of any prisoners, apart from killings?

Maj. TURNER. Yes; as far as I could find out; yes, sir.

The CHAIRMAN. Were prisoners frequently or habitually rough

Maj. TURNER. Not that I could find out.

Mr. HOWE. If you had heard any rumor or accusation of brutal treatment of prisoners, would you have investigated that?

Maj. TURNER. I would.

Mr. HOWE. You would have conceived that to have been in the line of investigation?

Maj. TURNER. I would. The word was "irregularity," and I think of ill treatment of prisoners as coming under that word.

Mr. HOWE. What is your present impression or belief as to the treatment of Hinche, where it was said that from 15 to 19 prisoners were taken and machine-gunned by Capt. Lavoie?

Maj. TURNER. I believe something actually happened there.

Mr. HOWE. Is it not true that a further investigation of that case was made later on?

Maj. TURNER. Yes.

Mr. HOWE. Was that Gen. Lejeune's investigation?

Maj. TURNER. Gen. Lejeune and I also believe the Mayo Board made an investigation of that.

Mr. HOWE. You took the testimony of Lavoie yourself, did you?

Maj. TURNER. Yes.

Mr. HOWE. As I recollect it, in that testimony it does not appear that I asked Lavoie the direct question as to whether or not he had knowledge of Hinche. That is so, is it not?

Maj. TURNER. No. There is a lot that did not go into the testimony, coming back and forth, which was not put down, and I know Lavoie did not do any of that killing.

Mr. HOWE. Your present recollection is that although it does not appear in the written testimony, the question was asked as to whether or not the natives?

Maj. TURNER. I do not know whether it was asked in a question, but I know he denied it.

Mr. HOWE. He denied it to you?

Maj. TURNER. Yes.

Mr. HOWE. Do you know whether or not in any of the other cases that were admitted or partly admitted that occurrence?

Maj. TURNER. No; I do not.

Mr. HOWE. Some of these witnesses made a more favorable statement than others, did they not, as to telling the truth?

Maj. TURNER. Yes.

Mr. HOWE. How would you characterize the testimony of Juvénat?

Maj. TURNER. I was very favorably impressed with André's

Mr. HOWE. He was a Haitian, was he not?

Maj. TURNER. Yes.

Mr. HOWE. And a second lieutenant in the gendarmerie?

Maj. TURNER. Yes.

Mr. HOWE. He states in his testimony—

Maj. TURNER. I would like to state right there that I questioned him whether or not he could give me the names of anybody who had been in these murders or killings, and he told me he could not.

Mr. HOWE. He made a statement in his testimony that they were in the control of the officers of the gendarmerie by their superior officers of the districts of Haiti, did he not?

Maj. TURNER. Yes.

Mr. HOWE. What comment have you to make on that answer, from knowledge gained in your investigation?

Maj. TURNER. I should say some of the officers had positions that were not capable of holding. They were young in the service and not capable of handling these jobs they had.

t period of time is most closely connected with these rumors  
between October 15, 1918, and March 13, 1919.

the date of October 15 after some particular outbreak down

October 15 was after Charlemagne had started his revolution  
Haiti—after the attack on Hinche by Charlemagne.

ing that time prisoners were taken and safely sent back, were

es; lots of them.

at other times many prisoners were taken, were they not?

es.

that fact appears in certain records, does it?

appears in my testimony in the Mayo Board investigation.

you gained any impression as to what was the custom down

l would come upon Cacos with guns in their hands?

ne Cacos would jump immediately; they would never stand,

he firing on both sides right away. Most all of the attacks

cks. They would find out where the bands were and would

jump them.

many prisoners were taken who had guns in their hands?

do not know, but I do know that not just at this time, but

sands were taken who had guns.

had guns in their hands?

es.

you investigate any abuses of the corvee that you might  
his investigation?

es.

questioned individuals and witnesses about that?

lid.

you find difficulty there in locating witnesses who had  
corvee in operation?

es.

ur opinion the corvee was in operation, and after it had been  
ed?

es.

re was that?

the Maissade and Hinche district.

Who were the commanding officers there?

ut. D. L. Williams at Maissade and Lavoie at Hinche.

What became of Lavoie?

do not know, sir.

you any direct knowledge of your own as to the employment  
m?

es.

you did come across witnesses and interrogate them who

es.

also came across witnesses who reported it from hearsay  
ect?

, yes; many of them.

s testimony Lieut. André refers to the corvee as the direct  
ary outbreaks there. Would you agree with him in that?

lid. The corvee, I believe, might have made conditions harder

down there, but it had nothing to do with the outbreak.

s an aggravating circumstance always, was it not?

s; they were able to recruit lots better, because there was

it from.

Was that due to the corvee or to the use of corvee workers

ghborhoods in which they lived?

think it was due to the fact that they were taken away

oods in which they lived.

estimony of Frederick C. Baker appears in your report, and

he refers either as of his own knowledge or by hearsay to

aj. Wells to bump off prisoners. Did you yourself examine

Maj. TURNER. No; Maj. Wells was not in Haiti at the time. He was examined by Col. Lay, I believe.

Mr. HOWE. In this country?

Maj. TURNER. In this country, yes.

Mr. HOWE. That was the reason you did not examine Wells?

Maj. TURNER. Yes.

Mr. HOWE. Did other witnesses besides Baker corroborate that Wells had issued orders that he did not want prisoners sent?

Maj. TURNER. Yes; I think Lavoie corroborated it, and probably others.

Mr. HOWE. Let me ask you this question: In other words, your testimony you took includes all such statement as to Major Wells's orders for any such order?

Maj. TURNER. Yes.

Mr. HOWE. No information you got on that phase of the subject from your written testimony?

Maj. TURNER. No.

Mr. HOWE. You also examined Capt. Doxey, did you not?

Maj. TURNER. I did.

Mr. HOWE. How would you characterize his testimony? Did it or not?

Maj. TURNER. I did not.

The CHAIRMAN. Was he another enlisted man who was detested by the gendarmerie?

Maj. TURNER. No; he was a captain of the Marine Corps, a Regular.

Mr. HOWE. He denied knowledge of conditions there pretty generally, did he not, in his testimony?

Maj. TURNER. Yes.

Mr. HOWE. And would not say whether or not Maj. Wells was aware of those conditions?

Maj. TURNER. He was very evasive in his testimony.

The CHAIRMAN. These incidents which you were investigating during the period of the command of the gendarmerie by whom?

Maj. TURNER. You mean the chief of the gendarmerie?

The CHAIRMAN. Yes.

Maj. TURNER. By Col. A. S. Williams.

The CHAIRMAN. They did not antedate his command?

Maj. TURNER. No; because I do not think anything I was told antedated October 15, 1918.

Mr. HOWE. Major, if you had that investigation to make over you go at it in any different way; would you have been more thorough?

Maj. TURNER. I would have gone at it in an entirely different way. I do not know that I would have been any more thorough, but I would have placed as much faith in some people as I had placed at that time, and I would have placed more in others.

Mr. HOWE. In general, which one would you not have placed more faith in?

Maj. TURNER. One or two of the witnesses I called, and I would place more faith whatever in any of the Haitians' testimony.

Mr. HOWE. Tell us a little bit more about that, about the untrustworthiness of the Haitians' testimony.

Maj. TURNER. I was chief of staff down there, and we would get reports from Haitians on different subjects, making requests, and investigations. Almost invariably it turned out that their reports were untrue.

Mr. HOWE. Do you know the methods that Col. Hooker pursued to get the Haitians to cooperate with you in this investigation?

Maj. TURNER. Yes. Col. Hooker went all through the north. He went about the Haitians. I think that any officer down there and was not so friendly with them than any officer down there. He went all through the north for information. He took the matter up with the gendarmes, who were to be stationed around Hinche and Maissade and attempted to find out definite. All he found was letters from Van Horn and Sieger and named Touissant. Sieger had already been examined by me.

Mr. HOWE. Do you know whether or not he interviewed other persons among those three men?

Maj. TURNER. Lots of them; yes.

Mr. HOWE. About how long was he on that investigation?

Maj. TURNER. I do not remember; I could not even state approximately.

Mr. HOWE. Was it a few days or a couple of weeks?

it must have been a couple of weeks, because he received his and 12th of January. His first report came in on the 1st of he must have been quite some time on that.

is more than six weeks after he got his orders?

es. That was his first report.

me say this for the record: This report, the pages of which have ting certain matter into the record, is a carbon copy and not an ginal of Maj. Turner's report, as I understand it, was lost. on copy of that brought up by Gen. Lejune to Washington. ich we have had actually before us to-day is not that copy. n introduced here for the convenience of the witness and of at copy of Gen. Lejune's, I am informed, is in the Navy De- now being searched for, and when it is found it will be offered

this is a correct copy, however.

the original carbon will be produced and offered and will be- record. That is the copy brought up by Gen. Lejune, but the Turner's report, as I understand it, was lost in transit from l States.

man, I will offer in evidence pages 64 to 106, inclusive, of this or report, being the testimony taken by Lieut. Col. H. R. Lay, s, including a sworn statement by Gen. Catlin, and consisting of Lieut. Col. A. S. Williams, Maj. Clarke H. Wells, Capt. rgt. Dorcas L. Williams, and also a sworn statement by Col. addition to his testimony.

ferred to is as follows:)

JANUARY 12, 1920.

H. R. Lay, assistant adjutant and inspector, Marine Corps.

General-Commandant, via the adjutant and inspector.

tial investigation.

to verbal instructions from the Major General Commandant, owing sworn testimony of Lieut. Col. A. S. Williams, Maj. apt. John L. Doxey, Sergt. Doreas L. Williams.

submitted the sworn statement of Lieut. Col. A. S. Williams, garding conditions existing in Haiti during his service as an gendarmerie.

IG. GEN. A. W. CATLIN, UNITED STATES MARINE CORPS, RE- TO CERTAIN IRREGULARITIES ALLEGED TO HAVE BEEN COM- MERS AND ENLISTED MEN OF THE REPUBLIC OF HAITI.

John H. Russell, United States Marine Corps, in command of of Marines in Haiti, December 1, 1918. At this time marines y at Port au Prince, Cape Haitien, and Guanaminthe, while f Haiti were scattered all over the island and were handling e island. Bandits had been causing trouble in the Hinche endarmies were operating against them. The chief of gendar- Williams, United States Marine Corps, assured me that the handle the situation. Toward the end of January, 1919, e that "corvee" was still being used in the Hinche district, en ordered stopped on October 1, 1918, and also that the gent- ing the country people in such manner that many of them bandits. Col. Williams denied this and assured me that rvee" being used in the country. Rumors continued to come ut. Col. Hooker, United States Marine Corps, to Hinche to port to me the actual conditions there. He reported to me rvee" going at both Maisade and at Hinche, and that the e natives so brutally that many had left their gardens and andits or had come into the towns for safety.

ms, chief of gendarmerie, and Maj. Clarke H. Wells, district thern Haiti, were shown the report, and both denied that s reported. I questioned Maj. Wells as to the manner of and the methods of payment; he did not seem to be sure, that he had inspected within a week. I then directed Maj. o Hinche and investigate thoroughly the labor question and e number of men being worked, the manner of obtaining the ey were paid, and who actually paid them. About 10 days

later Maj. Wells returned to Port au Prince and reported to me he had made the investigation directed, and that he found nothing on the road at Maisade, and that these men were all volunteers; that they were paid a half gourde a day, and that the gendarme Maisade paid them personally; that at Hinche there were no prisoners. Col. A. S. Williams and Lieut. Col. R. S. Hooker were made of this report was made. Maj. Wells stated on being questioned to be sure that there was no "corvee" in force anywhere in his district.

This report was so contradictory to the one made by Col. Hooker that he found at least 150 men working at Maisade and that on being questioned by the interpreter stated that they were forced to work, that I decided to go to Hinche in person and find out the conditions there. Accompanied by Col. A. S. Williams, Lieut. Col. Hooker, Maj. Clarke H. Wells, and Maj. Doxey I visited St. Michel and Hinche. I found conditions as Col. Hooker had reported, a large force of workmen had apparently been cut down, as I found many men working on the road near Maisade under guard of several gendarmes. I stopped and questioned these men, and they all said they were not working voluntarily; some claimed to have been beaten by the gendarmes, while others said that the chief of section had threatened them. The gendarme officer denied this, but on being told that they were to go to their homes or remain and work at a gourd a day they all left. At Maisade I interviewed the local priest, as well as the municipal judge de pais, and a number of the inhabitants, and several gendarmes. The priest accused the gendarme officer, Lieut. Williams (sergeant, United States Marine Corps), with having killed a number of men and also with having beaten a notary of Maisade to death in the only substantiating testimony of this latter charge was from the gendarmes, who also claimed to have been beaten by Lieut. Williams.

The charge was denied by Lieut. Williams, as well as by the magistrate, and the judge de pais, all of whom stated that the man was shot the night before during an attack by bandits on the town, and died from the effect of the wound. Lieut. Williams admitted that he had killed several prisoners, but only when they attempted to escape.

At Hinche I found a modified "corvee" had been in force, both in building the gendarme barracks. All the inhabitants of the section (Zeb Guinea) had been rounded up and brought into the barracks, expected bandits and had been put to work without pay, but had been paid 30 cents Haitien (6 cents gold) per day for food; they had been there a few days before my arrival. I also found that practically all the farms outside of the towns had been abandoned and the owners had disappeared, many probably having joined the bandits. The Belliot, stated that this was partly on account of their fear of the gendarmes and of the "corvee." The appearance of a gendarme uniform was enough for the peasant to take to the brush and hide.

The priest and the magistrate of Hinche stated that a number of men had been shot. On being questioned Capt. Ernest J. Lavole (United States Marine Corps) admitted that six prisoners had been shot, but that the cacos had attempted to escape several times; that the gendarmes had shot at them and had caused trouble among other prisoners. They were buried in a cemetery outside of the town and shot by gendarmes. He stated that he had no orders to shoot prisoners, and he had not reported the matter to Maj. Wells. Maj. Wells stated that no report had been made to him, but that he would not expect a report in case of shooting of prisoners.

Upon the admission of Capt. Lavole that prisoners had been shot, Williams immediately wrote an order, a copy of which he had sent to the gendarme officers in Haiti, forbidding the killing of any prisoner, and directing that in case a prisoner should attempt to escape, a report with names of witnesses be submitted at once.

I considered that the action of the gendarmes in this section had had a bad effect on the inhabitants, and I directed Col. Williams to send the officers, Capt. Lacle and Lieut. Williams, and all gendarmes from Maisade to Port au Prince, and replace them with others from the island. I also directed that marines be stationed immediately at Maisade, San Michel, Cerca La Source, and Thomond, with a view to the place, and directed Col. Hooker to assume command of all troops.

officers and men be instructed to treat the natives kindly in effort to regain their confidence. I also directed that all arms cease and that they be restricted to the towns (in this that the gendarme officers had made no attempt to propitiate they were in most cases antagonistic to them and treated with respect and had gained their ill will, when they might have been in dealing with the natives.

Maj. Wells carefully, and while I was unable to get anyone to give any orders for "corvee" or the killing of prisoners, I directed the officers under him understood that they were to get no expected to make any reports. I considered Maj. Wells reliable for the conditions as found. He stated that he made no of all posts, and it is inconceivable that he should not have the conditions. I directed that Maj. Wells be relieved of the northern district. Maj. Meade arrived about this time and command at Cape Haitien. Maj. Wells applied to be relieved and was ordered to the States.

The young gendarme officers performed their duties to the best according to the orders they received. They were all marines by custom, never questioned any orders given them by regular. In my opinion that the actions of many of the young gendarmes in treatment of natives is due to the methods taught them in the "workmen."

A. W. CATLIN.

*Headquarters Marine Corps, Washington, D. C.*  
 sworn to before me this 31st day of December, 1919.

H. C. HAINES.

*Colonel, Assistant Adjutant and Inspector,  
 United States Marine Corps.*

WASHINGTON, D. C., January 8, 1920.

Captain, United States Marine Corps, having been called as a witness, been informed of his right to decline to answer any criminal questions duly sworn, and testified before me, Lieut. Col. H. R. Haines, Adjutant and Inspector, United States Marine Corps, as follows:

I state your name, rank, and present station.

I am Doxey; captain, United States Marine Corps; stationed at the Navy yard, Philadelphia, Pa.

Have you recently been on duty with the Haitian Gendarmerie; if so, your rank and title while on such duty; also, where were you while on such duties were assigned to and performed by you and

From January 25, 1916, to about June, 1918, I held the rank of captain, but my principal duties have been as a captain. From about February, 1917, I was stationed at Port au Prince; from February 13, 1918, I was stationed at Hinche; from March 8, 1919, at Cape Haitien; from March 8 to April 1, 1919, at Hinche; from June 28 to September 17, 1919, Cape Haitien; from November 8, 1919, Port au Prince; from about October 30 or 31, 1918, at Hinche; from about February 22 to March 1, 1919, out of Hinche, but not assigned as district commander at that time.

During your service with the Haitian Gendarmerie in Hinche or elsewhere, were you aware of the existence of any compulsory labor subsequent to the receipt of the order of October 1, 1919, suspending the law? If so, please state particulars.

No knowledge there was none. I personally questioned D. L. Deschamps, enant at Maissade, the magistrate of Maissade. Martial law was going on. I questioned these people some time before the month of March, 1919. In this connection I would like to state that the people expression for any work by either a small or large number of natives are working for the gendarmerie, the Marine Corps, or other natives, and in case you should ask if corvee were

going on the natives would naturally answer "yes," whether or forced labor. My understanding of corvee when questioned officer is that a body of men are working against their wish may be paid or not paid, while it may or may not be with native, when questioned, thinks that any work, whether paid whether voluntary or not voluntary, is corvee. To my knowledge of the word "corvee" it was not going on in the district at that time.

During my investigation, which was about March 3, 1919, I questioned natives working on the road at that time near Maissade out of 45, and each one told me in substance that he was glad on the road, because he could not work his garden on account of the bandits. That he would rather make a little money until the bandits were paid, and would rather be at home working on their garden. A few days later I was with Gen. Catlin, and through his interpreter the same men personally told him that they were forced to work. At that particular time in that section there was no particular work going on, even in preparing their gardens to be planted, as it was very early in the season. My duty with the natives I have found that practically all, even the educated, will work for you just because they like you, and at times they may be against their wishes, and you would not know about it until they would be through fear that they might displease the chief, and might persecute them, would influence the native to work for you. In this case, if an opportunity occurred, another inspector might find that the natives had a dislike for this work. At this time, as far as I know, one was being paid for the work performed. At this time I paid up 600 or 800 gourds to pay the native road workmen, and before this time, there were about 3,000 gourds available for the road workmen, and after my trip, as I remember it, there were 1,200 gourds. This money was kept at Hinche for safe-keeping only, and was the commune of Haissade.

4. Question. Did you at any time observe personally, or receive reports of instances of abuse or ill treatment of members of corvee by the gendarmerie?

Answer. No, sir.

5. Question. Did you ever see or hear that caco prisoners were captured and executed without trial?

Answer. I never did see this, and I don't remember of ever seeing this until March 19, 1919, when Gen. Catlin's investigation was made.

6. Question. In your position which you occupied, did you ever see cases where any persons were shot without trial in or near Hinche?

Answer. No, sir. However, when Maj. Turner made his investigation, he did hear from Maj. Turner that 19 prisoners had been killed in Hinche. I personally did not believe this; for, in numerous conversations with the natives, they never mentioned that anything of this kind had happened. I had personally known the natives in the district of Hinche, and if anything of this kind had been on their minds they, perhaps, would have brought it up in some of these conversations. From all my conversations with the Haitian, it is absolutely impossible to tell whether an occurrence took place or not; they may tell you that an incident took place, which is incorrect; they may tell you that an incident happened and that it was the natives; and upon investigation you will find their statements untrue.

7. Question. Did you hear it spoken of among the gendarmes that it was customary to execute, "bump off," caco prisoners and to make their affairs to higher authority?

Answer. No, sir.

8. Question. Have you any knowledge of the circumstances surrounding the death of Garnier, the notary, at the house occupied by Li Maissade?

Answer. Only from hearsay, after Gen. Catlin's investigation, he investigated this case himself.

9. Question. What, in your opinion, were the principal causes of unrest prevalent in the Republic of Haiti?

Answer. The natural dislike of the Haitians toward any foreigner (alien) in Haiti and the changing of article 6 of the constitution, which substance allows a foreigner to own land in Haiti. This change took place in June, 1918. My personal feeling and the intimate knowledge

believe that the changing of article 6 of the constitution is banditism in Haiti.

you consider that the Haitians residing in the district of [redacted] were unduly oppressed by the Haitian

you ever see or hear of any confidential reports, confidential messages being received in Maj. Wells's office [redacted] the killings and the corvée after the order abolishing corvée the vicinity of Hinche or Maissade?

so far as I know no such messages ever came to his office. [redacted] would you have been in a position to have known had such [redacted] es or telegrams been received?

essarily, although Maj. Wells usually gave me all reports to [redacted]

you ever hear of any confidential reports, confidential tele- [redacted] tal messages of any kind disappearing from Maj. Wells's [redacted]

re you intimately associated with Maj. Clarke H. Wells [redacted] rtment commander?

ring that time did you live with him?

but I lived in the same town with him and saw him prac- [redacted]

ring this time did you ever see Maj. Wells under the in- [redacted] flicting liquor?

you know Mr. Frederick Baker, formerly an officer in the [redacted] le?

ase state what you know in regard to his character and [redacted] among his associates in Haiti?

essay from American business men and gendarmerie Heu- [redacted] gitator and is not loyal to his superior officers and always [redacted] ident that he may have personal knowledge of. I personally [redacted] ny statement he ever made to be a fact, and I have heard of [redacted] y him that were absolutely incorrect, according to different [redacted] information.

HEADQUARTERS MARINE CORPS,  
Washington, D. C.

sworn to before me this the 8th day of January, 1920.

H. LAY,  
Lieutenant Colonel, Assistant Adjutant and Inspector,  
United States Marine Corps.

WASHINGTON, D. C., January 7, 1920.

Major, United States Marine Corps, having been called as [redacted] vey been informed of his right to decline to answer any [redacted] tions, was duly sworn, and testified before me. Lieut. Col. [redacted] nt adjutant and inspector, United States Marine Corps, as [redacted]

commencing the testimony of Maj. Wells attention is invited [redacted] report of the brigade commander, First Provisional Brigade, [redacted] nes, Port au Prince, Haiti, to the major general commandant, [redacted] 1919. In paragraph 2 it is stated that from an investigation [redacted] pears that in the north of Haiti, in violation of the order of [redacted] spending the application of the corvée law, this law was put [redacted] sections after that date by order of the gendarmerie district [redacted] Clarke H. Wells, United States Marine Corps. This is mis- [redacted] Wells at that time was department commander and Capt. [redacted] strict commander where this corvée was alleged to have been [redacted]

put into effect. Maj. Wells was in command of the entire department, comprising seven districts, and was 90 miles away from this district at the time.

1. Question. Please state your name, rank, and present station.

Answer. Clarke H. Wells, major, United States Marine Corps, Marine Corps recruiting station, Washington, D. C.

2. Question. Have you recently been on duty with the Haitian gendarmerie, and if so, what was your rank and title while on such duty? When were you stationed and what duties were assigned to and performed by you between what dates?

Answer. I was detached from the Haitian gendarmerie on March 1, 1918, at that time I held the rank of colonel in command of the Department of the North with headquarters at Cape Haitien, Haiti. To the best of my knowledge I joined the gendarmerie on May 6, 1916, and was on duty all the time between those dates. I joined the gendarmerie first as an inspector, and then as the road system in north Haiti and also in command of the Department of the Cape Haitien, which was then in process of construction. I was then assigned to regular inspection duty in that department. I was appointed to the gendarmerie on the 16th of December, 1918.

3. Question. Can you give the names and rank of some of the officers under your command and subject to your orders?

Answer. In the north I had Capt. Bartel as inspector, Capt. Termaster, Maj. Hayes as quartermaster, Capt. Doxey in command of the Company at Cape Haitien, and Lieut. Bowley, his assistant; Capt. Hamilton at Ouanaminthe, Capt. Verdier; at Hinche, Capt. Williams at Maissade; Capt. Howell at Port de Paix; Capt. Remount station; Capt. Hartman at Letrou; Lieut. Cates at the Cape Haitien; and Capt. Gibbons at Gonaives.

4. Question. During your service with the Haitian gendarmerie at Maissade and elsewhere were you aware of the existence of a compulsory "corvee" subsequent to the receipt of the order of October 1, 1918, pending the corvee law? If so, please state particulars.

Answer. After the receipt of the order of October 1, 1918, and to the best of my knowledge, as far as I could find out during my service there was no compulsory labor, meaning "corvee."

5. Question. Between what dates, approximately, were corvees abolished in the department under your charge?

Answer. Corvee was first started when the road system was in the process of construction, by order of the chief of the gendarmerie, in the latter part of 1916.

6. Question. Did you at any time observe personally or receive reports of instances of abuse or ill treatment of members of corvee by the gendarmerie?

Answer. I visited Hinche as frequently as my other duties would permit. No complaint ever reached me from any civilians or anybody in the Department of the North of the ill treatment of natives or members of the corvee, nor was there any report of the corvee ill treated by members of the gendarmerie.

7. Question. Did you at any time subsequent to October 1, 1918, give your tacit consent for the convening of compulsory construction work in your district?

Answer. No; I had personal charge of 65 miles of road between the Cape Haitien and Gonaives. After the corvee was abolished these laborers were sent back to their homes each week. The road to Hinche was in charge of the District of Hinche, Capt. Lavole, who as a member of the communal council used the taxes which the people were required to pay for the purpose of goods to sell for the purpose of paying for this labor. This was the consent of the magistrate there, as the people were very desirous to have the road.

8. Question. Did you ever see or hear that Caco prisoners had been killed and executed without trial?

Answer. When Gen. Catlin made his inspection in Hinche in March, 1919, it was found that several prisoners had been shot by Gen. Catlin by several natives, who were interrogated by him. This was the first intimation that I had had of anything of the kind. No complaints ever reached me from any source as to any shooting of Caco prisoners.

9. Question. Following the attack by bandits upon Maissade on November 1, 1918, did you express the wish to any of your judges that Caco prisoners, if undesirable or worthless, be "bumped off"?

Answer. Never.

did you hear it spoken of among the gendarmerie that it was quite a "bump-off" Caco prisoners and to make no report of such authority?

Was any report made to you, or did you ever hear, that Capt. executed some 19 caco prisoners in or near Hinche in January, was any investigation made by you at the time and what

Williams and myself visited Hinche in January, 1919, and found that, with the exception that roving bands of bandits in that district the market workmen, burned the houses, and in general terror was reported. The strength of the gendarmerie detachment in central Haiti was approximately 100 men and officers. Hinche, on Cape Haitien; all supplies had to be sent through on pack mules. In my opinion that the officers on duty there were very active. It was one of the finest barracks buildings in the gendarmerie. A hospital was installed there, and the place was generally in good order. Numerous bands of bandits were reported from time to time. The reports were numerous, and rumors travel very fast in that country. The reports were actual facts. I think the natives had the notion that they had the habit, of exaggerating and lying to a great extent. The position was reinforced by the cavalry from Port au Prince, and the officers would come up for two or three weeks for patrol duty. On my numerous visits to Hinche the officers seemed to be working; especially the construction work of building up the defenses seemed contended in the vicinity of Hinche, and there were evidences of any forced labor, except by prisoners. The jail contained approximately 60 men and women during my trips there. I never saw any of the prisoners or the inhabitants.

Were you well acquainted with Capt. Doxey, and, if so, what was his ability as an officer and reputation for veracity? Were his relations friendly or otherwise?

Doxey and myself were good friends; we were together during all of our service down there, and I would not doubt a minute. He was always truthful and conscientious in his work, very thorough, painstaking, and a good all around dependable man. His relations with Capt. Doxey were always very friendly. He was pure, sensitive, and a man of few words. He was respected by the natives. The bad element during his service in Hinche was because he was doing his duty. On account of his upholding the law and going out for the interests of the better element of the people, in his house one night at Hinche by bandits who were armed with rifles. At this time he displayed great courage. He was very brave. He succeeded, after the alarm had been sounded, in quelling the bandits and driving the bandits out into the country. He sent a report outlining the circumstances, saying that he was all right and that the bandits were killed during this attack. I think he was one of the most dependable officers in the service. He was very kind to the Haitians, listened to all their troubles, and had many friends among the better element.

Have you any knowledge of the circumstances attending the death of the notary, at the house occupied by Lieut. Williams in

He reported to me verbally that this man had been shot during an attack on that town. The officer in charge, Lieut. Williams, seemed to be the only one implicated in the attack, as the bandits came through his house and were firing from his house. Lieut. Williams was in Maissade at this time. This affair took place about the middle of the afternoon. Lieut. Williams was in his own house, across the street from the house. He immediately went outside to find out what was going on. He stated to me that the bandits were firing all around him, and to protect himself he got his men in the best shape he could. He returned the fire, and finally succeeded in driving the bandits out. A number had been killed. Just how many actually were killed I do not know. It was during this attack, it was reported, that Garnier was found dead in his house.

14. Question. What was the attitude of Frederick Baker to he was a gendarmerie officer?

Answer. He was my assistant in the road business; had a district of Gonaïves, which is 65 miles from Cape Haitien, over and our relations were always pleasant. When his enlistment in the Marine Corps he was released from the gendarmerie. Haitian Products Co., which was then organizing in Haiti. I seldom after this, as he was working in a different part of the country. He did notice, however, and it was talked about among the other officers of the gendarmerie, that he seemed to avoid further relationship with officers attached to the gendarmerie.

15. Question. What, in your opinion, were the principal causes of unrest prevalent in the Republic of Haiti?

Answer. The principal cause, I think, when Charlemagne escaped from Cape Haitien by bribing a gendarme. This man had great influence over a large number of people. He was educated, and circulated all kinds of propaganda about the American occupation. There was no trouble with general police cases, throughout the north until his escape from the country. They were all afraid of him and he got recruits every place he went. They thought that he was there to drive the whites out of Haiti. Because he was abolished he spread great discontent by circulating the idea that the Americans were there to make slaves out of them. The Haitians were very excitable, rumors and news travel very fast, and they have the whole of Northern Haiti composed six districts of the most mountainous part of the island, about 150 miles across and about 90 miles wide. The population of this territory was about 960 men divided between the different districts.

16. Question. Do you feel justified in stating that there were no deaths of native prisoners in the department under your charge?

Answer. Yes; except in the instance of the investigation at Cap-Haïtien in March, 1919, of which I never knew the outcome, the decision was, or the attendant circumstances. About this part of the country I knew nothing, it having never been reported to me, if it took place.

17. Question. Admitting that natives were in some instances killed without trial and without official report of same being made to higher authorities, it your opinion that such killings were justifiable under the circumstances?

Answer. I do not think that any killings are justifiable without trial in the case of bandits in the hills who are armed and trying to obtain arms and ammunition in their possession, as happened in numerous cases.

18. Question. Do you consider that the Haitians residing in your department were subjected to ill treatment or were unduly oppressed by the gendarmerie?

Answer. I do not; I think they were better treated than they were before in their lives. During the time that I commanded in the department was put in jail without a trial, as had been done before the gendarmerie was established; the communes had more money; the taxes were more regular; the trails and roads were made passable both for automobiles and for pack animals; bandits were stopped from pillaging the inhabitants; disputes among the people were settled; and everything was done to improve conditions.

(At this point the witness submitted to the examining officer a letter which he requested be made a part of his testimony. The letters were as follows:)

GENDARMERIE D'HAÏTI, QUARTIER  
Port au Prince, Febr

From: Chief of the Gendarmerie d'Haïti.

To: Commandant Clarke H. Wells, Inspector, Gendarmerie d'Haïti.

Subject: Road work.

1. The following indorsement, signed by the commander, Department of Cape, appears on your road report for the month of January, 1919:

"The attention of the chief of the gendarmerie is invited to the fact that under the supervision of Maj. Wells the amount of work accomplished has greatly increased per month. This is undoubtedly due to the attention given the work by this officer and to the efficient manner in which he has expended the funds given him."

2. Gen. Cole, to whose attention this indorsement was brought, signed, stated to me that you are doing exceptionally fine work and that it gives me great pleasure to add my approbation to that of all the officers of my Department.

road work largely depends the future of this country, and it is particularly gratifying to hear such praise as is given. This letter will be appended to your official gendarmerie record.  
S. D. BUTLER.

GENDARMERIE D'HAÏTI, QUARTIER GENERAL,  
*Port au Prince, March 3, 1917.*

the Gendarmerie d'Haïti.  
Clarke H. Wells, Inspector, Gendarmerie d'Haïti.  
on of barracks, prisons, etc., at Cape Haïtien.  
g extract appears in a report made by Col. H. L. Roosevelt,  
G. d'H, on a recent trip made through your district;  
prison in a most excellent condition; in fact, it is easily the  
of its kind in Haïti and would be a model anywhere. It  
otless, and the buildings are admirable for the purpose and  
s remarkable. The greatest credit is due to all who have  
connected with the maintenance and operation of this prison  
t is due to Commandant Clarke H. Wells, G. d'H, who is in

at condition of the Cape Haïtien prison is a subject of  
ment by everyone who has seen it, and I take pleasure in  
your work in connection therewith.  
This letter will be appended to your official gendarmerie record.  
S. D. BUTLER.

(First indorsement.)

HEADQUARTERS DEPARTMENT OF THE CAPE,  
GENDARMERIE D'HAÏTI,  
*Cape Haïtien, March 3, 1917.*

H. Wells, G. d'H.  
ned is much pleased to note the contents of this letter, which  
lit upon you.  
J. M. TRACY.

GENDARMERIE D'HAÏTI,  
QUARTIER GENERAL,  
*Port au Prince, Haïti, December 21, 1917.*

ing officer, constabulary detachment, United States Marine  
H. Wells, United States Marine Corps.  
andatory letter.  
eto is a radio from the major general commandant, United  
rps, transmitted to these headquarters by the brigade com-  
s will be appended to your Marine Corps record.  
S. D. BUTLER.

(First indorsement.)

HEADQUARTERS DEPARTMENT OF THE CAPE,  
GENDARMERIE D'HAÏTI,  
*Cape Haïtien, December 27, 1917.*

t commander, Department of the Cape.  
H. Wells, United States Marine Corps.

J. K. TRACY.

HEADQUARTERS FIRST PROVISIONAL BRIGADE,  
UNITED STATES MARINE CORPS,  
*Port au Prince, Haïti, December 20, 1917.*

ommander.  
armerie.  
pair.  
g radiogram has been received in reply to one sent from this  
successful run of an automobile from Port au Prince to Cape  
th instant.

"Brigade Port au Prince, information contained radiogram gratifying. My sincere congratulations to all who have been in doing this great work. 13319.

2. It is with great pleasure that I am able to forward this dispatch to the organization which is solely responsible for accomplishment of the work in question.

JOHN

GENDARMERIE D'HAITI, QUARTIER C  
*Port au Prince, Haiti, Decem*

From: Chief of the Gendarmerie d'Haiti.

To: Maj. Clarke H. Wells, G. d'H.

Subject: Letter of commendation.

Inclosure: One.

1. This office takes pleasure in forwarding to you the attached dated November 16, 1918, from the American minister, Port au Prince.

2. A copy of this letter and inclosures will be appended to your

ALEX. S.

LEGATION OF THE UNITED STATES OF A  
*Norem*

Gen. ALEXANDER S. WILLIAMS,

*Chief of the Gendarmerie d'Haiti, Port au Prince.*

SIR: In reply to this legation's dispatch transmitting your report ending August 5, 1918, addressed to the Secretary of State, in which that "the road work is progressing satisfactorily and that Maj. Capt. C. F. Baker, and Capt. Ernest Lavoie, of the gendarmerie, can too highly for their energy and resourcefulness," the Department directs me to inform you that because of its desire for the improvements in Haiti it is particularly pleased to learn of the progress made in road construction and to request you to express to the mentioned the real appreciation of the department for their work with the road between Cape Haitien and Hinche.

I am, sir, your obedient servant.

A. BAILEY-BL  
*Ameri*

GENDARMERIE D'HAITI, QUARTIER C  
*Port au Prince, Republic of Haiti, Janu*

From: Chief of the Gendarmerie d'Haiti.

To: Col. Clarke H. Wells, G. d'H.

Subject: Inspection of the Department of the Cape.

1. On the completion of my recent inspection of the Department which you command, I have to inform you that I found little to much to commend. The great improvements made in barracks and enlisted personnel, in roads, in prisons, in hospitals, and in the ministered by your officers reflect great credit on your conduct especially as much of the improvement, even allowing for the predecessors, is evidently due to your ability, energy, and initiative.

2. A copy of this letter will be attached to your record.

ALEX.

19. Question. Did you ever receive any confidential messages existing in your department; and if so, were those confidential taken from your files or lost?

Answer. I never received any confidential reports.

20. Question. Did you ever receive any confidential telegram reporting the actual state of affairs at Hinche and Maissade in regard being carried on after the order was issued abolishing it, or about killing of natives in or near those towns?

Answer. No; no telegrams of this nature were ever received by

HEADQUARTERS MARINE CORPS,  
Washington, D. C., January 12, 1920.

WELLS, United States Marine Corps, was recalled as a witness, informed that his previous oath was binding, and of his right under any criminating question, further testified, as follows:

Q. Did you ever intimate to any member of the gendarmerie that you would receive reports about prisoners?

A. I testified that I did not care to receive such reports. The regulations called for regular inspections and reports about inspecting officers attached to the department, and these reports were always written up and remain in the department at Cape Haitien. The district commanders made written additions existing in their districts at the end of each month to the chief of the gendarmerie. These reports are on file, by the records of the gendarmerie.

Q. Did you ever receive any messages?

A. Messages were received each day over the telegraph from the districts.

Q. It has been stated by witnesses that the telegrams and orders in the north have disappeared. Do you know what became of them?

A. The time I was detached from Cape Haitien, May 17, 1919, all telegrams were there as I had received them. I know nothing about the disappearance.

Q. Why were the papers referred to kept under lock and key?

A. The drawer of the department commander's desk was kept locked, and I was watching the activities of certain natives were kept there; reports from the chief of the gendarmerie, all of which remain in the department.

Q. You stated, in answer to question 20, that no confidential telegrams were sent by you. How do you account for the discrepancy between questions 9 and 10 in the testimony of Capt. Laurence Bolts?

A. While visiting the Third Company's office one time, which was used by me also, in which there were always a number of natives present, I requested Lieut. Bolts to keep the telegraph file out of sight, as I was watching the movements of certain natives who were under guard. I thought that it might be read by those about.

Q. After Gen. Catlin's visit to your department, in which he found out that corvee was practiced after the issuance of the order of the department and also that some prisoners had been unlawfully killed, what did you do to correct this?

A. I reported that there would be no further doubt about how the work of the department was suspended. Gen. Williams, who was also present, was on the spot that no prisoners under any circumstances were to be shot, and these orders were dispatched by me, by special messenger to the department.

Q. But, Williams has testified that certain escaping prisoners were shot and that he had made written reports of these killings, and that the district commander; were any of these prisoners killed by you by the district commander under whom Lieut. Williams was acting?

A. If so, did you make any report to Col. Williams?

Q. I remember certain reports of operations made by Lieut. Williams; whether they mentioned any killings of prisoners, but I forget to report to Col. Williams. These reports were concerning the situation, so far as I remember. I also made several trips to the department during this time and talked over the situation with Gen. Williams.

Q. Did you ever tell Capt. Hamilton that Gen. Williams' orders concerning the killing of prisoners did not apply unless the prisoners were guilty of a crime?

A. I gave no instructions whatsoever to Capt. Hamilton concerning the gendarmerie orders.

Q. Did you tell Capt. Hamilton that he should go ahead executing the orders without anything about it?

Answer. No; I never mentioned to any officer or man during service in Haiti anything about executing anybody. The entered my head.

In this connection I would like to supplement my answer to my former testimony, by saying that I did receive confidential telegrams in code, all of which remain on file.

Subscribed and sworn to before me this January 12, 1920.

*Lieutenant Colonel, Assistant Adjutant and Inspector,  
United States Army*

WASHINGTON, D. C.

ALEXANDER S. WILLIAMS, lieutenant colonel, United States Army, having been called as a witness, and having been informed of the purpose of the hearing, and having been sworn, declined to answer any incriminating questions, was duly sworn, and me, L'eat. Col. H. R. Lay, assistant adjutant and inspector, Marine Corps, as follows:

1. Question. Please state your name, rank, and present station.

Answer. Alexander S. Williams, lieutenant colonel, United States Army, stationed at Marine Barracks, navy yard, Philadelphia.

2. Question. What duty were you performing from May, 1915

Answer. I was chief of the Haitian gendarmerie from May, 1915, 1919, and I was assistant chief from organization of the gendarmerie until May, 1918.

3. Question. Did you ever hear that Caco prisoners had been executed in a cemetery in or near Hinche and shot; if so, please state what you saw or by you to verify this statement.

Answer. Yes; during a visit of inspection made by Brig. Gen. Catlin to Hinche in January, 1919, Gen. Catlin interrogated gendarmes, local officials, the local priest, enlisted gendarmes, and inhabitants. He reported to me certain reports which he told me had been received by him. He alleged that certain prisoners involved in banditism had been executed in a cemetery in Hinche, led to a point outside of Hinche, near a cemetery, and executed by a detachment of enlisted gendarmes. This allegation was supported by the statements of one or more gendarmes interrogated by me. To the best of my recollection, Capt. Ernest Lavole who was then district commander at Hinche, acknowledged that such an execution had taken place. He offered in explanation of this action the fact that it was necessary to obtain conviction in the local civil courts, and that after the expiration of the sentence in the provost court in Cape Haitien and the expiration of the sentence by such court, that they would return to the neighborhood of Hinche with bandits with whom they had been originally identified and make the investigation of the region more difficult. The entire investigation was conducted by me, Gen. Catlin, and the allegations seemed supported, except as to the execution. No steps were taken by me to verify this statement or the allegations, for the reason that Hinche at that moment, at the date of my departure from Haiti, was under the direct military control of the commander of the district of north Haiti, who received his orders from the brigade commander, First Provisional Brigade, United States Army, at Port-au-Prince. I was not a party to this investigation, but was not a part of it.

4. Question. What duty was Maj. Clarke H. Wells, United States Army, performing during the latter part of 1918 and the beginning of 1919?

Answer. Maj. Clarke H. Wells at that time was department commander of the cape, which department included the district of the cape.

5. Question. Did you consult with Maj. Wells from time to time regarding matters were going on in his department; and was the killing of prisoners ever mentioned?

Answer. Yes; the killing of prisoners in custody was never mentioned. Instructions were given that every effort should be made to distinguish those who were actually involved in operations against bandits from those who were in the vicinity of the operations or who might have been involved with the bandits against their will.

6. Question. Would it have been possible for 6 or 10 prisoners to be executed at any one time in the Hinche district without your knowledge?

Answer. Yes.

conversation with Capt. Lavoie and Lieut. Williams was the  
 tion of prisoners ever mentioned?  
 cept along the broad lines of general treatment of natives and  
 of banditism.

ring your service with the Haitian gendarmerie did you ever  
 der the influence of intoxicating liquor?

What is your opinion as to the character and veracity of Maj.

der Capt. Doxey—then major in the gendarmerie—to be an  
 e feeling. He was noted among gendarmerie officers for his  
 and sympathy with the natives. He was successful in his  
 gendarmerie affairs, and had the confidence and respect of  
 marked degree. This was not due to his temperament entirely  
 gh understanding of the native dialect (Creole), which he  
 stood better than any commissioned officer of the Marine  
 the gendarmerie. I have found in every official and per-  
 h Capt. Doxey this officer to be very careful in his state-  
 never had any reason to suppose or believe that he was not  
 t in all of his statements.

Did you ever see or hear of any order being issued by Maj.  
 putting into effect the corvee law, after October, 1918, in his  
 nt where he was commanding?

has been stated that corvee was seen in operation in Feb-  
 Maissade, where two groups of between 50 and 75 men each  
 the road and a third group of about 45 men in the market  
 le; please state what you know about this?

Catlin informed me that Col. Hooker had reported the exist-  
 the neighborhood of Maissade, and directed me to have an  
 e. I assured him at the time that no corvee was in opera-  
 orders relative thereto were being carried out throughout  
 sed through Maissade two or three times and had seen no  
 mposition of which, or the attitude of which, led me to be-  
 was being carried on. I had seen road gangs working under  
 ngle gendarme who was in charge of the road construction.  
 l by my observations was borne out by reports to the effect  
 rk in this neighborhood was being conducted by volunteer  
 e cost of this labor, which was not paid for from federal  
 aid from communal funds. On the occasion of Gen. Catlin's  
 when I was present, a road gang of perhaps 50 men were  
 estward of Maissade. Members of this gang were interro-  
 Catlin through the interpreter, a Mr. Holly, a Haitian, and  
 ed that they were forced to work. Gen. Catlin asked those  
 ed to work and wanted to return to their farms to step to  
 ally the entire gang stepped to the front.

was still present, Capt. Doxey, if I remember correctly,  
 an interpreter, reinterrogated them; and Capt. Doxey told  
 nd time, that with the exception of a very few men all had  
 vere not forced to do this work; that they were free to  
 ished, and that from time to time they took advantage of  
 returned to their farms in the vicinity. The report as to  
 in this question I believe was made by Lieut. Col. R. S.  
 ult of the contradictory statements made by the men in the  
 form no definite conclusion at that time as to whether or  
 d been as alleged forcibly collected, forcibly detained, or  
 nd as stated in an earlier question the military control of  
 g devolved upon the district commander of the district of  
 , I made no further investigation. I did, however, direct  
 k in that neighborhood cease. I further directed Lieut.  
 ed man of the Marine Corps serving as officer of the gen-  
 e know how many men of this gang returned to work or  
 the beginning of the following week. My recollection is  
 at a fair percentage had shown up the following week for

you know if Maj. Wells knew that corvee was still in  
 ober, 1918?

3. Some time subsequent to this Gen. Catlin told me he had been used in the neighborhood of Maissade—this, I believe, was in November, 1918. He directed that I make an investigation or have one made; I directed the department commander, Maj. Wells, to determine the date when corvée was stopped, by order, and November had been continued on the Maissade-Hinche road, but with paid laborers. During this period I had been over this road two or three times, but saw no evidence of corvée being used. I saw gangs of natives, perhaps, 50 or 60 men, working on the road without other guard but gendarmes, in charge of the work. These gangs in no way resembled the gangs working in this region or in any other part of Haiti; and the fact of working, their remoteness from the towns, and the absence of any necessity so necessary in corvée work, led me to believe that these were paid laborers. If coercion was used at all it is probable that the coercion was simply in the issuance of an "invitation" which is the only method that has been used in French or Creole for men to work. How this invitation was conveyed to the country people I do not know positive, but I presume it was known to them by enlisted gendarmes and local representatives of the Government. This would be perfectly regular, and provided the work was adequately paid, and free to leave the work when they chose, would not invite criticism. It is alleged that force was used in bringing these gangs to the farms that they were restrained by force, and kept at work long hours on the farms called for their presence.

Aside from the difficulty of defining just what is forced labor in these circumstances, I am not convinced that corvée was actually used. Maj. Wells reported that no corvée was used, but in view of the fact that he reported to Gen. Catlin, Gen. Catlin decided to investigate himself, and that he wished to visit northern Haiti, and further, that he came with him. I do not remember whether or not any notice of this visit was given; I think it must have been, however, for Maj. Wells was at Gonaïves. Together with Gen. Catlin the party visited St. Marc and Hinche. At all three places Gen. Catlin interrogated gendarmes, local officials, priests, and gendarmes, prisoners, and certain officials. Gen. Catlin was not present at all of the investigations, but enough was learned to allow for the unreliability of native testimony, to indicate that measures had to be taken to put down banditism; and even if the inexperience and youth of the officers involved, they did not make a good judgment. Without entering into a defense of such error, it must be borne in mind that a single white officer placed in the control of a district embracing 400 or 500 square miles and swarming with bandits, and having at his disposal a very insufficient and ill-trained native police, was apt to take the most direct course in such a circumstance.

The case of Lieut. Williams, at Maissade, is a case in point. He was asked if there were any gendarmes who wished to complain of the treatment they had received, and one at least testified that he had been treated badly by Lieut. Williams. This would seem an inexcusable exhibit, but when it is considered that Williams was living in a town in a country full of bandits, which had been jumped twice by bandits, and which occasions the gendarmerie garrison had been driven out, and striking this man, who was the only sentinel by night over the barracks, and who was found by him to be asleep on post, and without an explanation. I can not remember that I ever issued up a formal or informal order bearing on the killing of prisoners. The regulations provided for this, and gendarmes who were guilty of the killing of prisoners, or killing of prisoners, were always tried by either a court-martial or by the civil courts of Haiti. The sentences were always very severe, as I controlled the policy of the gendarmerie to a certain extent could influence the civil courts. Several sentences were adjudged, and these sentences upon my personal presentation to the President of Haiti were always approved by him and the action was out by firing squads. The action of these courts is referred to the president invariably commuted the death sentence of civilians to imprisonment, and in this matter realizing the racial defects of his own government in enforcing discipline in the gendarmerie in the one matter, the greatest trouble; that is, the abuse of authority by Haiti, and free from superior control.

This man, from the very beginning of American occupation more than friendly to the Americans, and was first brought

to our favorable notice by his action in organizing a posse and number of people who participated in the first attack on Hinche. His matter won him a commendatory letter from the President of the Republic, thus definitely identified himself with the Americans he incurred the hostility of his countrymen, and as time went on and the communal revolts reflected with greater regularity, the local laws enforced as they had before, Preval's attitude gained him the native hostility of the Haitians in his commune. It is more than probable that Preval's extortion and that he did use forced labor on his outlying properties.

These faults I found to be prevalent among Haitian communities. Just what efforts were made to control his actions I can not say. On my visit I had no reason to suppose that anything was radically different in the conduct of communal affairs in Maissade. I did know, however, from personal inspection, that the entire aspect of the small town was different. The streets were clean, a proper market established, and the commerce increased. If, however, Preval was guilty of all with which he was charged, his actions must have borne heavily on the inhabitants; and as he was constantly doing these things with the knowledge, consent, and aid of the gendarmerie officers any feeling of hostility held by the natives toward the gendarmerie must have been intensified.

6. While visiting Hinche, Gen. Catlin interrogated people including the officers and men of the gendarmerie. It was alleged that a number of natives had been executed in an open space in front of the barracks by machine-gun fire. This allegation was denied by the commander, Capt. Levoie, and all knowledge of such an occurrence was denied. The enlisted men of the gendarmerie who should have been cognizant of the affair.

At the time the alleged execution took place two enlisted men of the Corps were stationed at Hinche with a Lewis machine gun. I can not say positively whether or not these two men were in Hinche at the time of the visit. I do not remember at the time who made these allegations. They were made by a local official. It was further alleged and as I remember, that a number of prisoners were taken from the barracks, they had been confined and executed about a half a mile outside the town. I believe the gendarmes who took part in this execution were executed. Gen. Catlin and acknowledged the charge in part, differing from them in respect to the number of prisoners.

7. While the use of corvée on road work had been alleged in the neighborhood of Hinche was alleged mostly in connection with the work of the gendarmerie barracks. Specifically it was stated that a number of inhabitants of a certain rural section called "New Guinea" had been brought to Hinche, placed at work on the construction of a barracks, kept on this work for a considerable time. There was some question as to the amount of money paid these men, but they were paid something. It was alleged that they had been taken by Capt. Lavoie as a military measure and designed to be a section touching on the no man's land between Haiti and Santo Domingo, which was an asylum for bandits for both Haiti and Santo Domingo. Capt. Lavoie stated that working these men on barracks construction was incidental.

8. It was alleged generally by the civil officials, and I believe by the gendarmerie in this region, and that between the bandits and the gendarmes the inhabitants did not know which way to turn. This statement is true. The bandits were only partly armed, were not organized, would scatter usually at the approach of a gendarmerie patrol. A gendarmerie patrol established contact with a group of bandits a few shots were fired, by these and the bandits would scatter in all directions and would go to the inhabitants of that particular locality, especially those who were friendly or otherwise furnished food to the bandits and who felt guilty with them. In the pursuit it is more than probable that many of the inhabitants were killed. So far as my own orders were concerned as concerns those orders issued by officers under me, every effort was made to distinguish between bandits and those who were involved in banditry of their will. I have no knowledge that Maj. Wells, the departing commander, ever issued any order contravening mine or of his own initiative an order contrary to my expressed and generally known wishes as to the treatment of natives, whether under arms or not.

of Gen. Catlin and myself to Port au Prince in January, desired that Capt. Levoile and Lieut. Williams be removed to Maissade. I ordered to Hinche Capt. Doxey, whose disposition was that of kindness, sympathy for the natives, and more of native dialects than any other senior officer of the

marines had been ordered to Hinche and outlying posts, the assigned to ordinary police work within town, and Lieut. Col. placed in military command of the affected central region. Orders were made subsequent to that by Gen. Catlin, by Col. or marine officers I do not know.

As I do it is difficult for me to believe that the banditism, which in or about Hinche and was spread rapidly north, east, from there, attaining its maximum in Mirabaldis and Lascaz, specific misconduct or misadministration on the part of any even during Spanish colonial times, has been a nexus of banditism. Long before corvee was used in this region Hinche organized bands, the first attack taking place while Capt. Levoile stated, enjoyed the confidence and liking of the natives, was in command. It is impossible for me to believe that corvee within a limited area would have such an effect. I do not believe, and my belief is founded on most careful thought, that in central Haiti, which grew almost to the proportions of a plague to other causes.

These causes was the illegal general application of the corvee; second, antagonism between the Negro and the white; third, the national independence; fourth, the economic conditions brought

These reasons I wish to make it clear that had these causes not been stressed and played upon by Haitian leaders the would never have occurred and the natives would have lived under almost any system of abuse, as they rested quiescent years under graver abuses inflicted by their own people.

That the corvee was illegally applied in the neighborhood of Maissade, and in defiance of my clear orders on the matter, and, that the allegations of indiscriminate and unjustified killings made it difficult to understand how these things could have been known to responsible seniors. With the best of will in view of administrative work thrust upon all gendarmerie it was impossible to properly supervise the details of local administration and rumors seemed to justify an investigation into any commotion itself was attended with every difficulty.

The interior the native has no knowledge of the time, dates, or the reality as a witness caused me to approve gendarmerie courts (or less reluctance), and the amount of work involved in was very often out of all proportions to the results obtained. It was necessary in making an inspection trip to judge conditions and what one was told. Another index, and one upon which I largely as showing the mental attitude of the natives, which was necessary a reflex of the attitude of the gendarmerie toward the natives or not the natives when met on the road showed no desire to my party. This was not true where the corvee had been in every time when corvee was alleged to have been terrorizing Hinche and Maissade, the weekly markets in Maissade were more people as they never had been before. Than this at these days there is no better barometer of the state of feeling with regard to protection and security. If there were any of dissatisfaction among the well disposed country people I and while the inspection trips of my subordinates could and more into detail it is quite possible that they too failed to suspect that affairs were not well.

It may be stated that the efforts of practically all the natives were devoted to improving the condition of the natives and will. This they did because of a liking for, and sympathy to make the conditions of their own service more pleasant, to conduct themselves in this fashion, whether commissioned

or enlisted in the Marine Corps, were detached from the have no knowledge of corvee carried on contrary to orders, of prisoners, except as stated, nor have I knowledge of any ord encourage or justify any such action.

HEADQUARTERS MARINE CORPS  
WASHINGTON, D. C.

Subscribed and sworn to before me, this 7th day of January,

*Lieutenant Colonel, Assistant Adjutant and  
United States*

WASHINGTON, D. C., Jan

DORCAS L. WILLIAMS, sergeant, United States Marine Corps, called as a witness, and having been informed of his right to do any criminating question, was duly sworn and testified before H. R. Lay, assistant adjutant and inspector, U. S. Marine Corps.

1. Question. What is your name, rank, and present station.

Answer. Dorcas Lee Williams, sergeant, United States Marine Corps, stationed at Marine Barracks, Navy Yard, Brooklyn, N. Y.

2. Question. Have you recently been on duty with the Haitian gendarmerie, and, if so, what was your rank and title while employed on such duty, where were you stationed and what duties were assigned to you? Answered by you?

Answer. Yes, sir; as a second lieutenant of the Haitian gendarmerie, stationed in the district of Hinche from November 12, 1918, to March 19, 1919, was performing patrol duty. I was in Maissade from March 19, 1918, to some time in March, 1919; the rest of the time I was in the district of Hinche, guarding the town and performing patrol duty. While I was in Maissade I was in charge of road work and acted as district commander and looked out for the duties of the district.

3. Question. Who was your immediate commanding officer with the gendarmerie; if more than one state names and dates you served under each? Did you at any time have independent command of any forces or any commune or district?

Answer. Capt. Ernest Lavole; he was the only one who was my immediate commanding officer. I never had any command that was independent.

4. Question. While serving with the gendarmerie, did you ever have knowledge of the killing of any caco prisoners; if so, state particulars?

Answer. No, sir; except prisoners trying to escape.

5. Question. While serving with the gendarmerie, were you ever in charge of the convening of any corvee, compulsory or voluntary, subsequent to the order of October 1, 1918, suspending the corvee law? If so, state knowledge of the facts in the premises.

Answer. There was no corvee as I would call it, as the people were all paid for the work they did. My understanding of corvee was compulsory work or labor, feed, and imprisonment. The men who worked the road or for the commune were paid by the magistrate from the funds, and I witnessed all payments. From the time I came into the district all work which was being performed by native labor was not corvee.

6. Question. Did you, personally, subsequent to October 1, 1918, directly or indirectly, for the convening of any compulsory construction work in your district?

Answer. No, sir; I never did.

7. Question. It has been alleged that you had personal knowledge of a number of caco prisoners near Maissade. Is this allegation true, and, if so, what were the attendant circumstances?

Answer. There were no prisoners killed except escaping prisoners who were attempting to escape. Several prisoners were attempting to escape. Between December, 1918, and March, 1919, there were several attempts by prisoners to escape, and quite a number were killed, 15 or 20. During that time we probably killed between 10 and 20 who were trying to escape.

Do you know of any other prisoners being killed in or near your duty there?

Do you have any knowledge of the circumstances attending the death of a notary, who, it is alleged, was found dead in your district?

I have some knowledge of this man. He was found wounded in the barracks and I questioned him, asking him why he had not reported his wound; why he had not made some report of his being wounded; how he could have treated his wound, and all he would say was that he wanted to go back to his house, and would not talk to me while sitting in front of the barracks in a chair. The sergeant denied treatment. He would not agree to anything being done for him if he was denied being wounded.

That came through Garnier's house, or about 3.30 o'clock in the afternoon, was an attack by the bandits on the town, and the barracks. The bandits came through Garnier's house and took cover between the barracks and the barracks and they were firing from the barracks. After the skirmish was over, I chased the bandits out of the barracks when I returned to the town; so I went into my house and reported to my house the sergeant came over and told me that he had been wounded. I sent the sergeant to see if he could

When he returned he brought Garnier with him. I asked Garnier if he was wounded and he said that he was not. The sergeant unbuttoned his shirt and showed me the wound on the towel. I asked Garnier who had wounded him and he did not know. I asked him why he didn't report so that he could get treatment, and all he would say was that he didn't know. I asked him anything about the attack and he said he didn't know. I wanted to lie down and he said he would rather sit up. I went to the front of the barracks. I went to bed and left the sergeant and do what he could for him. Some time in the night the sergeant said that Garnier was dead. The sergeant awoke me and asked what I wanted done with Garnier's body; I said that the Judge de Paix, which was done. Everything was done that could be done. I gave him the best I had in medical supplies for his life.

Do you have any good inhabitant of the town and friendly toward us? I said that in the way of a stray bullet during the fight. After this state, all the civilians left the town.

Do you have any order, written or verbal, ever received by you, or did you receive an order, to summarily execute (bump off) cacao prisoners or any other such executions to higher authority; and, if so, from what authority; or, if no order was received, what led you to execute such actions would meet with the approval of your superior?

I never heard of anything like that; the orders we had were to capture and capture organized bandits. The bandits were all organized in bands of from 30 to 150 men, and in the district we were instructed to scatter these people and we could, and any stolen property that was recovered I turned it to the owners, if the owners could be found. These bandits were armed with machetes and rifles, and when attacked, or when they would always fire on you.

Do you ever hear that Capt. Ernest Lavoie had executed some prisoners or near Hinche, in January, 1919; and, if so, from what authority?

I was in the district I did not hear that any prisoners had been killed, but after I left the district and returned to Port au Prince—sometimes that 40 prisoners had been killed, and sometimes that 10 prisoners had been killed in the district of Hinche. I heard rumors floating around that bandits had attacked this town and that more false rumors than anything else; every man that came to me to tell.

Do you have any duties place you in direct contact with Maj. Clarke?

Maj. TURNER. Except through investigation and through testimony of two of the witnesses.

Mr. ANGELL. Did you make any investigations of any rumors of killings by or under the direction of Lieut. Freeman Lang, of the 1st Infantry, in and about the district of Hinche?

Maj. TURNER. No.

Mr. ANGELL. In October and November, 1918?

Maj. TURNER. No; that was one which never came to my notice.

Mr. ANGELL. Did you make any investigation of any alleged supposed killing of Garnier by Williams at Maissade?

Maj. TURNER. Yes; I tried to connect up the Garnier killing and was unable to get any information on that subject. I tried to get some of the gendarmes who were there, but the records at Port-au-Prince such that at that time I could not get any. Williams was not in the time.

Mr. ANGELL. Had Williams been in the Marine Corps service?

Maj. TURNER. Yes.

Mr. ANGELL. But he had left Haiti at the time you made your report?

Maj. TURNER. Yes.

Mr. HOWE. He had also been in the gendarmerie?

Maj. TURNER. He was a lieutenant in the gendarmerie.

Mr. ANGELL. He was an enlisted man in the Marines?

Maj. TURNER. He was a sergeant.

Mr. ANGELL. So you never had an opportunity to interview Williams?

Maj. TURNER. No.

Mr. ANGELL. You said you believed that something actually happened at Hinche in regard to this supposed killing of natives under Captain Latte's command?

Maj. TURNER. Yes.

Mr. ANGELL. What is your belief regarding that incident?

Maj. TURNER. I believe somebody was killed at Latte. Latte was the commandant.

Mr. ANGELL. You say that somebody was killed? What is your number that were killed?

Maj. TURNER. That I do not know.

Mr. ANGELL. What is your belief as to the circumstances under which they were killed?

Maj. TURNER. That I do not know.

Mr. ANGELL. When you say somebody was killed at Latte, do you mean in combat?

Maj. TURNER. Oh, no; I mean—

Mr. ANGELL. You mean unlawful killing?

Maj. TURNER. Yes.

Mr. ANGELL. Unlawful killing under the direction and with the approval of Capt. Lavole?

Maj. TURNER. Yes.

Mr. ANGELL. Is it a fact, then, that you believe his denial of the matter made to you was not true?

Maj. TURNER. Yes.

Mr. ANGELL. And of course an admission by him of such killing would have been self-incriminatory?

Maj. TURNER. Yes. I told them all in any questions they were asked that they did not have to incriminate themselves; that they could refuse to answer any questions which might incriminate them.

Mr. ANGELL. You said a little while ago in answer to a question that you heard, but could not get any definite information regarding brutal treatment of prisoners. In answering that question did you have in mind that the men were taken from the Cacos or did you refer to men working under the corvée or both?

Maj. TURNER. I had in mind the idea of prisoners from the point of view of anything else.

Mr. ANGELL. You were not referring to those working under the corvée?

Maj. TURNER. Yes; I was, in a way, too. Yes; that was consistent.

Mr. ANGELL. Did you find any definite information regarding the treatment of men working under the corvée as distinguished from prisoners?

Maj. TURNER. No.

are distinguishing brutal treatment from the killings you were thinking that taking them on the corvee might be convenient, but I did not consider that part as brutal treatment. the course of your investigation and of the performance of it, did you learn of the extent, if any, to which airplanes attacking the native force?

Q. How many airplanes did you know of that were used in combat against the natives?

A. Approximately—

Q. How many were there?

A. Three to five. There was one case where as many as three were used.

Q. For what purpose were those airplanes used?

A. For information and scouting, locating the bands of Cacos, and to see if they attacked them.

Q. Did they attack them with what?

A. With machine guns.

Q. Were they ever used for bombing, as far as you know?

A. I believe some homemade bombs were used, but that was about all.

Q. Was the use of bombs upon orders from headquarters or upon orders of officers immediately in charge of the airplanes?

A. I do not believe that any orders were ever issued to use bombs from headquarters. In fact, I am sure none were issued.

Q. Why was it stopped, if you know?

A. I do not know why they were stopped, but I do not believe they were. There were not enough Haitians together to make it worth a bomb.

Q. Do you know of specific instances where bombs from airplanes were used?

A. My knowledge on that point is confined to knowledge of the fact that airplanes had been on some occasions used as a means of attack.

Q. Can you give me any instances where bombs were dropped from airplanes? I know of only one case, and I do not believe it happened there—I know it did not—but they dropped a bomb, I heard.

A. It did not result in any deaths, as far as you know, in that particular case.

Q. Do you remember the talk among the aviators that they had no success whatever with bombs. They never got together to make it worth while to drop bombs.

A. Yes, the bombs dropped on villages?

Q. Yes, no.

A. I testified that when our marine or gendarmerie forces came they jumped them, and that there was firing on both sides?

Q. Yes.

A. That, you say, resulted sometimes in the death of natives—of course.

Q. Do you have any idea of the number of Cacos killed under those circumstances?

A. Altogether, you mean, throughout Haiti from the time we were there?

Q. What is your understanding of those figures?

A. I should say about 2,100. I know almost exactly how many were killed on October 1, 1919, and October 1, 1920.

Q. Do you tell us what that number was, approximately?

A. It was 1,132.

Q. That is the number of Haitians killed between October 1, 1919, and October 1, 1920?

Q. Yes.

A. Those are the official figures?

Q. Those are the official figures.

Mr. ANGELL. You think those figures are accurate?

Maj. TURNER. Except probably for the first two months, October, and they are approximately accurate. You can call the accurate. They were all killed in action, every one of these.

Mr. ANGELL. You testified, if I remember correctly, that you there were many killings of men working under the corvee tempted to escape. Have you any idea, even approximately, killed in this manner?

Maj. TURNER. At first I thought there were quite a lot, but in comparing it down, and I should say probably a hundred or less.

Mr. HOWE. During the whole occupation?

Maj. TURNER. Yes. I have no figures to prove that at all; opinion on it. At first, in taking the testimony, it was a good it was later. As I got to learn them better I scaled down my everything.

Mr. ANGELL. Those would be native Haitians who had been killed while trying to escape from the forced labor on the roads?

Maj. TURNER. Yes. I would like to say that the 2,100 approximately what our figures gave when I was down there. I am also of the opinion that is exaggerated, particularly the number of deaths that to October 1, 1919. I happened to know of a case where it was 50 were killed, and on investigation only one dead body was found at the scene of the action. Before we took these records and made them quite often reports would come in that cacos had been jumped, number killed, and the number killed seemed to be such a gross exaggeration of the number supposed to be in the band that orders were issued to stop reports of killings would include only dead bodies found, and the number dropped back to normal or below normal, considering the actual deaths.

Mr. HOWE. The estimates turned out to be higher than the actual?

Maj. TURNER. Yes. As I say, in this case where a major was killed there a report came in that they had been attacked and that was about 50, and that was accepted on the records. An investigation was made and when they looked it up they found one dead body and no other else having been hurt. I also know that reports had come in that 75 Cacos were met at a certain point and 25 were killed, and I found sometimes that they found straw hats, and considered that the men who lost their hats were killed.

Mr. ANGELL. Referring to the letter signed by Lieut. Col. H. J. H. addressed to the brigade commander, dated February 28, 1920, in which report of your investigation, and particularly referring to paragraph 1 of the letter [reading]:

"We are of the opinion that Maj. Wells and Capt. Doxey knew that existed; that inhabitants were being maltreated and killed; and to the extent we are convinced that some reluctance was shown in the Prince fully posted as to the true conditions."

I would ask you whether that represented your final opinion as to whether you have had any occasion whatever to change your opinion.

Maj. TURNER. Yes; I am quite well satisfied that the inhabitants in the corvee and some were killed in jumping the corvee and some were killed in jumping the corvee and some were killed in jumping the corvee.

May I go back again and say also that between October 1, 1919, and October 1, 1920, there were exactly 298 encounters with bandits, and in these encounters there were 1,132 killed, which averages less than one killed per engagement.

Mr. ANGELL. During the course of your investigation of the corvee were you able to learn for how long a period the natives were kept under forced labor?

Maj. TURNER. Yes; I think some of them were kept at work for several months.

Mr. ANGELL. And were you able to form any opinion as to the effect of keeping these natives at work in districts other than those in which they lived?

Maj. TURNER. The corvees existed only at Maissade and H. J. H. that was after the order of September 1, 1918, forbidding the corvee. I take the corvee into consideration before that at all.

s to the corvee, your report deals with its continuance after

our opinion, based upon your investigation of the corvee who were laboring under the system as you found it, or the Hinche or Maissade district, after October, 1918, object to that there for periods running up to two months?

; I think they did object.

labor then under those conditions was not in any proper order?

you hear rumors or reports of cruelty or abuses or killings of Capt. Fitzgerald Brown at St. Marc?

; that was Fitzgerald Brown. I did hear something about him out—this was after my investigation that I came on that Fitzgerald Brown was a boaster and just a plain fool, whatever.

you hear any reports of complaints by natives that he had prisoners at the prison in St. Marc?

he an enlisted man or a noncommissioned officer of the rank of the gendarmes?

was a sergeant; yes.

a captain of the gendarmes?

you had occasion to see the Haitian memoir printed in it, on pages 30 to 32 of the printed record, are 25 specific instances and abuses of natives on the part of gendarmes and

I never saw that before.

ce over this list, and refer particularly to the instances on pages, 1, 2, 4, 5, and 11. I will ask you whether you heard investigation of afterwards any complaints or reports re these instances, and if so, what investigation you made of them. I have never heard of any of them. If they had been heard, I would have heard of them. If anything of that sort was reported and investigated.

or, have you read the statements or are you familiar with them. A. W. Catlin, dated December 31, 1919, and of Lieut. dated January 6, 1920, both sworn and contained in the 65 to 67 and 85 to 99, respectively?

have read them, but I am not familiar with them.

your recollection, having read them, can you state whether substantially with the statements and conclusions therein

would like to read them over again before answering that these a year and a half ago, and I do not remember the matter

o'clock p. m., the committee adjourned to meet to-morrow, 17, 1921, at 10.30 o'clock a. m.)



# OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

THURSDAY, OCTOBER 27, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
Washington, D. C.

met at 10.30 o'clock a. m., pursuant to adjournment, Senator  
residing.

Mr. Walter Bruce Howe, Mr. Ernest Angell, and Maj. Edwin N.  
in their respective representative capacities as hereinbefore indi-

**BRIG. GEN. SMEDLEY D. BUTLER, UNITED STATES  
CORPS, COMMANDING MARINES, QUANTICO, VA.**

General, will you give your name, rank, and present station,

Smedley D. Butler, brigadier general, United States Marine  
Corps, Quantico, Va.

General, how long have you been in the Marine Corps?

I have been in the Marine Corps 23 years and 6 months.

Were you in Haiti in 1916?

Yes.

At what time did you go to Haiti at that time?

I landed in Haiti on the 10th of August, 1915, and remained

until the 9th day of March, 1918.

Were you commander of the gendarmerie of Haiti?

I was the first commander and organizer of the gendarmerie of

Haiti. When did you assume those duties?

I was detailed by the commanding officer of the naval forces

on the 3d day of December, 1915, to organize the gendar-

merie until the passage of the act of Congress in June, 1916, author-

izing the United States service to serve with the Government of

Haiti by regular appointment in an order from the commandant of

the naval forces, dated September 1, 1916, and during the period between

September 1, 1916, and September 1, 1916, I served as such, but only under the

command of the naval forces, Admiral Caperton.

Between August, 1915, and December, 1915, what were your

duties? I was commanding the forces in the field in the north in various

parts of the north?

My forces operated from Gonaives to Cape Haitien, and from

the Dominican border, and south to the line running east and

west, known as the district of the north.

When you, in September, 1916, got your orders from the com-

mandant of the Marine Corps, was your status then changed; and if so, how,

were those orders?

My status was simply changed in this respect, that what I

previously, under the orders of the occupation, I proceeded to

execute the orders of the President of Haiti. I had always acted under the

orders but had consulted with the American commander.

Were those orders in September, 1916?

Gen. BUTLER. Yes, sir. After that I still considered myself, du-  
ence of martial law in Haiti, a member of the forces of the occup-  
nothing with respect to the Haitian people without first discuss-  
with the President of Haiti.

Mr. HOWE. And receiving his directions?

Gen. BUTLER. And receiving his directions.

Mr. HOWE. During the time you were organizing the gendar-  
to say, from December, 1915, to September, 1916—will you please  
little more definite idea as to the extent to which you consulted  
of Haiti and took his directions?

Gen. BUTLER. During the period from the 3d of December, 1915,  
of January, 1916, the gendarmerie performed no functions what-  
those necessary to its own organization. It was assembled in  
towns for drill and organization and equipment purposes only.  
no police functions; it was nothing but a school.

Mr. HOWE. And consequently you, as its organizer, were in  
police functions?

Gen. BUTLER. No police; and had no connection whatsoever with  
President, except as to its future development and status. During  
with the assistance of the President of Haiti, we wrote and promul-  
gation, upon the confirmation of the service by our own Com-  
rules and regulations for the government of the gendarmerie.  
with the treaty, which rules and regulations were promulgated  
in the name of the President of Haiti, and the whole conduct of  
the gendarmerie during the whole time I was in it was directly  
with the directions and orders given by the President of Haiti.

Mr. HOWE. And in the preparation of those orders he was con-

Gen. BUTLER. Every day.

Mr. HOWE. Did those early orders and regulations meet with his

Gen. BUTLER. Absolutely, or they could not have been published  
rules and regulations that they had to be promulgated by the President of

Mr. HOWE. You are referring to Article X, no doubt, of the treaty

Gen. BUTLER. I am referring to the gendarmerie agreement he  
the same effect with us as the treaty.

Mr. HOWE. Will you give a reference to that gendarmerie agree-

Gen. BUTLER. It is an agreement dated the 24th of August, 1916,  
appears this provision:

" Rules and regulations for the administration and discipline  
merie shall be issued by the commandant after being approved by  
of Haiti."

That was strictly carried out. That is article 7 of the protocol  
August, 1916.

Mr. HOWE. While you were organizing the gendarmerie did you  
other duties?

Gen. BUTLER. I did not.

Mr. HOWE. After you were duly appointed commandant—is that  
term, or commander?

Gen. BUTLER. I would like to bring this in. On the 1st day of  
the following proclamation was issued by Admiral Caperton:

#### PROCLAMATION.

Whereas the President of Haiti and his cabinet have decreed that  
the commandants of communes and the chiefs of sections are  
also that all military and police duties of the commandants of a-  
are taken away, it is hereby ordered that from this date all the  
police duties heretofore performed by those officers be performed  
darmierie of Haiti, supported by the expeditionary forces under m-

By order of Rear Admiral W. B. Caperton, United States Navy,  
United States forces in Haiti and Haitian waters.

LITTLETON W. T. WALL

Colonel, United States Marine

Commanding United States Expeditionary Forces Ash-

PORT AU PRINCE, HAITI, February 1, 1916.

Mr. HOWE. The date of that proclamation was February 1, 1916.

Gen. BUTLER. Yes.

did that affect you, sir?

That made me chief of police in Haiti. I assumed all responsibility and proper policing of the Republic of Haiti.

Through what instrumentality did you operate?

The gendarmerie.

When the gendarmerie did begin to operate before September,

yes, sir.

I misunderstood you. I thought I understood that they did not begin to operate until September, 1916.

I thought I put that in there; I intended to put it in; until you say.

That the gendarmerie, as a going operating institution——

commenced to perform its legal functions——

February 1, 1916. Is that correct?

Yes, sir; to perform its functions, under Article X of the treaty, January.

The formative period, as such, lasted from December, 1915, to January, 1916?

Under my control. Previous to my control it had been in operation for six weeks, but when I took command of the gendarmerie, the total personnel of about 600, and on the 1st of February, 1916, we had 1,500.

Now you describe the organization of the gendarmerie, please?

It is organized exactly as laid down here in the protocol which

is in the protocol of August 24, 1916?

Yes. Soon after that protocol came into effect did the organization begin to operate?

About seven months.

Yes, then, in 1917?

Yes; late in 1916, if I remember correctly, on the 1st of February, 1917, the gendarmerie was completed.

From February 1, 1916, up until that time in 1917 the gendarmerie was in the course of organization?

Yes, sir; the 1st of October, 1916. There were only six or seven companies.

Now get this straight. You were detailed to organize and command the gendarmerie in December, 1915?

Yes, sir.

From the proclamation on February 1, 1916, the gendarmerie began to operate?

Yes, sir.

On August 24, 1916, the status was somewhat changed by the treaty?

Yes. It outlined the extent of the organization and made definite provisions; is that right?

Correct.

Some seven months later——

No, sir; only two months later.

Two months later on, in October, 1916, the gendarmerie attained

its full strength.

Full strength.

Yes, sir; that is right.

Will you just ask you, General, to describe how you went about organizing the gendarmerie and how you selected your officers.

The marine forces in Haiti were distributed throughout the country in small sized organizations, from a platoon to a battalion, being stationed in smaller towns, preserving peace.

There was no Haitian police force; there was nothing but pillaging and rioting.

When they arrived, when they took over this police, and martial law was proclaimed in the United States.

Did they take over the police duties?

Gen. BUTLER. We took over the police duties and performed formation of the gendarmerie made it possible for them to take

Mr. HOWE. General, I want to get back later on in the examination of the facts about the selection of your forces—enlisted men and

Gen. BUTLER. That is, the organization of the gendarmerie done?

Mr. HOWE. Yes.

Gen. BUTLER. In each town where a considerable force of mentioned—that is, a company or more—one commissioned officer certain noncommissioned officers and privates were detailed by of the marines in Haiti to enlist and organize and train the gendarmerie, so that each body of marines resolved itself into a camp?

Mr. HOWE. And recruiting station?

Gen. BUTLER. And recruiting station, the Haitians voluntarily enlistment papers similar to those used in our corps. They wore our clothes. The Haitian Government bought the excess material in order that we might have some distinguishing mark for the men just as marines were dressed, with the exception that we gave them the Marine Corps device. They had no Marine Corps device, plain Haitian buttons.

That system continued until the 1st of February, 1916, when it was for the gendarmerie to stand on its own feet. On the 29th of January, Gen. Waller, commanding the marines in Haiti, notified me that the Government had decided to give up trying to maintain law and order, and said, "Now, you Americans do it with your gendarmerie"; and he gave me two days to garrison Haiti.

Mr. HOWE. With the gendarmerie?

Gen. BUTLER. With the gendarmerie.

Mr. HOWE. What did the Haitians mean, then, by saying to us to preserve law and order with their gendarmerie, when the gendarmerie was the Haitian gendarmerie?

Gen. BUTLER. It was the Haitian gendarmerie. We understood the effort on their part to embarrass us, because they well knew that the gendarmerie, or their gendarmerie that we were organizing for the provisions of a treaty already confirmed, was not complete; but when we established 117 posts around Haiti, and on the night of the 29th of January I reported to the commander, to Col. Waller, that the police force was complete, but in reduced numbers. We did not have a sufficient force.

Mr. HOWE. Did you have any difficulty in getting recruits?

Gen. BUTLER. Absolutely none. We took the best men in the country.

Mr. HOWE. Was there competition among them for recognition?

Gen. BUTLER. Very great competition. An actual blood test was made. One thousand, two hundred gendarmes selected at random, which gendarmes had been selected from 50,000 of the best Haitians, showed that 95 per cent were diseased. That is the material with which we worked.

Mr. HOWE. But you had plenty to select from, and you tried to select the best.

Gen. BUTLER. Yes; and we made every effort to cure those who were diseased. We found that they would not go to sleep standing up in the daytime. That was the test. I have frequently found a sentry on a post in front of a building sound asleep, standing up with the sun shining in his eyes. That was not his fault. He was diseased. An examination showed that they had blood diseases and 85 per cent had intestinal worms. We took immediate measures to cure it, and before I left Haiti they were able to keep awake for two or three hours.

Let me say something about the faithfulness of the gendarmes. I know something about what they can not help. Never during the time of my command, nor from any reports I have received since, has any disloyalty or insubordination occurred. I never heard of a case. I gave the Haitian honor to three gendarmes who gave their arms and their legs to the United States officers. They are sergeants and kept at headquarters on light duty. They are pieces or examples of the most devoted loyalty. The action of the gendarmes is particularly affecting.

Mr. HOWE. I think we would like to hear that.

Gen. BUTLER. At a little place called Circa la Source a gendarme named Kelly—this was in the early days, early in 1916, shortly after the occupation of the country by the gendarmerie and the taking over

stationed at this town in a little native hut that we rented. With him were 16 gendarmes as the police force of that personally lived in a small mud hut next to the police station. When his house was attacked by a large number of bandits, the station next door were surprised, and the sentry, due to reasons, was asleep, and they fled. They did not run away, but into the bushes and re-formed. But the bandits were not; they were after the American officer, so they attacked his. He was a very bold, gallant fellow. He grabbed his pistol when he saw them, and rushed toward the door. His gendarme orderly, who was in the same room with him, got up and threw his arms around him in Creole. It must be remembered that none of us spoke English, yet we taught them to drill in English. All the gendarmes spoke English. Kelly was unable to understand all that this gendarme said, but he gathered enough to know that the gendarme did not want to be killed. Kelly did not agree with him, but he went to one side and grabbed the door and pulled it open. The gendarme knew the habits of his friends. He had been a Caco himself. My friend Prince was the worst Caco in Haiti, and I picked him out as the ugliest brute I ever saw, and I trusted him with my money and everything. He was the most faithful man I have ever known. The gendarme knew the habits of the men outside, and that they would lighted door the moment Kelly appeared in it, and when the door he threw himself in front of him and they put five bullets in him. They did not kill him, but he had to have one leg ampu-

ated by the American officers like these gendarmes. They will give you any time, and there has never been one instance of their doing so, never once.

When we were here at Quantico who with five of them was beset by 250 Cacos, he stuck right by him. Never once have they gone back on us. When I went on an inspection to make in the woods, I left my family with him on a couch on the front porch of my house, and he never left me for two weeks. They would take his food to him. And nobody would touch the yard either. I trusted him absolutely. It is a great army.

What kind of a country did you have to operate in? Tell us how

Haiti has about 180,000 acres of flat land, and the rest is mountainous, like a crumpled-up piece of paper. As a French admiral said to him over. The highest peak in Haiti is 7,000 feet, and it is in the north. There are the plains of the north along the Atlantic to the north. They run in width from a quarter of a mile to a mile, you come to a range of mountains running east and west, 2,000 feet high, a ridge range. You cross those, make a slight dip, and you come to another range of peaks, 4,000 feet high. You drop on the other side, which is known as the valley of the Artibonite River, which is 100 miles long and 8 miles wide. It is not flat, but it is rolling and not characterized as flat, tillable land, without a great deal of it. Then you come to a small range of hills—this is a range of hills, and you cross, and you come to the plains of Cul de Sac, at the foot of which lies the city of Port au Prince. The plains of Cul de Sac are 20 miles long, and they are perfectly flat. Then you cross a range of mountains, running from 1,500 feet to 7,000 feet. It is the highest mountains, and you drop from there over to the other side, the top right down. There is practically no flat land on the island.

How much flat land is there in the whole place?

About 180,000 acres absolutely flat land.

Most of it is up and down hill?

Yes, will take that back: 180,000 acres.

How many people live in the country?

Two million and a half, approximately.

Are they getting more numerous?

Yes; I should say the population will never become very much larger than it will go to 3,000,000. They increase very rapidly, but they

are not a hardy, sturdy race at all.

Mr. HOWE. Are they all colored people?

Gen. BUTLER. They were originally brought over from Africa. The introduction of the black man into Haiti commenced about 1565, or the slaves from Africa, about the same date as the founding of St. Domingue according to my recollection of it—it has been several years since I was there—and the importation continued during the whole of the 17th century, and by 1789, when the French Revolution broke out in France, was in full force in Haiti, the first overt act in France, you remember, was on the 14th of July, the fall of the Bastille, and the first outbreak in Haiti was in the same year, the fall of the Bastille. At that time the black population was about 400,000, the white or foreign population about 40,000. Of course, there was a considerable mingling of the whites and blacks, and about 20 per cent were mulattoes.

Do you want the caste system? Would that help you any?

Mr. HOWE. Yes; I would like to have it. At the present time there are no whites there in Haiti? I mean living there.

Gen. BUTLER. Counting the American occupation?

Mr. HOWE. Not counting the American occupation.

Gen. BUTLER. Not counting the military people?

Mr. HOWE. Not counting the military people.

Gen. BUTLER. Two hundred or two hundred and fifty.

Mr. HOWE. And the rest are colored or various degrees of mulattoes?

Gen. BUTLER. Various degrees of dark blood.

Mr. HOWE. Now, how about the caste system that you mention?

Gen. BUTLER. What we tried to provide for in the formation of the gendarmerie was a system which could be passed over to the Haitians, well understood by us all that there was a limit to our treaty, and that the French did not belong to us, and I never heard any American officer in Haiti at the time of the desire to take it. We were all imbued with the fact that we were not to have of a huge estate that belonged to minors. That was my viewpoint, the viewpoint I personally took, that the Haitians were our vassals, and we were endeavoring to develop and make for them a rich country, property, to be turned over to them at such time as our Government should see fit before the expiration of the treaty. So in order to profit by the French we, of course, read the history of their gendarmerie system, which was the cause of their downfall.

As I told you, the original colored man in Haiti was a black man. The French settlers in the early days were adventurers. For 50 years the French women came to Haiti, and the blood became mixed until in 1789 about 17 per cent of it was mulatto. By that time the French had set up their system, that is, the rich plantation owners formed one set. They only during the sugar and coffee harvest season, and indigo was a small crop. They spent the rest of their time spending the profits of their labor, or the other man's labor, in Paris. A certain number of French farmers lived in Haiti all or most of the time. They were known as the French plantation owner, or Frenchman as he called himself, and he associated with the planter. That made the planter more or less French. He kept down his associates, and he had a tendency then to seek a Frenchman of his own color, and gradually an association sprung up between the French colonist which tied them together, and they intermarried. The blacks were out of it, the pure blacks. They were the best, and the most reliable, but they were entirely out of it, just pure slaves.

It had been a custom on the part of the French planter when a child was born who had his blood in his veins to free that child and perhaps the child's children gave the mulatto or the octoroon—the name depending on the blood in his veins—property. According to the law in Haiti, if a man had one thirty-second black blood in his veins was a black; if he had one-fourth black blood, he was white. That is published in the decrees of the French. That gave a certain number of mulattoes property, due to the fact that they soon became quite prominent and prosperous, and they fraternized with the colonists. The planter was busy traveling back and forth, caring very little for what occurred in Haiti until the French Revolution broke out. The legislative bodies in Paris, the revolutionists, called on Haiti to send them representatives not having any color line or any quality. They said, "We are all Frenchmen," and they took over to France a lot of representatives of the French. They told their grievances, and the French rulers—I do not remember the names—were, Robespierre, perhaps—who were in charge at the time sought to abolish all distinction.

puted that, and in the end the planters and the blacks made  
 inst the mulattoes and the colonists. That is the way the  
 Among the mulattoes was the gendarmerie for the main-  
 order, in addition to the regular French garrison. It was  
 ter mulattoes, but they had mixed blood among their officers.  
 ack and some mulatto, but their officers were natives with  
 hen the test was put upon them they did not stand. So, in  
 ad but three colored officers until we could teach the Haitians  
 respective of the giver, profiting by the failure of the previous  
 the subsequent massacre of women and children that followed,  
 ver. We followed that principle. The three colored officers  
 the President, as he appointed us all, as officers in his personal  
 ey were the three most trustworthy noncommissioned officers  
 after six months drill.

you have developed in six months drill?

at we developed in six months. We assisted him in select-  
 ere all men of so-called good family, and most desirable to  
 e had very little success with the Haitian officer. I tried  
 without success. I did not give them regular commissions,  
 use their feelings by having to reduce them, so we gave them  
 ut any of the emoluments to try them out, and gave them  
 ound they were brutal with the people, unnecessarily harsh;  
 ity encouraged them to square old accounts with any person  
 ad had any difficulty, which they remembered for years, so  
 successful, although as noncommissioned officers, controlled  
 ey were most excellent. When independent authority was  
 became too brutal. I do not mean that they ever killed any-  
 e always imprisoning people and causing us considerable  
 e during the time I was in command of the gendarmerie did  
 uly punish, even going so far as to execute, gendarmes who

The executions, of course, required the sanction and ap-  
 pendent of Haiti. He signed the death warrants. On one occa-  
 sion for shooting a prisoner. We never tolerated abuse of  
 public.

t about the public there? How could you describe those,  
 ans?

e Haitian people?

e Haitian people are divided into two classes; one class wears  
 r does not. The class that wears shoes is about 1 per cent.  
 not more than one-fifth of 1 per cent of the population of  
 I write. Many of those that wear shoes can not read and  
 ny of the teachers can not read and write. I remember one  
 g to a certain district money to pay a school-teacher who had  
 Government, the gendarmerie officer took the money to the  
 he said, "I can not sign that receipt; I can not sign my  
 'You are a teacher, are you not?' He said, "Yes; I am  
 ug, but not of writing."

cent of the people of Haiti are the most kindly, generous,  
 e-loving people I have ever known. They would not hurt  
 e most gentle when in their natural state. When the others  
 rs vied kid shoes with long pointed toes and celluloid collars,  
 incites them with liquor and voodoo stuff, they are capable  
 e atrocities; they are cannibals. They ate the liver of one  
 eir natural state they are the most docile, harmless people

were your relations with the ones that did not wear shoes?  
 ose that wear shoes I took as a joke. Without a sense of  
 ot live in Haiti among those people, among the shoe class.

What else did they wear besides shoes and collars?

ey wore cut-away coats, brass-head canes, stove-pipe hats  
 ter, and anything they could put on to make themselves  
 the people who were barefooted, the women wearing mother  
 men dungarees half way up to their knees, with scarred  
 hardest kind of toll, and with great blisters on their hands,  
 as of their hands as hard as a piece of sole leather—those  
 bsolutely trust. I went all over Haiti, living with them

in their shackles, and they always gave you the best they had—thing they had in the world. They did not know the value of it, did not know anything about time, distance, or value.

Mr. HOWE. How did you protect yourself when you went among

Gen. BUTLER. I never carried a gun the whole time I was there, necessary. They would not hurt you. I took the President without a gun. He made speeches to them, encouraging their public work we wanted to undertake the President led the President's chauffeur. We rode in a Ford, but we carried an enormous coat of arms in front, with the President's coat of arms, and we went with trumpets, in a modest car, to be sure, but it was just what we wanted. My object down there was to do what they wanted out of Haiti an America, but to make out of Haiti a first-class country, and instead of importing our style of architecture develop a style of architecture suited to the colored man and the country. When you go to Haiti, Senator, as you should, in order to understand this, you must see Christophe Citadel, which is one of the western hemisphere. It is a perfect piece of Haitian architecture designed by a Frenchman and an Englishman, both engineers and architects built to match the country. The average Haitian who gets to France, and brings back some conception of a French palace, and destroys Haiti. What we wanted was clean little thatch-roofed dwellings. That is what the country can afford, and it ought to have, and then there would never be any temptation to grab it either.

Mr. HOWE. Whom did you have to contend with down there—fighting?

Gen. BUTLER. We were not really fighting anybody. We were to overcome certain obstacles created by the political element. The road of accomplishment of the object I have just pointed out.

Senator ODDIE. What percentage of the Cacos wore shoes?

Gen. BUTLER. None of the Cacos except the leaders and the officers who put up the money, etc. They were the only ones.

Senator ODDIE. How was a Caco created, trained, and developed?

Gen. BUTLER. He just grew; he had no training at all.

Senator ODDIE. How did he grow?

Gen. BUTLER. How did the revolution run?

Senator ODDIE. Yes. The revolution developed the Cacos; is that right?

Gen. BUTLER. All the discontented element that had nothing to do with the revolution, wanted a little loot would join up at this little town called Port-au-Prince, 1 mile to the westward of the Massacre River, and there they would be engaged in drinking, carousing, and debauchery, which would correspond to a training period, and then this force would move on to Fort Liberte.

Senator ODDIE. Who would start this, General?

Gen. BUTLER. This would be started by anybody who wanted to do it, and could get enough money to provide rum and the sustenance for the force, get enough rifles together.

Senator ODDIE. Where did he get them from?

Gen. BUTLER. They would be brought over from Santo Domingo for this revolution, and when Santo Domingo had one they would move on. Being near the boundary line between autonomous Republics, a man was perfectly safe in jumping over the boundary, so they would be themselves right near the boundary, so that in case they got caught they could jump over the river and be safe, and likewise they could be from the rear. Then, when the movement received sufficient strength, they would move on to Fort Liberte, which they captured, and published all over the country, and the customhouse was in their hands, which would indicate to us a source of revenue, but, as a matter of fact the customhouse had no goods, there were no exports or imports, as it was a closed port. But, to give it certain prominence, and attract more recruits to the color, they would then move on to a town called Le Tron. After spending some time in Port Liberte, burning the town and getting some more rum, they would move down to Le Tron, which they would burn and announce the capture, in order to get to a railroad and save some walking, and to give it prominence, they would cross the mountains on the trail, and

where they would establish headquarters, and the government a proclamation for three or four days, a notice to join vent down and into the valey of the Grande Riviere and the town of Grande Riviere. That was the regular course of

President in power would be thoroughly alarmed, and he had a navy, consisting of an old Ward liner called the *Nord* on board his army of 600 or 700 men, and send them up to the principal town in the north. There they would disembark, out, or ride out on the railroad, the officers or leaders in with a locomotive, if they could persuade the American them one.

American authorities?

The railroad is owned by Americans.

Are the American Government authorities?

And they would march out to the crossroads, which was at 7, where a battle would occur, and you will see the evidence of graves all around, hundreds of them, and the Government men revolutions were always licked. I do not know whether previous accounts of a victory or not, but in the last seven I licked there, and those that were too tired to run would go onists, and those that could get transportation on the way en, would take what was left in the customhouse, quite a board the *Nord Alexis*, and sail back to Port au Prince with news that their army had not been successful. The President would send another army, and lie in wait for them. In the meantime could advance on Cape Haitien, and of course, there would they would capture Cape Haitien and take over the custom-house proclamations, have a great many speeches, and set up an-

movement would be quite large. Then it was a question of the mountains that I have described to you, those ranges, down the valleys. At one time, in one revolution, at Gonaives there was generally there was very little trouble encountered there, and farther down along the railroad track to the town of St. Marc, progress overland to St. Marc, take that with its customs on the railroad track to a place called Arcadia, which was the place for the final scene of the revolution. There they got the President, but his army—would meet the victorious army defeated and absorbed and the tragedy would be reported so, if he were fortunate and were agile, would get on a ship to the treasury for Paris. If he were not very agile, or if he had his hands near him who did not care much about him, they killed the Presidents shows.

The Presidents of Haiti. I might give you a few of the figures and 1915 they had seven Presidents. Those are the seven I speak.

Those seven revolutions follow this general course you out-

; they followed the general course, but sometimes there was a diversion. In the last revolution the slaughter by Vilbrun of the prisoners in the jail brought it to a head before the Arcadia, and he could not get away. He took refuge in the town and was finally pulled out. A mob searched the French legation and threw him into the street, where he was cut up into pieces around the streets on pieces of string, what was left was when we landed.

Do the American occupation have any such revolutions broken revolutions?

What was the nature of the active operations of the gendarmerie here?

Not the ordinary police duty. We had two instances such as I have seen with the heroism of that gendarme, little local affairs, a very period.

Were there any Cacos around then?

Gen. BUTLER. No; there were these bands that might be called they went up in thin air. They were very small, and there was no movement.

Mr. HOWE. Were they troublesome?

Gen. BUTLER. No. After that one attack on Kelly the whole of the whole band disintegrated, and after the attack on Hinche, knowing that, the band dispersed, and we never heard anything more.

Mr. HOWE. Was the attack on Hinche before or after your March, 1919?

Gen. BUTLER. That was before I left. I will describe that to you. I named Doxie, a captain of the gendarmerie, had brought \$1,200 money, which made an enormous pile of Haitian bills. This money he gave to his gendarmes and to pay the police of his post. It was in a box on the day he received it he counted it, and while counting the box was open and in walked some Haitian citizens and saw the next morning at 2 o'clock, a large number, approximately estimated, Haitians attacked this little house in which he was living, and by a hammering on the front door. He thought it was a drum called, "Go on away," in Creole. As he did so the hammering was violent and the door fell in just as he got out of his bunk, and in bright moonlight a number of men armed with spears, rifles, and bayonets came into the room. The door was narrow, so that not a great number could come in at one time, and he reached for his pistol and shot three of them.

This provided a little discouragement to the rest, and they did not come long enough to give him an opportunity to face about and fire which had broken in the rear door. I do not remember how many were killed but two or three. His pistol was then empty, and the crowd came to the front, but fortunately he had a riot gun at hand, with which he shot more. The crowd then scattered. The gendarmes were in the squares up the streets, and it only lasted two or three minutes. They then pursued the scattering band, and the leader was shot by the gendarmes. The next day the whole thing was over, and there was no further trouble, and the investigation through our own secret service showed that it was an effort to get the \$1,200; that Doxie was very popular with the people, and that nobody had any desire to kill him if he would have kept the \$1,200.

Those were the two instances of any serious trouble until I left.

Mr. HOWE. Was it necessary for you to send out patrols with arms?

Gen. BUTLER. The whole of the country was patrolled every day for various reasons. One was to obtain from every citizen any complaints or wishes to make. The patrols were both mounted and on foot. They patrolled the trails, and listened to the stories of the natives, and the system of little cards, by which we could keep a record of the country, but not an accurate record.

Mr. HOWE. Of the movements of the patrol?

Gen. BUTLER. Of the patrol. They would be ordered to go to a plantation, and the man would be asked to indorse on the card that he had been there. That was the system that we tried to carry out, but it was not entirely successful in certain places.

Mr. HOWE. Then, outside of these two outbreaks that you have mentioned, there was no serious disorder in the gendarmerie to cope with during the time you were its commander?

Gen. BUTLER. No.

Mr. HOWE. That would carry us back, then, to December, 1918?

Gen. BUTLER. Between December, 1915, and March, 1918, the two instances I spoke of. At Arcahaie, in January, 1918, five men were killed but the firers were not seen, and although it created a sufficient warrant a telephone call, we never found out who did it, and they were the only shots that were fired.

Mr. HOWE. Now, General, who was responsible for health and public works on the island, the Americans or Haitians?

Gen. BUTLER. The Americans.

Mr. HOWE. Now, let us take them one at a time. First, let us take the health.

Gen. BUTLER. That was handled by the Americans. Under the system there was a sanitary engineer who was responsible for the health of the island.

Mr. HOWE. Who was in charge of carrying out any health work that was in existence?

ing my time the wishes of the sanitary engineer were carried by the gendarmerie, provided they did not in any way peace. Frequently I considered that certain wishes of the were unreasonable and put an unnecessarily heavy burden on the police, and I would not carry them out, not have the police

ate that.

Instance, on John Brown Avenue in Port au Prince was lived in a house on a sloping hill. She was ordered by one of the inspectors, a subordinate of the sanitary engineer—

Haitian—to have her yard filled up to a certain level. This required considerable money, and she was very poor, so I notified her that I thought it was unreasonable and could not see my police arrest and punish this poor woman.

ly to whom did the sanitary engineer report?

minister of public works.

tion?

Haitian. The chief of the gendarmerie did not report to the president.

health department?

it was a public work.

under the Haitian Government, directed by the Americans, under the treaty?

provided in the treaty; yes.

ce came the funds for the health department?

se were derived from the collection of the external revenue, or were provided by the general receiver, who comes under the financial adviser.

did not come from American appropriations, then?

ad this much money to spend, that you could get from that shore?

he beginning we had a certain amount.

n for health work.

health work we had just as much as was allotted.

hat was not your business, except in so far as your general out the directions of the sanitary engineer?

; with several exceptions. Out in the smaller towns, where too expensive to maintain a direct sanitary representative, commissioned officers of the gendarmerie acted as sanitary men, and their reports were made to the sanitary engineer, of the gendarmerie.

hat policy, if any, was definitely adopted in regard to immunities?

to the time I left Haiti the steps were these: All town wells were opened, drainage effected, wells were covered in water as pure as possible, little dispensaries, wherever possible, with American doctors or members of the Hospital Corps to administer to the people. The quarantine service had been in operation to guard against the introduction of diseases.

were the dispensaries paid for, and the quarantine stations? Generally the dispensary was in the police station, because it was maintaining it elsewhere, or if the town owned a public building would be in one part, the judge in one part, and the dispensary. Every gendarmerie post had a certain amount of medicine on hand, and frequently there was no American person to whom we had a native hospital corps consisting, as I remember, of men who showed an aptitude for medicine and whom we had trained, and put around, in addition to the Americans.

the Navy doctors furnished their services there were they employed by the Haitian Government?

y were in the employ of the Haitian Government.

rt of the gendarmerie?

Gen. BUTLER. No; some of them. Three of them only were officers of the gendarmerie. The rest were with the sanitary of course, all the medical officers and all the medical personnel there on duty, who had nothing whatsoever to do with the Haitians were constantly caring for and improving the condition of the. Everybody was working for the same end, no matter who employed.

Senator ODDIE. In this matter of conserving and improving and sanitary conditions do you consider that everything that has been done, in the light of modern science and energy and

Gen. BUTLER. With the funds on hand; yes, sir. I might say the hospital in Port au Prince, which was in a deplorable condition, was restored and was conducted by Americans, with the aid of the Haitian doctors, and with the aid of the American nurses. That is true also of the hospital at Cape-Haitien. In addition we had little gendarmerie hospitals in the principal towns open to all civilians, where they were taken in case of emergency.

Senator ODDIE. I want to diverge a little, General, and ask for a definition of a caco.

Gen. BUTLER. Well, you can get fifty different definitions. The one given to me by the Haitians in whom I had the greatest trust was that the caco was a bird of prey that lives off the weaker fowl. It is a bird that makes a sound "caco," as it is called, and these bandits, being the weak, so they adopted that name. They wear a patch of red on their clothing, either a little red stripe on their trousers, or a red hat, or something to indicate the fact that they are cacos. You can get, Senator, a number of reasons for the term. There is a bird that says "caco" and the bird and seen it.

Senator ODDIE. How about the prisons?

Gen. BUTLER. The prisons were under the gendarmerie, I think, under the presidential order.

Mr. ANGELL. I have here two petitions in the form of letters from the Union Patriotique, addressed to the committee, regarding particular phases of the investigation which the committee expects to make in the future. The petitions are in French, and, in substance, they are based upon the fact that martial law in Haiti at the present time, and the censorship of the press, and the petitions stress the opposition which, as is there claimed, is now being put up by the military and civil agents of the United States to a full, free investigation by the committee in Haiti. What the specific facts are, and whether the reasons for the opposition are justified or not, I am not personally informed. What the Union Patriotique officials rely I am not personally informed of. The reasons for it, and whether the reasons be justified or not, particularly the events surrounding the inquiry conducted by the committee last year, it is a fact, of the existence of which I am personally informed, from all that I can learn, both from Haitians and from disinterested persons, that the Haitian people generally do not at this moment feel free to come forward before this committee with testimony adverse to the occupation of the island. The existence of martial law at the present time obviously plays a large part in such a feeling.

As an example of how martial law operates at the present time, the legitimate acts of a people jealous of any infringement upon their rights throughout 100 years of absolute independence, I respectfully call your attention to the fact disclosed by the second petition to the committee, accompanying it, dated October 9 of this year. This petition, accompanying it, discloses the fact that the officials of the Union Patriotique have made a respectful request of Col. Russell, the brigade commander in Haiti, couched in the most moderate terms, for permission to have a public manifestation at Port au Prince in honor of the committee, the manifestation to consist of a parade, but without any other demonstrations which could be in any wise conceived of. This request was made in writing to Col. Russell on September 25, and he sent herewith a copy of that letter of request. In reply Col. Russell has sent herewith his original letter, which I will offer:

"I have to inform you that I have received no official information regarding the visit you mention, and until such is received no action will be taken."

The visit he refers to in that letter is the visit of your committee. A similar request addressed by the Union Patriotique official to the department of the interior has brought a reply, under date of September 25, wise postponing any decision, upon the same ground.

confidence, that it is inconceivable that the Haitian people, whose entire political independence the United States has by treaty and by repeated assurances to maintain and to continued to be subjected to such humiliation. The investigation made by this committee can be a great step forward in reference of the Haitian people as to the aims and methods of the Haitian, but this investigation can not in that respect be a success for the Haitian people, during the visit of the committee to the island, and by the repression and fear of martial law. To the end, the visit of the committee to Haiti may be regarded by the Haitian people as the earnest of the desire of our Government to regain the independence of Haiti and to accomplish permanent benefits of an absolutely permanent character, I, as counsel for the Union Patriotique, respectfully urge that the present immediate need for such action initiating with the committee will result in an official proclamation from the headquarters of the committee in Haiti, announcing, following the pending arrival of the committee in Haiti, the raising of martial law for the period of its stay in Haiti, inviting a free appearance before the committee of all the reasonable complaints to make regarding the occupation or the repression of martial law, and without such a proclamation, I am convinced that the Haitian people will not regard the investigation of the committee as fair and full as to them.

And letters above referred to by Mr. Angell are here printed ( )

#### UNION PATRIOTIQUE.

PORT AU PRINCE, 17 Septembre 1921.

PRÉSIDENT, MESSIEURS LES COMMISSAIRES: Le 5 Août dernier, M. Sténio Vincent, à la fin de son Exposé, avait l'honneur de vous adresser votre Commission sur les conditions spéciales et très défavorables au peuple haïtien par le régime de terreur qu'entraîne la Loi Martiale. Il nous incombe aujourd'hui le devoir de vous dire que le danger qu'entraîne une telle situation pour le succès de la République et de justice que l'on attend universellement de l'initiative des Etats-Unis. Nos populations ont depuis six ans telle défiance s'étend à tout ce qui est Américain. Les gens ne se fient à l'Enquête sont obligés à toutes sortes de précautions, d'entre eux se rappellent les persécutions dont ils avaient à souffrir, avoir seulement demandé, sans succès d'ailleurs, à être reconnus par la Commission Mayo.

Messieurs les militaires et civils des Etats-Unis, sachant que l'Enquête du général est sérieuse que celle de l'Admiral Mayo et tenant beaucoup à ce qu'elle soit aussi naturelle à ce qu'elle n'ait pas de résultat, à moraliser complètement les populations par la propagande, la terreur. L'Union patriotique serait, en conséquence, reconcomission d'enquête de faire dès maintenant une déclaration de garanties qu'elle compte offrir aux citoyens haïtiens et ceux qui se présenteront devant elle pour déposer sur les autres abus commis dans ce pays par les agents militaires et civils.

Elle pourrait être contenue dans la réponse que la Commission présente supplique de l'Union patriotique. Elle serait portée au public haïtien par la publication des deux pièces. Nous n'aurons pas fait inutilement appel à la prévoyance et la Commission d'enquête, nous vous prions d'agréer.

Respectueux,  
Messieurs les Commissaires,  
Avec haute considération et de notre profond respect.  
Le Directeur central de direction:

GEORGES SYLVAIN,  
*Administrateur-délégué.*

M. MacCORMICK,  
*Président de la Commission.*

MEMBRES DE LA COMMISSION  
SÉNATORIALE SIÉGEANT AU CAPITOLE,  
*Washington.*

RÉPUBLIQUE D'HAÏTI  
 SECRÉTAIRIE D'ÉTAT DE LA RÉPUBLIQUE  
 Port au Prince, 1

Monsieur GEORGES SYLVAIN,  
*Administrateur Délégué de l'Union Patriotique, En Ville.*

Monsieur LE DÉLÉGUÉ: Je vous accuse réception de votre lettre du 29 Septembre écoulé, m'informant que l' "Union Patriotique" d'organiser, avec le concours de la population de Port au Prince, une manifestation en l'honneur de la Commission d'enquête sénatoriale. Cette manifestation consistera en un défilé à travers les rues de Champ de Mars, au bord de mer avec fanfares et bannières, vivats.

Mon Département en prend bonne note. Relativement au contenu de votre demande, en la circonstance, il vous informe qu'il n'est pas officiellement de l'arrivée de la Commission Senatoriale Américaine. En attendant, veuillez lui faire avoir un programme de cette manifestation.

Recevez, Monsieur le délégué, l'assurance de ma parfaite confiance.

B. D.

UNION PATRIOTIQUE HAÏTIENNE.

PORT-AU-PRINCE, 5

Monsieur le PRÉSIDENT,  
*et Messieurs les Membres de la Commission d'enquête sénatoriale siégeant au Capitole, Washington.*

MONSIEUR LE PRÉSIDENT, MESSIEURS LES COMMISSAIRES: Nous avons le plaisir, le mois dernier, de signaler à votre haute attention les difficultés de la loi martiale oppose à la préparation de l'Enquête sénatoriale. Ces difficultés s'aggravent chaque jour du fait que les autorités des Etats-Unis, affectant de considérer comme des atteintes à la souveraineté des manifestations d'opinions contraires à leurs intérêts, usent de la force pour empêcher la Commission d'enquête. C'est ainsi qu'à la date du 3 de ce mois, Eugène Vieux, administrateur du Courrier Haïtien, journaliste, directeur, Messieurs Jh. Lanoue et Jolibois fils subissent pour avoir publié deux fois de suite, une condamnation imméritée aux Travaux publics, l'amende, a été arrêté pour un article que nous expédions à votre adresse, afin de vous permettre d'en apprécier par vous-même l'innocuité.

Monsieur Vieux est un vieillard de 67 ans, des plus honorables de notre pays. Il n'a jamais eu à rien reprocher jusqu'à ce jour. En même temps qu'il a paru devant le Tribunal militaire de l'Occupation un autre article, l'auteur de l'article incriminé, Monsieur Étienne Mathon, connu par ses opinions modérées, ancien Bâtonnier de l'Ordre des avocats de Port-au-Prince, Ministre des Relations Extérieures et de la Justice. Le seul motif de sa condamnation est d'être des militants de notre cause nationale et des membres de notre Union Patriotique, dont Monsieur Mathon est un dirigeant.

Par les deux lettres dont nous vous envoyons également ci-jointes, vous constaterez qu'à l'occasion d'une manifestation que nous avons organisée à Port-au-Prince pour faire accueil à votre Commission d'enquête, le Colonel Russell, Chef des forces expéditionnaires d'Haïti et Monsieur B. Dartiguenave, Secrétaire d'Etat de l'Intérieur, nous prêter leur appui, se sont rencontrés pour déclarer qu'ils s'opposent à ce que tant qu'ils n'auront pas reçu notification officielle de la visite de la Commission d'Enquête. C'est une situation certainement anormale. La Commission en notre pays devrait jusqu'à cette heure constituer une autorité pour les autorités locales?

En se piquant de n'en rien connaître, ne contribuent-elles pas à susciter la méfiance et par là à entraver toute préparation sérieuse de la part de ceux qui vous comptez diriger sur les lieux?

Du jour où l'Union Patriotique, représentant le Peuple Haïtien, déposera les plaintes et les desiderata de sa Nation devant la Commission d'Enquête formée par le Sénat des Etats-Unis et qu'en même temps les représentants du Département de la Marine ont eu à y produire le rapport de la Commission, la situation juridique s'est trouvée la suivante: d'une part, le

de l'autre, le Département de la Marine Etats-Unis, partie comme arbitre entre les deux parties, le Sénat des Etats-Unis, présenté par votre Commission. Il n'est pas admissible, dans ces conditions, que la balance ne reste pas égale entre les deux parties, au moment où elles poursuivent leurs investigations. Il est particulièrement intolérable, dans l'intervalle du déplacement de la Commission d'Enquête, le fonctionnement de la Marine, abusant de l'autorité dont ils sont les détenteurs de toutes les manières à entretenir le trouble dans les affaires de l'Oeuvre de la Commission sénatoriale, sous prétexte que sa légitimité est officiellement douteuse.

Comptons-nous, Monsieur le Président, Messieurs les Commissaires, avoir signalé cette anomalie, pour que vous y mettiez bon ordre, pour toute confiance dans la justice et la loyauté qu'on doit attendre du Sénat des Etats-Unis, et dont nous sommes heureux, pour nous, de renouveler l'inébranlable attestation.

Monsieur le Président, Messieurs les Commissaires, les assurés de votre considération avec laquelle nous avons l'honneur d'être vos dévoués serviteurs.

Membres des Comités réunis de l'Union Patriotique L'Administrateur-délégué du Comité central, George Sylvain, ancien E. E. et ancien ministre plénipotentiaire d'Haiti en France et auprès du Sénat, officier de l'Instruction Publique, officier de la Légion d'honneur; Le Secrétaire général: P. Thoby, ancien Secrétaire de l'Administration d'Haiti à Washington, Délégué de l'Union Patriotique aux Etats-Unis; L'Archiviste: Ch. Rosemond, Notaire; F. L. Duval, ancien Secrétaire d'Etat, ancien Sénateur, ancien fonctionnaire de l'Ordre des avocats de Port-au-Prince; Léon Nau, ancien Doyen du Tribunal Civil de Port-au-Prince, avocat, ancien juge au Tribunal de Cassation de la République; D. Jeannot, ancien Secrétaire d'Etat, avocat; Stenio Vincend, avocat, ancien Secrétaire d'Etat, ancien Président du Sénat, Délégué de l'Union Patriotique aux Etats-Unis, ancien ministre l'Haitien Hollande.

#### UNION PATRIOTIQUE.

PORT AU PRINCE, 28 Septembre, 1921.

JOHN RUSSELL,

*des expéditionnaires des Etats-Unis en Haiti.*

Monsieur le Colonel: Nous avons l'honneur de vous informer que l'Union Patriotique propose d'organiser avec le concours de la population de Port-au-Prince une manifestation en l'honneur de la Commission d'enquête sur le moment de son débarquement—Cette manifestation consistera dans un défilé vers les rues de la ville, due Champ de Mars au bord de mer, sans discours ni vivats.

Attestation de nos sentiments patriotiques et un hommage de justice et en l'impartialité du Sénat fédéral.

Ensemble à ce que nos futurs hôtes soient, dès leur première venue au pays, favorablement impressionnés par l'accueil de la part de la population, nous plaçons à compter sur l'appui de toutes les autorités et de la population, Monsieur le Colonel, l'assurance de mes sentiments de haute estime.

(Signé)

GEORGES SYLVAIN,  
*Administrateur-délégué.*

UNITED STATES MARINE CORPS, FIRST BRIGADE,  
OFFICE OF THE BRIGADE COMMANDER,  
*Port au Prince, Haiti, October 3, 1921.*

In reply to your letter of 29 September, 1921, I have to inform you that no official information regarding the visit you mention and until further action will be taken by me.

Yours,

JOHN H. RUSSELL.

JOHN H. RUSSELL,  
*Port au Prince, Haiti.*

Senator ODDIE. Let me ask a question. Do you not think it assumes that this committee will have rendered its decision to before completing its investigation? In other words, you realization is to be a very complete and thorough one, a part of made now, and the balance of which will be made in Haiti, and of such an order may be begging the question somewhat?

Mr. HOWE. And committing this body to a conclusion in advance of its investigation?

Mr. ANGELL. In reply to your question, Senator, I would say I think that such a request or move emanating from this committee the raising of martial law in Haiti for the period of the visit there, accompanied by the other declarations which I have suggested in any sense a decision, nor even suggesting a decision in any ultimate sense on the part of the committee. Such a move looking toward the raising of martial law, and the publishing of such a proclamation suggested, would only be taking proper and, as I regard them, necessary steps by this committee in order to obtain a fair opportunity in Haiti what has taken place during the occupation, to afford people a full and fair opportunity to come before the committee and give testimony they deem pertinent and important, and therefore the committee would not presage in any sense its final conclusion only be a step taken by it to afford it an opportunity to pursue its investigation in Haiti.

Mr. HOWE. How would a fair opportunity for this committee's investigations in Haiti be prevented by the continuance of martial law? I develop your reasons on that.

Mr. ANGELL. As I have not been in Haiti personally, I am at a disadvantage, naturally, when called upon to give specific reasons or details in the first instance, advancing the request of the organization sent before this committee; in the second instance, I venture only on a personal conviction, somewhat in support of those requests, to the large portion of the Haitian people do not feel free at the present time to come forward and offer testimony.

Mr. HOWE. For fear of what?

Mr. ANGELL. They fear—whether justified or not, I am unable to say—reprisals of some nature on the part of either the American forces or the gendarmes, or the Haitian Government officials and those who are in the Haitian Government and with the American occupation, or against those who may testify adversely to the occupation.

Mr. HOWE. What would be the effect of the removal of martial law? It would not be to remove from authority the American gendarmerie officers, and the control of all other military officers in Haiti?

Mr. ANGELL. I fail to see why the raising of martial law would be a state of affairs, because the presence of the marine forces is as stated in the opinion of the Judge Advocate General of the United States, authorized in the treaty of 1915, and that the gendarmerie force was provided for by that treaty and the subsequent conventions, and the Congress of June 3, 1916, so the raising of martial law would have no effect, as I understand it, of suspending the legality of the Haitian gendarmes and marine officers and gendarmes.

Mr. HOWE. That was not what I meant to get your opinion on. I meant the suspension or termination of martial law permit arrests and imprisonments without the supervision or control of our military officers or our officers of the gendarmerie in the employ of the Haitian Government.

Mr. ANGELL. I do not think so. I think that the gendarmerie would continue to be the local police of the country, and the suspension of martial law would be merely the restoration of civil as distinguished from military law.

Mr. HOWE. And such civil law to be administered by whom?

Mr. ANGELL. By the Haitian Government, the Haitian native authorities, and by the gendarmes as the police force of the Government.

Mr. HOWE. Do the organizations which you represent prefer the suspension of civil law by the present Government to the administration of martial law as it is now being carried on?

Mr. ANGELL. Speaking generally, I believe they do.

Mr. HOWE. In your opinion, is there more danger of persecution of those who appear before this committee from the uncontrolled action of the Haitian people than from the uncontrolled action of the

t or from the military officers in control of the administration?

ur question calls for an answer based on facts of which I have knowledge to form a personal judgment.

ur opinion, has this committee carried its investigation far enough to have a knowledge of the facts on which to base its recommendation of suspension of martial law? I understand you have been at the hearings before this committee?

of the hearings. I do not think that question has been asked by or the other, so far as I can recollect.

f martial law were withdrawn, do you consider that there would be various factions in Haiti taking advantage of that condition to start their factional fights again?

h as disturbances?

es.

ject to the limitation which I have previously referred to, on account of my unfamiliarity with the detailed facts there arising from the fact that I have not had the opportunity to be in Haiti, I would not object to this effect, that I can not conceive that the Haitians are pressing for a restoration to them of the essence and substance of government now controlled by the United States would be so foolish as to start factional disturbances, riots, and the like at the very time of the visit to Haiti, and thus afford the more food for the claim that the United States are not fit to govern themselves, and that martial law must be maintained indefinitely by the presence of our military forces.

ur recommendation, or the recommendation of the society for the suspension of martial law only for the visit of this committee?

irely. They do not go beyond that, and the publication of a proclamation such as I referred to in the beginning of my report.

d you, on your own responsibility, with no more information, would you have, order the suspension of martial law during the visit of the committee?

were in a position of authority to do so?

l based only on such knowledge as I have and such representation has been made to me?

; I think I should. In doing so I might concededly err on account of my position from the military point of view, but since you ask the question, I will reply that from my own personal point of view I am upon that side rather than do anything or refuse to do anything, even apparently, and whether I agreed with the opinion of the Haitians or not, militate against their feeling that the investigation conducted by this committee will be full, fair, and impartial.

do you think that this committee has sufficient knowledge of the conditions down there, gained from its investigations which you would justify any request from it for the suspension of martial law?

I have said before, I recollect no testimony which has been given on that subject, so that it is really a question de novo which I am asking this morning, and simply based upon the two petitions presented here and the letters to and from the Union Patriotique, the Interior, and Col. Russell.

the question asked and to such responsibility as might attach in making such a request, I should say that I feel that the committee very properly hear some evidence upon that point at this time, of vital importance, on the psychological ground—that is, of the Haitian people regarding the investigation being conducted by the committee—that if such a request is to emanate from this committee very shortly. Here we are at the end of October and the committee is to go to Haiti in about three weeks, as I understand. It is to get these things done, and if the committee delays until the departure from the United States any decision on this point is based on my testimony which it might feel necessary in order to arrive at a decision.

at any fair conclusion, then I feel fairly confident that the  
have slipped by to make the Haitian people feel that this is g  
ough investigation down there. In other words, if it is to be  
done now or in the very immediate future.

Mr. HOWE. Have you any witnesses immediately available for such testimony?

Mr. ANGELL. Yes; I have; not here in Washington, that I know of. There are some witnesses—civilian witnesses—disinterested Americans who are willing and ready to offer information on that point and on the knowledge of Haitian conditions.

In connection with the question which you put to me, Mr. [redacted] should say that the request is not merely for the raising of money, but a little wider or further than that. For example, the letter of [redacted] I read—possibly you did not hear it at the moment—said he had no official advice as to the coming of this committee to Haiti and that he could not take any action at all upon the request of the United Nations for permission to stage a parade in honor of the arrival of the committee. The request, then, would be as much addressed to the desirability of the United States forces in Haiti informed officially of the arrival of the committee, such a reasonable request as that for permission to stage a parade and demonstration upon the arrival of the committee could be granted. Mr. [redacted] refused to grant it, saying he has no knowledge of it.

Maj. McCLELLAN. As I understand, the date of the request to sell to ascertain the date of the visit of this committee antedates the date on which this committee decided tentatively on the date of sailing.

Mr. ANGEL. I believe so.

Maj. McCLELLAN. Then the reply of Col. Russell to that  
fide and proper, was it not?

Mr. ANGELL. I have no doubt but what it was. I have never to make of Col. Russell's reply.

Mr. HOWE. Has the society which you represent made any request of the Government of Haiti for it to make a request of the Government of the United States to suspend martial law?

Mr. ANGELL. Not that I know of. It has made a request instance of the Department of the Interior for permission to which they desire to stage there, and the Department of which likewise that it has no official knowledge of the arm mittee and can do nothing.

Senator ODDIE. I would like to ask Gen. Butler for an opinion on the raising of martial law.

Gen. BUTLER. If you raise martial law down there, Sen are any United States troops at all in Haiti, you are going them murdered.

**Senator Oppie.** Some of the United States troops murdered

**Gen. BUTLER.** Yes, sir. We are only paid soldiers; we have nothing to do with the policy of our Government. We are only sent to the front to perform acts. We have nothing to do with the reason for which we are sent there. If we have no method of protecting ourselves, you had better let us go home. I feel strongly, because I have seen men cut up on the streets of Port au Prince last year, unarmed marines, two of them, cut up in the rear. Of course the Haitian courts did nothing. Why were they sent there? Their own people for jumping on us? You raise martial law, and you say it is a fight, because the marines are human and they will not be killed. Every time the flag goes we have got to have protection for the soldiers. They should bring us away.

Senator ODDIE. Another question, General. In your opinion of the rival factions in Haiti starting trouble if martial law is

Gen. BUTLER. No, sir; I do not think the rival factions w  
but any person who has been harboring a grudge against  
take it out of him. The marines would be the ones that w  
marines have the strictest orders about the use of their arms  
allowed to go at liberty under arms; they are perfectly help

(Whereupon the committee adjourned until Monday, Oct 10.30 o'clock a. m.)

# OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

MONDAY, OCTOBER 31, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
Washington, D. C.

met at 10.30 o'clock a. m., pursuant to adjournment, Senator  
presiding.

Members McCormick and Oddie.

Mr. Walter Bruce Howe and Maj. Edwin N. McClellan, United  
States, in their respective representative capacities, as herein-

BRIG. GEN. SMEDLEY D. BUTLER, UNITED STATES  
MARINES, QUANTICO. VA.—Re-

General, at the end of the hearing last Thursday we were, as I  
to take up the so-called corvée system in Haiti, and I  
to get at it would be for you to tell us briefly what the  
is by law, and how the gendarmerie proceeded, with the  
law, to build roads.

The rural code, which was one of the Haitian laws, contains a  
that every citizen of Haiti to either pay a road tax or work for  
of the roads a certain length of time each month on the roads  
is the same law which we have in the United States. You  
work. The law had not been enforced for some time prior  
they had no roads. When we landed in Haiti there were 3  
at a cost to the Haitian Government of about \$51,000 a mile.  
by members of the Haitian cabinet. This road was hardly  
to facilitate the bringing of products to market, and to  
and south closer together, we decided to build roads. There  
a feeling of antagonism on the part of the people in the  
people in the south, mainly because they could not communi-  
cations. There were no roads. There were rivers that they  
except at great danger to themselves, and this feeling had  
increased after another until, as I said before, they had had seven  
resulting in the death of thousands of people. The Haitian Gov-  
ernment for the construction of the roads, and without roads  
money except by borrowing it, and nobody would lend them  
was perfectly proper. They were unable to pay the interest  
on the money they already had, and it was perfectly reasonable that  
they lend them any money except under the old system of getting  
money. We stopped. That is, a collection of bankers would lend  
the provision that they should have all the revenue from a  
that system of borrowing money was ruinous to the country.  
We decided that we would attempt to market what products  
to raise money in that way. The only way to get those products  
to market where they could be sold was over the roads. We then  
tried and found that we could afford \$8,000 a month for the  
roads.

Where did that money come from?

That money came from the collection of external revenues in  
the general receiver of customs, an American official. That amount

was allotted monthly. We did not build one new road in Haiti, build a new road in Haiti, because the French had had a considerable number of roads.

The CHAIRMAN. How many years ago?

Gen. BUTLER. The French were driven out in 1804, but the signs of the old bridges and old culverts were still evident and required no new engineering on our part. We simply repaired in the condition the old roads as provided for in the rural code.

The CHAIRMAN. Let me interrupt to ask if the general can submit with a map, at this or a subsequent session, which will be passable for motor traffic before this work was undertaken, or undertaken?

Gen. BUTLER. I can show you right here on that map. There are 3 miles of road before we started, from the city of Port au Prince to 3 miles from Port au Prince called Mardissant.

The CHAIRMAN. How many roads did you build?

Gen. BUTLER. During the time I was there we repaired a considerable number of miles of road.

The CHAIRMAN. How much money did you expend on that work?

Gen. BUTLER. The roads cost about \$205 a mile. We had a considerable amount of hired skilled labor to build culverts, and we bought our cement and road machinery we owned, and the rest of the money was used for the corvee.

Mr. HOWE. General, what was your source of information that the 3 existing miles of road cost \$51,000 a mile?

Gen. BUTLER. The statements made to me by members of the cabinet.

Mr. HOWE. During what period were these 470 miles of road built?

Gen. BUTLER. From the 1st of July, 1916, until the date of my departure—Haiti—the 9th of March, 1918.

Mr. HOWE. Does the revival of the corvee system, or the extension of the corvee system, date from about July, 1916?

Gen. BUTLER. From July, 1916.

Mr. HOWE. Will you describe the working of the corvee system?

Gen. BUTLER. The corvee worked in this way while I had command. I had little cards printed, notification cards, and lists of the names of the men who should work on the roads given the gendarmerie officers of the district, officials of that district, and the gendarmes then delivered the cards, notifying them that on a certain date they would report at a certain place to do their work or pay a certain tax.

The CHAIRMAN. They had the option?

Gen. BUTLER. They had the option. Nobody had any money, so they had to work. During the period they were working they were housed in barracks in order to amuse them dances were given them in the evening, somewhat like a barn raising here in America. I took the President and members of his cabinet at least once a week to call on the men and make speeches to them, and impress upon them that they were working for their own country and not for the white men.

On the 7th of November, 1917, the road work on the main highway, named after the President of Haiti, had progressed to such an extent that 75 miles of the 182 had been completed between Port au Prince and Cape Haitien.

The CHAIRMAN. Did the barn raising method and the speech making method of preserving the esprit de corps of the corvee continue; did it go straight through to the end of your tour?

Gen. BUTLER. To the end of my time. We opened the La Cite with great ceremony, the President and all the members of his cabinet, with automobile loads of distinguished citizens being present, on the 1st of March. I left Haiti on about the 3d of March.

The CHAIRMAN. And during all that time had the corvee been abolished?

Gen. BUTLER. Fed?

The CHAIRMAN. And housed?

Gen. BUTLER. And housed; and not a single complaint on the subject had ever reached my ears.

The CHAIRMAN. Were there during that time instances of one district performing work in another district?

Gen. BUTLER. Not to my knowledge, and there were no complaints against it. I was well aware that this thing was capable of tremendous results.

ed by the Haitians previously, and was determined that there of that kind, and the men were only used on the roads that ed. There were plenty of people to do it, and there was no em from one place to another.

There was a density of population along the line of these ere was a density of population all along the line of these work. May I give some instances of the enthusiasm of the d work?

Yes.

There had little prizes of flags to hang on the gate posts where rticularly well done, in front of the properties. The Presi- ng with me, would stop at my request and make speeches to had done particularly well in front of their property, and hem very greatly. Men, women, and children would lay o keep the little holes filled up.

give an instance. On the 7th of November, when we had here 75 miles had been built, and about 100 more had to e cape, war had broken out in the United States, and I was e, and I wanted to see the road finished.

November, 1917, I took the President and two members of any other members of the Government to Gonaives on the and sent a band up ahead. He had been invited by the although no President had ever been there before, and they oot him if he came. But we all went up without any fire- g demonstration. We went to church on Sunday morning, orning we all rode out to the end of the road being then walked up along the road where all the corvee were working, made a speech to each gang of the corvee. They had the I said to him, "If you will trust me with some of your to the \$8,000 a month I am getting, on the 1st of January d your cabinet and anybody else you want to Cape Haitien. of road to build, but we will build it in six or seven weeks, that money out of the taxes and take this additional road and issue a proclamation." They promptly voted at a meet- to turn over \$400,000, which was given me on Wednesday tional food and additional effort, and after a lot of noise, ng the soldiers and the Government started immediately to behind the wheels, and on the 17th of December, five weeks er, I went to Cape Haitien in an auto, and on the 1st of ent and the Government, 27 truck loads of people, went to the first time that wheeled vehicles had ever traveled that ne French days there was a gap about 6 miles across a had to get out of their carriages and ride over on horseback. You filled that in?

s, sir; we drained it and cut the water off and embanked it.

first proposed the use of the corvee?

do not know, but I think it was a member of the Haitian ed this old law. The Government was heartily in favor of it, o introduce a letter of congratulation from the President of indicates his approval.

By all means.

reupon read the letter referred to, as follows:)

PRÉSIDENCE DE LA RÉPUBLIQUE,  
Port au Prince, le 10 janvier, 1918.

adarmierie d'Haïti, En Ville.

ERAL: Ma courte tournée du Nord s'est accomplie dans des éables pour que je n'éprouve pas le plaisir de vous exprimer on et de vous remercier de la part que vous avez que dans t. C'est, en effet, grâce aux grands travaux de réfection et routes publiques entrepris sous votre intelligente et éner- ie j'ai pu, en un si court espace de temps, me rendre dans le até, à ma vive satisfaction les progrès réalisés dans les l'excellent esprit qui anime leurs population. J'en augure brillant avenir de prospérité dans l'ordre et la paix.

En vous adressant mes plus cordiales félicitations, il m'est  
 penser à vos dévoués auxiliaires à qui vous voudrez bien trans-  
 sion de toute la gratitude de mon Gouvernement.

Veuillez agréer, mon cher Général, mes meilleurs remerciements  
 sentiments toujours cordiaux.

[Translation.]

PRESIDENTIAL SEAT OF THE  
 Port au Prince, Jan

To Gen. S. D. BUTLER,  
 Chief of the Gendarmerie,  
 d'Haiti, City.

MY DEAR GENERAL: My short tour of the north has been ac-  
 conditions so agreeable that I hasten to express my entire sa-  
 thank you for the part that you have had in this gratifying  
 fact, thanks to the extensive work of reconstruction and repa-  
 roads undertaken under your intelligent and energetic direction  
 in so short a time to reach the north, where I witnessed, to m-  
 tion, the progress realized in the regions visited and the exc-  
 animates their inhabitants. I predict for my country a brillian-  
 perity, amidst surroundings of order and peace.

Whilst tendering you my cordial felicitations, it is impossi-  
 devoted assistants, to whom I beg you to express the gratitud-  
 ment.

Kindly accept my sincere thanks and kind regards.

Mr. HOWE. During the continuance of this system, until you  
 you ever receive any protest against the use of the corvée?

Gen. BUTLER. I never did, except in the case of employers  
 and ask that the dates of the working of the men might be  
 date to another in order that they might work on the plants

Mr. HOWE. But there was no protest against the system?

Gen. BUTLER. No.

Mr. HOWE. How long did the corvée workers have to work?

Gen. BUTLER. I do not remember the exact time prescribed

The CHAIRMAN. That is in the record, in the statement of  
 the department.

Gen. BUTLER. They worked exactly according to the Haitian  
 and no less.

Mr. HOWE. Did they ever attempt to escape or run away  
 was up?

Gen. BUTLER. No; and, in fact, after the completion of the  
 Haitien, it was with the greatest difficulty that we got 4,000 of  
 They were on our hands for a month, and it worried me to c-  
 to feed them. They enjoyed this dancing; they enjoyed the  
 enjoyed the housing.

Mr. HOWE. How far away did they live?

Gen. BUTLER. Right around in the neighborhood; but they  
 tion, they liked the big assembly, they liked the voodoo dancin-  
 visits, and, in fact, when I visited Haiti last year I visited  
 tion run by a former gendarmerie officer, who had had these 4  
 the road from Ennery to St. Michel, and he still had in his  
 never been able to get rid of 1,200 of the original corvée labor-  
 and made speeches to them through an interpreter, and there  
 ing and yelling. He had never been able to get them to go hom-

There was not one single thing we ever did relative to the  
 Haiti that did not have the full knowledge and consent of  
 Haiti, because I took it all to him; I saw him daily.

Mr. HOWE. Do you know of any instances where people es-  
 corvée, or attempting to escape, were shot?

Gen. BUTLER. I do not.

Mr. HOWE. Did you ever hear of such instances?

id, but upon investigation I found them to be groundless

gh what instrumentality did you recruit the corvee?

corvee was hardly recruited; it was notified, and it came.

notified it? Who carried the cards?

cards were carried around by the local patrols, by the gen-  
out every day, but, as I said before, in this connection we  
th the local Haitian officials, who knew the people much

you left the corvee system was in full blast?

full blast, and, as I said before, just before I left we made

the President and his cabinet and myself, in order to see it.

ave no particular knowledge of anything which might have

the stopping of the corvee system?

ave not, except that I have heard it was abused.

that is not your personal knowledge?

that is not my personal knowledge. I have no personal

stopped about seven or eight months after I left. I know

You were present in Haiti when the legislature was dis-  
re you not?

as, sir.

The testimony of other witnesses has indicated that if men

ree, or prisoners, were harshly used, that harsh usage was

t part to the native gendarmerie. How were the gendarmes

method did you have for selecting men for service in the

had recruiting regulations and requirements. We took the

what was the standard?

standard was 5 feet 4 inches, if I remember correctly, to 6

originally to take only those who could read and write, but

ufficient men to fill the gendarmerie. We examined them

ully, and as nearly as we could, morally, and inquired about

le among whom they lived in order to get the best material

how much were they paid?

y were paid \$10 a month and food and clothing—that is,

how would that compare with the going wage in Haiti?

t was 50 gourdes a month, and the wage for an ordinary

e a day, or about 25 gourdes a month.

nd he fed himself?

he fed himself; but we fed them.

ou had every reason to get the best men obtainable at that

sir. It cost us \$275 per gendarme per year to feed, house,

give him his medical and dental attention.

The noncommissioned officers of the gendarmerie were

darmerie?

m the best class of privates.

The greater part of the commissioned officers were enlisted

oned officers of the Marine Corps?

ginally, sir, all the captains and their seniors in the gen-

missioned officers of the Marine Corps. All the lieutenants

ed officers in the Marine Corps, first and second lieutenants.

Have any Haitians been made commissioned officers of the

know?

ing my time there were two or three who were made, at the

tion of the President, to act as lieutenants of his personal

were not in command of the bodyguard. We had American

missioned officers, but these were additional lieutenants.

Since your departure do you know whether any Haitians

missioned officers of the gendarmerie?

lieve there have been some, but I am not sure.

The CHAIRMAN. If under the treaty the American Government is responsible for the gendarmerie, have you any idea about the school for the training of officers of the gendarmerie?

Gen. BUTLER. American officers?

The CHAIRMAN. Well, Americans, or natives?

Gen. BUTLER. If I had charge, I would appoint no Haitian gendarmerie, because they will abuse the natives. It is instinctive to abuse the inhabitants whenever they are given power. I would not do them, except as personal aids to the President.

The CHAIRMAN. In that connection, will you not give the impressions of the administration of justice in Haiti, whether in the 'tribunales' courts or the courts of general jurisdiction of first instance?

Gen. BUTLER. You mean, sir, whether it is well done?

The CHAIRMAN. Whether justice is sure—

Gen. BUTLER. No, sir.

The CHAIRMAN. And prompt?

Gen. BUTLER. No, sir.

The CHAIRMAN. And easy to be had by the poor man as well as the rich?

Gen. BUTLER. No, sir. In numbers and numbers of instances, we have been in jail years without trial, we discovered when we took over the system.

The CHAIRMAN. When you took over the prison system, the prisons, held by the Haitian authorities, numbers of prisoners were there for years pending trial?

Gen. BUTLER. There was no record of when they had been put in prison by their physical condition, they had been there for years, without trials and charges of any kind.

The CHAIRMAN. And in civil cases are the courts intelligent?

Gen. BUTLER. No, sir. May I give you an instance?

The CHAIRMAN. Certainly.

Gen. BUTLER. When an owner of a house desires to recover a renter—

The CHAIRMAN. A delinquent tenant?

Gen. BUTLER. A delinquent tenant, who has paid no rent for years, the court will and has, to my knowledge, made several decisions that the tenant can not be evicted until the tenant has found a place to live, and the court has fixed as much as six years for other accommodations.

The CHAIRMAN. Do you think the whole judicature ought to be reformed?

Gen. BUTLER. I do, sir.

The CHAIRMAN. Do you believe it can be reformed without assistance?

Gen. BUTLER. It can not.

The CHAIRMAN. Is there anything more important to the Haitian people than the reformation of the judicature?

Gen. BUTLER. No, sir; it is the most important thing they have.

The CHAIRMAN. You regard the establishment of order, the communications, and the impartial administration of justice as more important than the judicial things that are necessary?

Gen. BUTLER. The three fundamental things that are necessary.

The CHAIRMAN. Is there any officer among the Judge and his subordinates, who, through his experience, is competent to give a report on the administration of justice in Haiti?

Gen. BUTLER. Not that I know of, sir. The Haitian courts have not been investigated with. We never investigated them.

The CHAIRMAN. You mean you had nothing to do with them?

Gen. BUTLER. Nothing to do with them. We kept our hands off the Haitian courts. We advised with the President, and urged proper judges, but we never interfered with the Haitian courts.

The CHAIRMAN. You do not know of any officer who might, in the regular line of his duties, have observed the administration of justice so that he might render an informed opinion?

Gen. BUTLER. No, sir; no officer any more than any other. I do not know of the functioning of the Haitian courts.

The CHAIRMAN. I thought that possibly somebody under the President, General, with a natural bent for the profession, might have

No, sir. The provisions of the treaty and the gendarmerie has no control over the Haitian courts, and we did not attempt

General, a moment ago you agreed that the establishment of opening up of communications, and the impartial administration the three bases of any progress. You have spoken of the ways which have been opened up. I have been interested to anything, had been done during the occupation for the im- agriculture, including the improvement of live stock, whether animals had been brought in, whether any experts in cotton or had been brought in by the occupation to improve the quality of land by the peasant, and to improve the methods of agriculture

During my time, sir, the American Government sent down from the Department of Agriculture two agricultural experts who spent, if I remember months in Haiti, and traveled all over it, accompanied by a doctor. They pointed out to us certain sections of land that should be used for agricultural products. On the strength of their recommendations, the general government land in those sections and set up, or attempted to set up, farms for the growing of beans and potatoes. We grew potatoes on about 6,800 feet, and made a number of experiments. The general government principal big farms, one near Cape Haitien in the north, and one when you go down there, and one outside of Port au Prince. We were very successful during my period, and, as I understand, the work on them is continued. The smaller district farms all disappeared, and we had no money to support them, and there may have been a lack of effort to get it know. For the breeding of cattle we made several efforts to get stock, but we were never able to get sufficient funds.

From the Haitian Government?

From the Haitian Government, to bring in the cattle, but we had no men and cane men, and private cotton concerns establish

Well, the sum, then, of the official effort was the study of the land for 8 or 10 weeks by two representatives of the Department of Agriculture, Washington, and the creation of the experimental farms of the

You see, sir, the Department of Agriculture took a part of the work of the gendarmerie. We were doing this.

I understand that.

What funds we had we had to take from the gendarmerie in the Department of Agriculture. We had no support from the Department of Agriculture. It was all effort on our part.

Did anything of the sort ever been undertaken by the Haitian Government, to your knowledge?

Not that I ever heard of. The Haitian Government, except on the part of the president himself, was not interested in our efforts.

As to the assembly, as I understand it, ordinarily there are deputies in the Haitian Congress? When they function as the deputies in the legislature, is that correct?

Yes, sir; they have the legislative corps.

Sometimes they meet together, and then they are known as a committee, is that the correct term?

That is correct, the national assembly.

Then sometimes they have met in a constitutional assembly?

That is correct.

In April, 1916, there was a national assembly terminated by the Haitian Government?

That is correct.

In 1917 there was a constitutional assembly terminated by the Haitian Government?

That is correct.

Do you have any personal part in, or have any personal knowledge of the national assembly in 1916?

Did not.

The assembly met in Port au Prince, is that right?

Gen. BUTLER. That is correct.

Mr. HOWE. Were you in Port au Prince at the time?

Gen. BUTLER. I was.

Mr. HOWE. But, in your official duties you had no official connection?

Gen. BUTLER. No official connection.

Mr. HOWE. Or private connection?

Gen. BUTLER. No private connection either.

Mr. HOWE. In 1917, when the constitutional assembly was organized, you have any connection with it?

Gen. BUTLER. I did.

Mr. HOWE. In 1916, what American officer or officers had any connection with the termination of the national assembly?

Gen. BUTLER. I do not remember. I think a lieutenant of the gendarmerie serving directly under the orders of the President of Haiti, came with the keys of the assembly room, but I do not remember coming under my notice, officially or privately.

Mr. HOWE. Did you order officers on any detail connected with that assembly?

Gen. BUTLER. No; I did not order any one, and I knew nothing about it. Mr. HOWE. And if any of your officers had been employed on that detail, you would have known it, is that correct?

Gen. BUTLER. Officially; yes. No order passed through me. A gendarmerie officer did at the palace under the personal orders of the President might not have come through me at all. They were personal orders, his bodyguard.

Mr. HOWE. In 1917, will you describe what the President ordered and the part you took in carrying out his orders?

Gen. BUTLER. Shall I give you a detailed description, Senator?

Mr. HOWE. About 10 o'clock, on the morning of the 19th of June, 1917, I was in the Haitian Cabinet, Dr. Heraux, Minister of Finance, and Mr. L. J. L. of the Interior, came to the headquarters of the gendarmerie. They were speaking English very fluently, or quite fluently. said to me that the constitutional assembly is making nasty remarks about the President.

Mr. HOWE. Would that be the constituent assembly?

Gen. BUTLER. That is the constituent assembly. He said: "The assembly is making nasty remarks about the President. They are saying he is a bad man, and he is dishonest, and that he is pro-American. At 10 o'clock they are going to impeach him, and the President, he is going to be impeached, and he say to me, 'You tell Gen. Butler to take care of them and go down there and break them up.'" I said, "That is all right, sir, but I can't do it. I can't take the gendarmerie down there and break up your legislature. If the President orders it, he will have to do it himself. However, if he issues a decree to convene the assembly, that is his own business." He said, "Let us go and see what the President wants."

So we went to the palace, and on going upstairs an aide came and whispered that the President was sick, but that he ordered me to go down with the gendarmerie and dissolve the assembly. When I saw the President, he said, "Good morning," and said he was sick. I said I was very sorry to hear that, and I would like to find out what these orders were he was trying to do. He said, "I would like to find out what these orders were he was trying to do relative to the use of the gendarmerie. He came out of his room and went into the hall into the Cabinet room and he said, 'I want the assembly dissolved.' I said, 'All right, sir, then you must write a decree. It is not my business to sign it. I can not use the gendarmerie for that purpose without your order.' He said, 'I give you my order.' He said he could not sign a decree in the presence of the members of his cabinet, but that the assembly was to be convened. I said, 'Then secure the members of the Cabinet, and sign the decree.' He said that was impossible because one of the members was in Cap-Haitien. The simplest way would be for me to go down with the military force and dissolve it. I positively refused to do it. He then sent out and secured the members of the cabinet, and a decree which had been previously written, the one I have here in my hand, was brought in to the Cabinet room, and his four cabinet ministers signed it, the President being sick. He held it in his hand and said, 'How shall we do it?'

is customary for a member of your cabinet to take this and reply."

Others looked from one to the other, and Dr. Heraux said, "I will take it. They will be hissed, and maybe they will be shot at. I looked at me and said, 'You take it.' I said, 'I am permitted: I am just a messenger, but there may be bloodshed.'" Others in the assembly room, sent there each morning before the order, at the request of the presiding officer, Mr. Stenlo, president of the Senate, and a man named Hillaire, who was a member of the House of Deputies. When meeting as a constituent assembly, but the two sat together behind the speaker's desk, and the presiding officer the gendarmes were sent each morning before the order: and that same force—the police force—was at that assembly room.

Under the command of an American officer?  
Under the command of an American officer, a captain of the corps of gendarmes. When I said I was willing to carry this I well there might be shooting, as on one occasion a revolutionary casket of a murdered President right in the church, so during the ceremony when they started to shoot. It was not desired that the minister shot, so I offered to take this down, which I did. I went down amidst hisses and jeers, which had no effect, of course, except that I had a communication from the President of the Republic down from behind the speaker's desk, walked over to me and said, "I will see it," and I handed it to him and he read it and said, "I will read this to the assembly." I said, "That is the reason I am here, so that you might read it." He went up behind the speaker's desk and reading it he entered into a vicious assault upon me and the Americans, and referring to us as foreign dogs and devils in the assembly. The gendarmes, who had previously been Haitian, had taken part in this dissolving function about every six months. They had been accustomed to shoot at this stage of the game, and they were criticized they all commenced to load their rifles, which caused confusion, and we had to suspend operations until we ran out the cartridges out of their guns. I was their chief, and I was in my cause, because I paid them and fed them and treated them well. When we started, after the cartridges were withdrawn, and the gendarmes took their seats.

They were quite alarmed, and some of them took refuge under their desks. On previous occasions a number of them had been shot by the Americans. He started in again to make remarks derogatory to the Americans. The second time the gendarmes thought to themselves, as was said to their sergeants, "Surely the time has now come to shoot," and they commenced to shoot, which resulted in much confusion. We unloaded our rifles and told the officers not to allow them to do that any more; we withdrew from the meeting. And then Mr. Vincent read this, at the same time he came down from behind the desk and advanced upon me. He commenced shouting and picking up their hats and their notes and papers. The meeting was out, and the presiding officer came forward with this paper, and with a look of intense hatred upon his face, he said, "Now I am in for a cussing." Instead of that he said, "General, I am hungry." It was the end of his political career. He was waving the paper around, and realizing that the Haitian Government down there would dodge the issue and the Americans, I just reached over and took it out of his hand.

He said, "I am hungry?"  
"I am hungry," which was an invitation for me to invite him out.

This free belongs to the files of the Government of Haiti but not responsible or charged with exercising undue force in displaying, and well realizing they might deny the existence of this, I wish to place it in the files of the United States Senate, if you do so.

File the original and the copy.  
This is the original and the translation.

(The original of the decree referred to was filed with translation of which is as follows:)

[Translation.]

DECREE—DARTIGUENAVE, PRESIDENT OF HAITI

Considering that in order to efficiently develop its agricultural commercial resources, and to prepare a better chance of success for the generations to come, the Republic of Haiti has signed a convention with the United States.

Considering that in order to arrive at the application of this convention to derive all the benefits that it admits, certain constitutional reforms are necessary, free of party spirit and inspired by the desire to open up into the channels of progress and civilization.

Considering that it is with this purpose that the two Governments and their Legislative Corps have been organized and called upon to carry out a constitutional reform in the National Assembly, and that, far from being in accordance with the idea which gave birth to the convention of September 19, 1914 (far from) offering to foreign capital the guaranty which it expects, the National Assembly has had no other preoccupation but to give free rein to political rancor and to hinder the realization of a program undertaken jointly by the two Governments.

Considering that the national welfare makes it imperative to suppress the state of anarchy which animates the National Assembly and to take measures in order to facilitate the development of agriculture, to improve the public education, and to stabilize the finances of the nation.

With the advice of the council of the Secretaries of State.

DECREE.

ARTICLE I. The Chamber of Deputies and the Senate are hereby dissolved.

ART. II. The present decree will be published and enforced in all the Secretaries of State wherever concerned.

Delivered at the national palace at Port au Prince the 19th day of the month of the one hundred and fifteenth year of independence.

DARTIGUENAVE

OSMIN CHAMPEL

*Secretary of State of the Interior*

FURCY-CHATELAIN

*Secretary of State of the Navy*

Dr. EDMOND F.

*Secretary of State of Finances and*

*Charge par interim with Public Works*

*Secretary of State of the Colonies*

Mr. HOWE. Were there any subsequent developments to this constituent assembly?

Gen. BUTLER. There were. One member of the cabinet was called in the morning, and all the members called upon the President several days asking for other jobs. He was much worried about no other jobs to give them. There was no disorder. I was called, and saw the show. The old gentleman was much worried about no positions for them. There was no disorder. In fact, the people were well contented, as they expressed it.

Mr. HOWE. Was there any need for any action by the gendarmes?

Gen. BUTLER. Not the slightest.

Mr. HOWE. Did any other members of the United States Government take any action independent of the action of the gendarmerie in connection with the prorogation?

Gen. BUTLER. No; there were no marines present except the gendarmes acting as officers in the gendarmerie.

Mr. HOWE. Were you personally armed when you went down?

Gen. BUTLER. I was not.

Mr. HOWE. You carried no weapons of any kind?

Gen. BUTLER. I carried no weapon, and never did while going

ou while you were at the chamber, during the time when  
or at any other time in the chamber, have a weapon in

l not, nor on my person. None of the other officers, except  
form, ever carried firearms except in line with troops. The  
tly peaceful, and I went everywhere without arms and  
ersonally without firearms and never had a guard for him.  
Haiti in a Ford automobile without firearms of any kind.

do you know about the state of the prisons down there  
n, and what, if anything, was done about the condition of  
the occupation?

n the prisons were turned over to us by the President, they  
cription. There were no records to show when the prisoners  
nd why they were confined, and when they were to be re-  
rotten with disease and filth, and it is impossible to de-

rison in Haiti. We had an allotment of \$8,000 a month for  
he prison system, that allotment being made by the financial  
nder his control derived from customs receipts. We started  
one in the penitentiary in Port au Prince and one in the  
ien. We reorganized the prison system, so that prisoners  
erve were transferred to the penitentiary in Port au Prince  
bservation, and I personally visited that prison on an aver-  
Those with over 30 days and less than 6 months to serve  
prisons at Cape Haitien and Aux Cayes, the two very big  
0 days to serve, the short timers, were placed in the local  
the two big prisons at Cape Haitien and Port au Prince we  
hools. The prisoners built the prisons themselves. We  
concrete work, and you will see when you go down there,  
model prison, with concrete cells. We taught them to make  
automobiles, to make shoes, to make clothing, to make  
them the tinner's trade.

arenthetically, are there any trades in the island? Are  
tsmen?

; those that I have mentioned.

ou taught them, but there were none before?

yes; they had certain trades, not very well performed, any  
he instruction of the commissioned or noncommissioned offi-  
Corps who had known these trades on the outside before  
these men were taught. The prison system developed to  
we granted prisoners liberty in the evening to go home,  
orning the roll call showed more prisoners than we were en-

do you account for that?

ause they were well fed, well cared for, and well housed  
ically. We attended to them and took care of them. There  
rm given them—to the liberty prisoners—and all except the  
home in the evening and spend the night with their families  
e earnings which we derived from the sale of their products  
nities, that were naturally destitute during the time they  
arnings as we could get. We made all the clothing for the  
trousers, and blouses, and made ourselves nearly self-

ou correct the records so that everybody in prison had a rec-  
ot in and as to when his term was up?

ess there was some charge against a man or something defi-  
n and started afresh.

hereafter kept these records?

hereafter kept very accurate records.

esting for the Senate to know that during the year 1917,  
rison work was done, there were about two violent deaths  
s considered by the President and all Haitians with whom  
ng a remarkably quiet state. Those were not shot by the  
ere murders.

g that year, 1917, were there any engagements between the  
rauders or Cacos?

that I remember.

Mr. HOWE. To go back again to the prorogation of the cons I have one more question to ask. Did you at any time, or any your orders, search the archives of the two chambers and remments?

Gen. BUTLER. I did not nor did anybody under my orders.

Mr. HOWE. On June 20 or on any other date?

Gen. BUTLER. No.

Mr. HOWE. The document which you have produced here is order of the President, you obtained from Vincent?

Gen. BUTLER. Vincent himself.

Mr. HOWE. At the moment?

Gen. BUTLER. At the moment.

Mr. HOWE. And in the presence—

Gen. BUTLER. Of all the assembly.

Mr. HOWE. Of all the assembly?

Gen. BUTLER. Yes.

The CHAIRMAN. There are three points we want to cover—tion, and a word about the physical condition and aspect of a after taking it.

Gen. BUTLER. Senator, I wonder if I might be permitted to this decree of the President, dissolving the senate?

The CHAIRMAN. We had it once; it is in the record.

Gen. BUTLER. Will you read it?

The CHAIRMAN. Yes; I read it in French just now.

General, will you say something, first, about the physical towns when you assumed command and at the termination of the gendarmerie, something about the sanitation, and, about education?

Gen. BUTLER. When we took over the police of Haiti on the 1916, we found no sanitary precautions in any town in Haiti sewerage system even in Port au Prince.

The CHAIRMAN. Had the streets of Port au Prince at that ti

Gen. BUTLER. Partially paved, sir, under a concession, and continued throughout the time I was there. There was no wa of the towns, with the exception of Port au Prince and Gonaï water system in several of the larger towns, but very poor pre one fairly good hospital in Haiti, and that was run by the Haitien. The others were abominable. There was absolut sanitary nature. We immediately commenced to influence t little towns, as well as the large ones, to clean up their habit of the little towns, whenever the communal magistrate would money from his internal receipts and when we could spare an armerie funds, we bought little hand pumps and made litt Instead of the open bucket well which was filled with disease. street lanterns so that they might be able to see and go about at night; we built gutters and did whatever we could in a p the expenditure of money, to make the towns more sanitary a

The CHAIRMAN. Would they do any work, under your influ the streets?

Gen. BUTLER. Yes; they worked very well under our influ

The CHAIRMAN. Did they surface the streets in the towns?

Gen. BUTLER. Yes, sir; we surfaced the streets in the tow sidewalks, and we found in 90 per cent of the cases the hearti the part of the civil officials and of the townspeople.

Mr. HOWE. Who did the actual labor?

Gen. BUTLER. The people of the towns themselves. We had them, and they would simply fix up in front of their habitati own movement, just like the roads. Then, when a town had degree of cleanliness, and when they were very proud of it, invited the President to come to see it, and it was an occasion That was one of the methods used by us in encouraging them promise of a big fête day, with the presence of the Presid dardmerie there. They would make great efforts to clean up.

Mr. HOWE. Under whose supervision was that work done gendarmerie officer?

Gen. BUTLER. Under the local gendarmerie officer. We had with medicine, in every town, in which we had a medical office the Hospital Corps of the Navy.

the confidence of the poorer people, the peasants, in our general, one instance I would like to quote: In a town called Las the woman brought her baby to the gendarmerie office for safe- went to market. That became in the towns quite the custom, little nurseries where we took the babies and cared for them went out to work. The women do all the work; the men the women are the hard workers.

to do any work except what they have to do in accordance with it around and toast in the sun. Our sympathies were entirely because they really did work. They walked miles and miles. The life of the market women is rather interesting. One of it is the market system, because they are on the road all the left Las Cohobas one morning with a bunch of bananas, and whole week she came back one night with a bunch of another r to the banana. She spent a whole week, and she had one anas when she got back than when she started out, but she of that end of the world and she was well repaid.

Was there any complaint of the *corvée* system on the part of

No; the women enjoyed seeing the men work; they had been long. In fact, the market women developed this. They were e decent places to walk, instead of scrambling down the stream they came along they would almost invariably stop and throw ds. They were not required to work. They kept the nation e men built the roads.

em was deplorable. In fact, there was no school system. They , with thousands of instructors, and the other day I quoted how the character of the instructors, of sending a check for ool-teacher at Fort Liberté and instructing the gendarmerie ceipt, and the school-teacher could not sign the receipt. He teacher of writing; he was a teacher of reading. From that character of their school system. We brought from Louisiana knowledge of the Creole language. There are two languages in and one French.

Could he speak the Creole pato's? uite well.

Where did he learn that?

n Louisiana. It is similar to the Louisiana Creole. He had anges, due to the distance. It changes a little. He became t education and an adviser to the minister of public educa- was not very successful, because advising a minister, unless ower, is futile. So we in the gendarmerie branched out as ture, and began to erect modest little schoolhouses of ma- ould obtain on the ground.

Where did you get the labor?

he labor was provided in the same way that we built the

The people volunteered?

hey volunteered, and it was a long process. We hired one t together, and then the rest, in the afternoons or some t b'g piles of stone, and he would work the next day. I d found quantities of scrap, corrugated iron from burnt them Government buildings, and collected that at the ja'ls, after rebuilding the old jails, we used in the construction s. We had no windows or doors, but simply high-walled tent e time I was there we built 17 of the schoolhouses.

about the teachers?

e had no direct control over the teachers. We simply made when the teachers were unfit to teach, but, of course, you y good teacher for 80 cents a month. Some of the salaries es, or 80 cents a month, and you could not expect a very that. They recommended that their pay be increased, but y to do it.

brought about the sending of that adviser on education tioned?

at was done by Gen. Cole, who commanded the American

Mr. HOWE. Are there any other matters which you believe I should hear about as to the administration of the occupation in Haiti?

Gen. BUTLER. I do not think of a thing. I touched the question of martial law. That is the one danger point we have, Senator. You were

The CHAIRMAN. You might take that up again. In connection with what I have said with respect to the administration of justice, you might bring up the committee whether you believe, in the event of a re-formation of the court, the continuance of martial law would be necessary, provided, of course, that the civil magistrates would do their duty without favor and without partiality.

Gen. BUTLER. As long as the American troops stay in Haiti, and as long as they are as they are and will remain, unless you change the Haitian constitution, it is unfair to our soldiers not to give them the protection of martial law. The modified martial law that is now in existence makes a man relatively safe. That is, only offenses against the safety of our troops are punishable by the martial law courts.

The CHAIRMAN. Do you not think it might be interesting, in the course of your study of the capitulations between the foreign bureau of Turkey on the one hand, and Egypt on the other, and the system of the administration of justice in Egypt, before the administration commits itself to a policy?

Gen. BUTLER. I think that might be well. I am not familiar with the Egyptian system.

The CHAIRMAN. It is a long time since I have studied it, but I have the impression that in Egypt an assessor sits on the bench with the judge, and advises him in the formulation of his decisions.

Gen. BUTLER. That system is all right. Under the present system, if the murder of a marine would call for nothing but commendation of the Haitian courts.

(Whereupon the committee adjourned until Thursday, November 10, 1900, 10.30 o'clock a. m.)

# OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

THURSDAY, NOVEMBER 3, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
Washington, D. C.

et, pursuant to adjournment, at 10.30 o'clock a. m., Senator  
(chairman) presiding.  
s McCormick and Oddie.  
t. Walter Bruce Howe, Mr. Ernest Angell, and Maj. Edwin

LIEUT. COL. ALEXANDER S. WILLIAMS, UNITED  
NE CORPS, ARMY WAR COLLEGE, WASHINGTON,

el, will you give your name, rank, and present station,

Alexander S. Williams, lieutenant colonel, Marine Corps,  
Washington.

as an officer of the Marine Corps, succeeded Gen. Smedley  
ant of the Haitian gendarmerie, did you not?

es.

at date?  
was appointed chief of the gendarmerie on the 2d of May,

long did that term of duty last? When did you cease to  
armerie?

left Haiti on the 19th of July, 1919.

long before you left did you cease to be chief of the gen-

was chief until the date of my departure.

t the correct title, chief of gendarmerie?

That is the exact translation of the French title.

you been serving in Haiti before you became chief of the

landed in Haiti on the 15th of August, 1915, and was in  
except for two periods of leave, until the date of departure.  
means just short of four years, then, Colonel?

ust short of four years.

endarmerie, when you succeeded Gen. Butler, was recruited  
its full strength?

ractically its maximum authorized strength.

you served with the gendarmerie before you became its

es; I was appointed assistant chief of the gendarmerie on  
1916.

i were assistant chief for a little less than a year and chief  
n a year?

ssistant chief for nearly two years; but prior to that I had  
th the native police, which was developed into the gen-  
2d of September, 1915.

e time you became chief of gendarmerie, what were the  
hich the chief could receive reports and communicate with

his subordinates throughout the country? Can you give us a notion of your methods of communication and your methods of repair?

Col. WILLIAMS. When the organization of the native police, its development into a national military police, was begun, the communication available throughout the Republic were by telegraph, mail, and mounted messenger. The wire communications were inefficient, the mail communications were utterly unreliable, and courier service was very slow and not dependable. The post did not increase in efficiency until about three years of American occupation had passed. Wire communications increased in efficiency from the very beginning, because they were in repair by the marine personnel, and certain wire lines were operated by marine personnel, so that the wire communications increased in efficiency from the very beginning until the end, when they were generally fair. Communication by courier increased—

Mr. HOWE. Just before you get off the subject of the wires, was there any metallic circuit? Did you have a metallic circuit?

Col. WILLIAMS. No; all the wire lines were ground return—wire, with an earth return—and subject to constant interruption by the climatic conditions. The insulation would be largely lost by storms, and as in many stretches the wires were fastened to trees rather than to poles, a windstorm would carry them away. In addition to that, the wires themselves were in a very bad state through constant breaks and repairs. It counted between two poles at one time 110 splices.

Mr. HOWE. Why was not a more efficient system installed, do you think?

Col. WILLIAMS. Because the Haitian administration was not able to install one.

Mr. HOWE. Were the funds available to the gendarmerie for the repair or improvement of the lines?

Col. WILLIAMS. The military commander, who disbursed the funds turned over to him by Admiral Caperton, I believe, allotted the funds for the purchase of material and for labor, but most of the repairs were made by marine expeditionary material and by marine personnel.

Mr. HOWE. Is it correct to say that it was a lack of funds which prevented a further improvement in the wire communications?

Col. WILLIAMS. By the Haitian Government, you mean?

Mr. HOWE. By the Haitian Government or by our military authorities?

Col. WILLIAMS. In the case of the Haitian Government, funds were not found for this purpose. In the case of repairs made by our military authorities, we were undoubtedly hampered by the lack of personnel.

Mr. HOWE. You were going on to speak of the road communication and messenger communications.

Col. WILLIAMS. As we became familiar with the geography of the existing road system, and found that certain couriers were reliable, we were not, and had determined approximately the necessary time for the transmission of messages by courier, we were able to more efficiently use the courier service, and also hold up the couriers themselves to a high standard of performance.

Mr. HOWE. How would you characterize the development of the courier service? Did it become efficient?

Col. WILLIAMS. Its development to the point of efficiency was because we finally brought about a fairly satisfactory system of communication. In the interior, however, we were dependent upon messenger service to a great extent, especially when the wire lines went out, and for the most part the courier service might be said to be fairly efficient.

Mr. HOWE. Colonel, with these means at your disposal, was it possible by which you could supervise your command, and by which you could learn of the performance of its duties by your command? How were you in touch with it?

Col. WILLIAMS. In the very beginning the headquarters of the gendarmerie can hardly be said to have kept in touch; communications were necessary to the more remote posts so difficult. With the improvement of the system, certain reports were called for. All officers who were charged with individual responsibility were required to make, first, a monthly report, and gave every contact which the gendarmerie made with the Haitian authorities with Haiti. That report was divided into heads and subheads, and was complete, and was designed to give the chief of the gendarmerie a complete picture of the gendarmerie activities in any area.

that, the ordinary military reports of strength, health of the barracks of barrack construction, progress in road work, condition of the inmates, etc. Also reports were obtained informally from various sources. It was customary, for instance, for travelers of the long Pourtaud au Prince to call on the chief of the gendarmerie, and this they were cross-examined so far as possible regarding. In addition, the Haitian Government received from its various departments covering their administrative work, and from time to time, reports touched on the activities of the gendarmerie, either in favorable or unfavorable comment, excerpts from the reports sent by the minister of the interior to the chief of the gendarmerie, and sometimes with the request that an investigation be made. It means, however, that the senior officers of the gendarmerie had knowledge of what was going on in the country was by their visits were unannounced, followed no particular schedule, and the most valuable means of keeping in touch with the work. The chief of the gendarmerie, or the department commander in chief, who also inspected, was called upon by all the local commanders discussed with them the conditions obtaining in their districts, in reference to the work of the gendarmerie. These occasions were very valuable indeed as a means of obtaining information, and the officials never hesitated to speak frankly, and often in a critical manner to which they might object.

the district commanders make reports of these meetings to the senior officer as a rule? Say, if a district commander held meetings which you have described was that meeting and anything else, it reported to headquarters?

Yes; if anything of note developed, mention would be made, however, there would be perhaps three or four of these meetings and they were, in certain respects, rather tiresome. No formal meeting made that a meeting had been held in such a State and local-

anything unusual, however, came up, it would be reported?

It should have been reported, and it usually was.

were these visits comprehensive? Did they cover all posts?

In my own case, I visited all but three, I think, of the posts, and they were so remote and of so little importance that the time for the detour necessary to visit them.

the district commanders, however, visit the posts in their own frequency?

The district commanders were required to visit all posts quite frequently. I have forgotten what the regulation was. The subdistrict commanders made more frequent visits to the district commanders, and the department commander visited all posts in his department at certain intervals, and all subdistrict commanders at certain intervals—just what they were I have

these visits were systematized?

The visits were systematized in that they must be made at regular intervals, but they were not on a schedule of dates.

In case any emergency came up, were there no means available in the outlying country to receive instructions or to ask them questions?

In the large cities it was comparatively easy to get in touch with headquarters. In many of them it was possible to get telegraphic communication. I speak now of the later development. In the smaller posts it was sometimes very difficult, but the means of communication had been interfered with by hostile neighbors. There would be but one post, I think, more than two days beyond the nearest headquarters. That means that a courier from that post would take two days to reach the nearest reliable wire station.

How many of such posts were there?

I think there was but one. I may say, however, that an officer with full confidence of receiving an answer and the message was enough. There were a good many relay points on these wire

Who were the operators?

Col. WILLIAMS. The operators were Haitians.

Mr. HOWE. Under those conditions, Colonel, what confidence do you have of knowing of all cases of irregularity in the gendarmerie?

Col. WILLIAMS. Its confidence in knowing of the regularity following their occurrence was fairly good; of knowing of their irregularity was excellent. No irregularity, and I speak from recollection, could obtain over any considerable period without knowledge to headquarters from unofficial sources, or from the Haitian Government.

Mr. HOWE. When serious irregularities were heard of, or reported to headquarters, was an investigation always made?

Col. WILLIAMS. An investigation was made of any report, but it might seem on its face. A great part of our officers' work was in making reports which on their face were unworthy of credence.

Mr. HOWE. In general, all these answers of yours would apply during which you were chief of the gendarmerie?

Col. WILLIAMS. Yes; except where I spoke specifically of the gendarmerie and of the wire communications.

Mr. HOWE. During the time you were commander how many reports did you get to you of the killing of natives who, at the time they were reported, had already been taken prisoner, and without trial?

Col. WILLIAMS. I can remember two instances. The dates I cannot remember, the location and the attendant circumstances I remember fairly well.

Mr. HOWE. Those are the cases of which you heard, as distinguished from other cases investigated and either disproven or confirmed?

Col. WILLIAMS. These were both investigated.

Mr. HOWE. Is the total number of which you heard?

Col. WILLIAMS. Oh, no.

Mr. HOWE. Let me qualify that question a little bit more. Killings of natives the responsibility was attributed to white officers of the gendarmerie, excluding any killings which you may have heard of, unauthorized killings of native members of the gendarmerie, but I am referring to authorized killings of native prisoners on the responsibility of white officers of the gendarmerie. How many such reports did you receive? If you can remember exactly an approximate answer would suit my purposes.

Col. WILLIAMS. I am trying to remember whether or not I received any notice. I do not remember any report ever having been made of unauthorized killings of prisoners on the responsibility of a white officer.

Mr. HOWE. You mentioned a moment ago two cases of which you can remember the precise dates, but where you could describe the attendant circumstances. Which were those two cases? Can you give the names of the persons involved for the purpose of identifying them?

Col. WILLIAMS. In neither case was a white officer involved. In both cases were unjustified killings of prisoners by gendarmes, and in both cases the offenders were court-martialed and punished. I think in one case sentence was executed, but in the other case I do not remember what the punishment was.

Mr. HOWE. Before we get to those, let me ask you if you are familiar with the contents of the investigation conducted by Major Hooker, and Col. Lay, with the investigation conducted by Generals Butler, and with the Mayo court of inquiry?

Col. WILLIAMS. I am familiar with the investigation conducted by Major Turner to the extent to which I was a party. I was personally present at the trial of Col. Lay. I was at that time given an opportunity to testify in my own testimony of other witnesses. Of the proceedings of the Mayo court of inquiry investigations conducted by Gens. Lejeune and Butler I know nothing.

Mr. HOWE. Then, let me ask you this: In those three investigations, charges investigated and testimony taken which brought in the names of Brokaw, that, in the first instance, came up in the Johnson court-martial, the case of Capt. Lavoie, charged with having prisoners killed; I think it was Lang, who was charged with killing a native unjustly; Williams, charged with killing the notary, Garnier—I do not remember the name charged, but accused in some manner—and an officer about whom I do not know, called Lifshitz testified, he referring to that officer by the name Koskoski. Did you learn anything of the circumstances connected with those accusations against those officers whom I have mentioned?

Col. WILLIAMS. Your question makes it necessary that I answer to a previous one where I stated that I had received no reports

...s under the authority of a white officer. I meant by that  
ved no reports of such killings when action lay in my hands.  
you mention I am more or less familiar.  
Will you please explain a little bit further just what you mean

s. The status of a gendarmerie officer in Haiti was rather  
was serving under a commission issued by the President of  
mination of the President of the United States, and in this  
subject to such control as the Haitian Government chose to  
e same time he remained a member of the American naval  
he was included in the personnel of the Marine brigade serv-  
d all American officers and noncommissioned officers serving  
missions were organized as the constabulary detachment of  
s Marine Corps and were a part of the brigade organization.  
n. They were subject to the orders of the commandant of the

o. They were subject to the orders of the commandant of the  
h under the gendarmerie regulations which had Haitian sanc-  
bers of the constabulary detachment, which was an organiza-  
ne Corps.

g. The commandant of the gendarmerie, then, was responsible  
e and the conduct of the Marine Corps officers and men de-  
ce in the gendarmerie?

s. Within the limitations of the authority laid down in the  
s for the commanders of small organizations when included in  
e authority of the chief of the gendarmerie with respect to  
ersonnel of the gendarmerie was that of the commander of a  
He could, for instance, order summary courts on the enlisted  
e could punish officers to the extent permitted by the Navy

r. What steps were necessary for him to bring offenders before  
artial?

o. He would have to recommend their trial to the brigade com-  
s authorized to order general courts.

u. Who was responsible for the regulations of the department  
nduct and discipline of officers in this detachment? Whence  
?

s. They were never issued; they always existed. We were  
enlisted men of the Marine Corps and were governed in that  
isting Naval regulations and orders.

v. Who, then, was responsible for the orders governing the  
gendarmerie?

l. The gendarmerie regulations were prepared largely by Gen.  
lf, and after approval by the President of Haiti became oper-  
were serving in the gendarmerie, either American officers or

o. Then you and Gen. Butler were responsible, or if he was in  
time he was responsible, for the regulations of the gendar-

If you mean the regulations of the gendarmerie—

r. Well, for the rules governing their discipline?

l. The rules were prepared by Gen. Butler and myself with the  
sel of various people, and submitted to the Haitian Govern-  
Haitian Government approved them, an approval which was  
ve, by the treaty, or the gendarmerie agreement, and then be-  
ons for the interior administration of the gendarmerie.

l. The rules governing the discipline of American officers serv-  
darmarie, then, were those of the American Navy in force be-  
on began, of course?

Yes.

l. Supplemented by those authorized by yourself, Gen. Butler,  
anctioned by the President of Haiti?

l. Not supplemented, Senator; they were concurrent.

l. Well, concurrent, if you please.

l. There were two sets of regulations for the regulation of the

Mr. HOWE. The gendarmerie regulations did not authorize a martial. Was that right?

Col. WILLIAMS. They did.

Mr. HOWE. For American officers?

Col. WILLIAMS. Not for American officers, but for members of gendarmerie whose conduct merited such trial.

Mr. HOWE. Would that include American officers?

Col. WILLIAMS. One test case was made, and a lieutenant who was forgotten was tried by a gendarmerie general court-martial and sentenced to dismissal. He protested against this. How far carried I do not know—I was not chief at the time—but it was decided and he was separated by the sentence of the court from the grade and reverted to the status of an enlisted man in the Marine Corps. He was transferred from the constabulary detachment to the brigade to serve, I assume, as an enlisted man in the brigade. No one was tried. We did not have the available material for their trial.

Mr. HOWE. Now, Colonel, to illustrate that explanation which I mentioned while ago as to your knowledge of these cases which I mentioned, stand it, you said that none of these cases was reported to the time in which you could take action?

Col. WILLIAMS. I meant by that that the report was either made by the brigade commander who assumed jurisdiction, and that was the case of Brokaw—

Mr. HOWE. Who was brigade commander?

Col. WILLIAMS. Gen. Catlin.

Mr. HOWE. He assumed, as I understand it, jurisdiction before the case had reached you or before you had had an opportunity to investigate that correct?

Col. WILLIAMS. That was true in the case of Brokaw. In the case of Williams, and Lang Gen. Catlin made the investigations himself and assumed jurisdiction. Of Lang's case I do not know, except as I heard of it.

Mr. HOWE. Then the first report, or the first action in the case of the officers whose names I have mentioned, Brokaw, Lavoie, Lang, and one more mentioned by Lifshitz, was taken, in the first place, by the brigade commander?

Col. WILLIAMS. By the brigade commander.

Mr. HOWE. Did you learn officially, or at first hand otherwise, of any of the circumstances in any of these cases? For instance, in the case of Brokaw, Brokaw being the officer alleged to have directed the action and McQuilkin to shoot prisoners.

Col. WILLIAMS. In the case of Brokaw I know nothing at first hand. The investigation of that case was conducted by the brigade commander. The final action was taken by him. Do you want the circumstances of the investigation of that case was conducted by the brigade commander? He ordered the court-martial of Pvts. Johnson and McQuilkin?

Col. WILLIAMS. The brigade commander. I had no authority to order courts on members of the marine personnel.

Mr. HOWE. Did the brigade commander, however, take action on your report or suggestion?

Col. WILLIAMS. I know nothing whatsoever about those cases which you have heard.

Mr. HOWE. Did the killings alleged in those cases take place under the command of the gendarmes?

Col. WILLIAMS. Yes; but the men involved were not members of gendarmerie or the constabulary detachment.

Mr. HOWE. That is it, they were out as members of the Marine Corps on telephone duty, is not that it, and not under your jurisdiction?

Col. WILLIAMS. On what duty they were I do not know; they were under my command.

Mr. HOWE. In the case of Capt. Lavoie, as I understand it, he was court-martialed. What did you learn directly about the case of Lavoie? Will you go into that fully?

Col. WILLIAMS. Early in March, 1919, I visited central Haiti with Gen. Catlin. He wished me to go along, and led me to believe that his reports in regard to conditions in central Haiti which warranted intervention. I accompanied him on this trip, but was not present at his

role. In fact, his investigation was conducted without my aid.

How designedly—designedly on his part or yours?

Designedly on his part, and I agreed with him. It was the presence of the chief of the gendarmerie, who had considered the natives, would perhaps influence the native witnesses agreed with Gen. Catlin in this, and also pointed out to him that the chief of the gendarmerie would have a reflex so bad as to, in my opinion, any benefits which followed my absence. That in the minds of the natives, that the chief of the gendarmerie, they ever met, was now entirely discredited, and the Haitian nationalist by tradition and disposition, would see an opportunity to throw in a favorable light in the eyes of the new man by telling things of the old one and his administration.

As a matter of fact, how was this tour of investigation conducted?

Gen. Catlin first sent for the local officials and questioned them on conditions in the district. He sent for the local priest and

Were you, as a matter of fact, excluded from most of these

I was, as I said, designedly excluded.

Now, in the case of Capt. Lavoie, did you take any part in whatsoever?

I took no part in the investigation, but after Gen. Catlin gave Lavoie over a considerable period, privately, Gen. Catlin sent Lavoie to repeat before me that which he had told him relative to certain prisoners.

And what did Capt. Lavoie say then in your presence and mine?

Lavoie stated that he had caused to be executed a certain number. Six or seven is in my mind—how many he exactly stated. That concluded the investigation so far as I was involved.

Did he say nothing of the circumstances under which the execution was carried out?

He explained how this execution had been carried on, where?

And where.

You tell us what he said as well as you can recollect it?

He said these men—

Where was he stationed, at Hinche?

At Hinche. He said that the men were well known Cacos, that they had been captured redhanded; that the civil courts gave assurance that they would be punished; that the only agency present was the marine provost court in Cape Haitien.

marine provost court?

The marine provost court, and that that court had been limited to six months confinement, and a very considerable gold ransom to be beyond the capacity of any Haitian to pay, that is any peasant class; that if sentenced to six months, good conduct for four, and then they would be back on his hands and again which he was then trying to put out of business. That was his reason. He did not go into the details of the execution, it had been carried out a short distance from town.

in what town?

From the town of Hinche, on the road leading to Malissade, men carried out by a detachment of gendarmes. That was, as far as I know, what he said.

By his orders?

Yes; the execution.

Execution had been carried out by gendarmes by his orders?

By his orders.

He fix this by date at all?

I do not think he did; if he did I do not remember.

As, however, the only occurrence of that kind of which he Gen. Catlin?

Col. WILLIAMS. I do not know what he said to Gen. Catlin.

Mr. HOWE. To you and Gen. Catlin together, I mean.

Col. WILLIAMS. Together, that was the only case of which

Mr. HOWE. Before you and Gen. Catlin?

Col. WILLIAMS. The only case of a killing that was spoken

Mr. HOWE. Is that all that you recollect of the talk there  
Lavoie, you and Gen. Catlin?

Col. WILLIAMS. I think Gen. Catlin and I discussed the  
pects of this case.

Mr. HOWE. But was that in the presence of Capt. Lavoie?

Col. WILLIAMS. No.

Mr. HOWE. So that was all of what Lavoie said at that time,

Col. WILLIAMS. Yes.

Mr. HOWE. Then you did have a discussion with Gen. Catlin

Col. WILLIAMS. I believe we did.

Mr. HOWE. Do you know why charges were not then  
Lavoie? What is the reason they were not? Why did you not  
at that time?

Col. WILLIAMS. I did not prefer charges because the case  
hands, my immediate military senior having taken cognizance  
Gen. Catlin did not prefer charges I can not state, because  
directly. From the general tenor, however, of the entire in-  
led to believe that, despite Lavoie's statement, who is a witness  
Catlin was not convinced of the truth of it. That, however,  
on my part.

Mr. HOWE. Mr. Chairman, Gen. Catlin will be called as a  
next week, before this committee, and will, of course, be inter-  
point when he appears as a witness.

As to L'ent. Williams, did you make any investigation your-  
present at any investigation in his case? I mean the Lieut.  
was charged with killing the native notary, Garnier?

Col. WILLIAMS. Lieut. Williams is the subdistrict commander.  
Catlin and I, with several other officers, Gen. Catlin's interpreter  
from St. Michel, went to Malssade by motor. There Gen. Catlin  
tain of the civil officials and asked if there were any gendarmes  
make any complaint against Lieut. Williams, their commander.  
Gen. Catlin heard from the civil officials I do not know  
designedly excluded. In the case of the gendarmes I was  
designedly, but was asked by Gen. Catlin to be present when they  
they had told him. Their complaints about Lieut. Williams were  
to Catlin's investigation of conditions, so the allegations made  
were founded upon an investigation at which I was not present  
that. One of the witnesses whom Gen. Catlin interrogated was  
by Gen. Catlin to repeat what he had told them. That was in  
death of Garnier Jean. The allegations made against Williams  
far as I could make out from my part in the investigation and  
vestigations, substantiated in any degree by the witnesses, but  
tion having been taken over by Gen. Catlin, I made no official  
the sense of having a board investigate it; I investigated it myself.

Mr. HOWE. The Lang case you know nothing about?

Col. WILLIAMS. Of the Lang case I know nothing.

Mr. HOWE. The Mayo court of inquiry heard the Lang case  
derstand it, Mr. Chairman, exonerated Lieut. Lang entirely  
of that will appear when the record of the Mayo court is put  
as it will be.

These cases, I believe, Colonel, that I have mentioned are all  
cases which were developed in the course of these investigations  
whether the statements made by these witnesses before you, or  
do so by Gen. Catlin, were substantially the same statements  
before Gen. Catlin previous to making them before you?

Col. WILLIAMS. In the case of Lavoy, Gen. Catlin did not  
way that what he told me differed substantially from what  
In the case of those witnesses who were asked to repeat before  
they had told Gen. Catlin in the case of Williams, I think the  
ferences, and I think they were substantial. I do not remember  
details were. There were some questions that came up in

I may explain at this time, Creole is the language of the but Creole differs in the different parts of the country. There is the north Creole, and central Creole. The interpreter, a Haitian, at that time did not seem to well translate central Creole. I believe the differences in statement between those made to Gen. Catlin and me together were due to the interpreter or different, I do not remember.

These were, of course, the cases of native witnesses that you are referring to?

Yes. These were all native witnesses. There were no other

persons, aside from Brokaw, Lavoy, and Williams, you know of persons having been made against any of the white gendarmerie in connection with the killing of native prisoners; is that it?

I believe one officer was tried by general court-martial in connection with a killing. That was Hamilton.

Yes, adding the name of Hamilton, those were all that you

Yes.

Then the only killings of prisoners under the orders of white officers or by white officers are the ones of which these people that I have mentioned, these officers that I have mentioned?

Yes. Do you believe there were any more killings than those, suppose, that took place?

From my knowledge of the gendarmerie American personnel, and knowledge gained during the close association of four years, that the gendarme officer was inspired by a very high sense of duty, considered his paramount duty, first, to do everything which would be in the interests of the Haitians; second, to do everything which would be in the interests of the Marine Corps. Aside from this conception of duty, the greatest friendliness and sympathy for the natives. They sympathized with every local movement for the betterment of their country. They had developed an acquired national spirit but a district pride, a jealousy and resentful of what they would consider favoritism in giving more funds to one district than to another. Their relations with the natives were very friendly; they were spoken of highly by all classes, and from time to time for what might not meet with the approval of the natives it is difficult for me to believe that any gendarme officer would kill or cause to be killed a native who was under his control. This was the case in military operations.

Did you referred to what might be described as cold-blooded killing of natives they had become prisoners?

Yes.

Did you, therefore, do not believe that, aside from these possible cases that have been mentioned, that there were any of those cold-blooded killings in any direction or by gendarmerie officers?

I not only do not believe that there were any others, but I am convinced that the ones alleged occurred.

Alleged?

As alleged. I may say in this connection that I have no doubt that many natives were killed by the native personnel of the gendarmerie. I say that because I had occasion to try a number by court-martial over to the civil authorities for trial by the criminal courts without any good reason, had killed prisoners or people whom they had made prisoners.

I want to come back to that branch of your testimony and go into it before we get there, there is just one other matter I want to mention, in connection with the white officers of the gendarmerie. Do you suppose while you were chief of the gendarmerie that any officer commanded directly or indirectly encouraged the killing of

I had no reason to believe it and every reason not to believe it. In my personal conversation and in written communications to the officers, and I hoped through them to indoctrinate the native people the idea that no life must be taken and that no suffering must

be inflicted unless it was absolutely necessary to the legal or police duties or military operations.

Mr. HOWE. To be more specific, have you any reason to believe Maj. Wells encouraged officers under his command to kill natives who had been taken prisoner? I refer to Maj. Wells, who was, I believe, commander.

Col. WILLIAMS. He was a department commander in north Haiti. In intimate association with Maj. Wells, I do not believe that Maj. Wells encouraged, much less directed, the killing of prisoners. I saw no knowledge of his character, from a realization that such things were counter to gendarmerie policy, and, thirdly, because Maj. Wells was of considerable difficulty in having such orders carried out. The subject I do not believe would lend themselves to any such program. It is the fact that such orders had been issued or such things resulted or later come to me.

Mr. HOWE. And it did not come to you?

Col. WILLIAMS. And it did not come to me.

Mr. HOWE. Later on in the course of some of these investigations by Maj. Turner, some witnesses testified that Maj. Wells used language to this effect to them: "I do not want to have any prisoners. You know what to do with the prisoners." You never heard of Maj. Wells using such language to his subordinates, or giving such directions to him or making such suggestions to his subordinates, during all the time he was under your command?

Col. WILLIAMS. No.

Mr. HOWE. Or at any other time?

Col. WILLIAMS. Such parts of the investigation that have come to my knowledge informed me of that allegation.

Mr. HOWE. But that is your only information?

Col. WILLIAMS. That is all I know of it.

Mr. HOWE. On the subject?

Col. WILLIAMS. On that subject.

Mr. HOWE. Is there any further statement you care to make about the accusations against Maj. Wells? What was his first name?

Col. WILLIAMS. Clarke H. Wells.

Mr. HOWE. That is the Maj. Wells to whom we have been referring?

Col. WILLIAMS. Yes. Maj. Wells, I understand, is further informed his district and subdistrict commanders that they were to be quillity in their districts, whereas, in fact, conditions were far from quillity. I can not reconcile that with the common sense which distinguishes a gendarme. It was unnecessary. I knew, and it was a matter of common knowledge that conditions were not tranquil in these districts, and, moreover, it was possible for the attack of a small gendarmerie post and the killing of gendarmes to be passed over in that fashion. A knowledge of this fact came to me. Wells could not conceal it, and I therefore do not believe he issued such orders.

Mr. HOWE. Now, as to killings of natives by native members of the gendarmerie, have you any reason to believe that such killings occurred among native prisoners?

Col. WILLIAMS. I know they occurred. I had occasion to investigate many; and where there was any hope of obtaining evidence sufficient for a warrant trial, these gendarmes were brought to trial. Some were convicted and sometimes acquitted.

Mr. HOWE. Before what tribunal?

Col. WILLIAMS. Before the gendarmerie general court-martial, which was subject to the approval of the President.

Mr. HOWE. The President of Haiti?

Col. WILLIAMS. The President of Haiti.

The CHAIRMAN. Were any men executed as the result of these trials?

Col. WILLIAMS. My recollection is that only one man was executed, I believe, in the town of Ouanaminthe. He had been convicted by the gendarmerie general court-martial of murder. Whether he was the prisoner, or what not, I do not remember. You must understand, there had been hundreds and hundreds of courts to look over, and I do not remember the details.

In that connection, Colonel, I want to ask if, in killing trial, the gendarmerie did something which had never before, or if, in your judgment, they did that which, under the circumstances, had been done by the forces subject to the command of the Government, etc.?

For the unauthorized killing of prisoners, there is an unlimited number of precedents running back to that established by Cacique

Is that a Caribbean chieftain?

Columbus discovered Haiti in 1492, and the *Santa Maria* landed near what is now Cape Haitien, and out of the timbers he built Fort Nativity. He left in that fort, not being able to take them on his reduced fleet, about 29 Spaniards. These were very brutal in their treatment of the natives, a very harmless people, and in their demands that gold be produced that the natives under the leadership of the Cacique Caonabo, massacred every Spaniard and destroyed the fort.

You think, then, that certainly during the period of the Haitian Republic executions without trial were customary?

I would not say customary; I would say they were very common. The greatest problem in the organization of the gendarmerie was the lack of experience with him had led us to believe that he was not so much to the value of human life; that he was prone to make use of police authority, and very liable to exceed it. His treatment was generally brutal. The earlier arrests were attended by great cruelty to the prisoner, usually by clubbing, and it was with the greatest reluctance on the part of the natives, that his attitude became materially modified. One of my best noncommissioned officers, a speaking gendarme, made an arrest in the town of Leogane, which I have forgotten I was interested in this particular case. The corporal when he returned to the capital. He said he had been left by him in Leogane. Why? Because the prisoner had escaped, and he had shot him in the leg. I had him explain to me of the attempted escape, and the corporal told me, and I was unable and would have justified firing on the escaping prisoner. I told him what measures he had taken to hold the prisoner, and I had arranged for his burial, and it developed then that he had been shot, and not being able to stand the sight of his suffering, he had thrown the head as he lay on the ground. This early instance was because this man was a representative of the 3,000 with whom we had police Haiti.

Did you have that case investigated?

That case was investigated in more or less of an informal manner. In the beginning it was impossible to investigate everything, but we were satisfied, however, that the occurrence was substantially

That the prisoner really was trying to escape?

Yes; that statement was later substantiated when I visited Haiti for an informal investigation.

Did you ever turn over your native gendarmes for serious offenses more than the gendarmerie general court-martial?

The Haitian law did not provide for military courts, as I was against the institution of gendarmerie courts-martial not subject to appeal. There was considerable opposition among the lawyers of Haiti. We, however, believed that it was essential that discipline in the gendarmerie must be under the control of the Government, because the only regenerative influence in the gendarmerie was the Government, and if we were not free to organize, train, discipline the gendarmerie according to our American conceptions of discipline, we felt that the gendarmerie would remain what it was, and it is to remain, a Haitian organization, and consequently of the Government. We insisted, in discussions with the Government, the Haitian Government, that the gendarmerie courts be not subject to review by the Government. First, the limitation of punishment was life imprisonment.

In view of the bad conduct of the gendarmes on several occasions, influence with the President to have him approve a modifica-

tion of the regulations which permitted the gendarmerie court to subject to presidential approval, to adjudge the death penalty. The life imprisonment was not bringing the disciplinary results which were desired. However, as a matter of policy I exercised my discretion, to the civil courts several cases where the evidence against the accused was so complete and the crime had been attended by such publicity that a conviction would follow, and the death penalty be adjudged and the American officers shown. The only case of which I recall was that of a gendarme in the town of St. Michel, which was under the jurisdiction of the criminal courts of Gonaïves. The district judge may be called, in Gonaïves was one of the most efficient I had seen.

The CHAIRMAN. Among the Haitians?

Col. WILLIAMS. Among the Haitians. The judges seemed good, but they had a rather high cultural development. This gendarme had a woman about 60 years old. She was a professional beggar, a half idiot, and she begged about the streets of the town, half nuisance. The gendarme's defense before the court was self-defense. This woman had thrown a handful of pebbles at him. The judge acquitted. This acquittal was in what I thought probably the best district of the Republic. I think that was the last important case over to the Haitian courts.

The CHAIRMAN. Have you any idea, or have you any means of knowing how many native prisoners were illegally killed by Haitians in the absence of without or against the orders of their white superior officers?

Col. WILLIAMS. So far as my recollection serves me I think I have brought to trial. I think I caused to be investigated perhaps 500 killings, but most of them, because they were not true or because the evidence was not possible to obtain sufficient evidence, were handled in some other way, taking disciplinary measures, such as the transfer of the man to another post where he was serving to another post, or his discharge from the gendarmerie.

The CHAIRMAN. You refer now to cases where you felt you could not prove a capital crime?

Col. WILLIAMS. Could not prove any crime. Investigations were conducted with so much difficulty, and the native witness is so unreliable that an investigation of a serious charge was, according to our standards, of what an investigation should be, almost impossible. I think I am inclined to think that at least 50 per cent of the gendarmerie officers' time was spent in investigating. A native witness, in the first place, while not necessarily unreliable, simply because he argues directly from cause to effect without considering the modifying intervening circumstances, jumps to conclusions. If he hears once or twice becomes a belief. If he hears it more than once, he is firm conviction, and he is prone to relate as a fact that which is only knowledge only as a bit of gossip.

In connection with the killing of a native by a gendarme, a case where the circumstances seemed to warrant the trial of the gendarme by court-martial, the principal witness for the defense testified that he had been standing near the gendarme during the events leading up to the killing, at the time of the killing and immediately subsequent thereto. He stood cross-examination of his testimony, and when he had completed his testimony, following the usual system of court-martial procedure, his testimony was read and he was asked if it was correct, and to correct it, if necessary. He said that those were exactly the words of his friend, so nearly as he could remember, and he tried to stick to his friend's statement.

It then developed that he had not been anywhere near the scene at the time of the event, but that his friend, who was the real witness, was to draw irrigating water for his little farm on that particular day, and he missed it the week would go by and all of his bananas die, and he came to this witness to testify in his place, and the witness, in perfect good faith, committed himself to be identified as the real witness and sworn. He stood cross-examination, and it was only by the merest accident that the ignorance of all the facts in the case became evident.

That was a striking instance, but there were many others less striking. That led us to believe that the native's testimony was not reliable unless it was substantiated by many witnesses.

The investigations themselves were conducted under the greatest difficulties, especially in the case where the officer charged with the investigation

ently. Even a knowledge of French would not help much, because in the interior did not understand French. Two gendarmes brought a prisoner one day, a prisoner who had stated that he was hidden. He was a civil prisoner, but we promised him that if we could persuade the President of Haiti to pardon him, if there the arms were buried. The two gendarmes, accompanied by an officer, went to the town of Croix des Missions, and they came the next day and reported that the prisoner had attempted to escape and run into the cane fields where they could never get him, and they killed him, and they buried him.

Not only because it was the proper thing to get a side light on the gendarmes, I ordered a board of witnesses to the place of the killing, and interrogated them through an interpreter. At that time few, if any, of the gendarmerie spoke French fluently. The witnesses testified substantially to the same story. They proceeded to the place where the man was buried, and they submitted a written report. The only thing that led to their conclusion that the gendarmes had been justified in this was that the body was rather badly decomposed. We sent for a doctor at Port au Prince, and asked him about this, and he said that the condition of the soil and the drainage might bring about decomposition in three or four days, but it was rather doubtful. However, no time to make a further investigation. Three officers of the gendarmerie had spent two days on this, and their services were rather amorphous organization we had at the time. About the prisoner was arrested 30 miles from the place where he was buried. I sent an officer who spoke Creole fluently to Croix des Missions to collect most of the original witnesses, who stated that they were not present at the time of the first investigation; that they had told the truth at the time, but that now that they had satisfied the American, would the American be good enough to tell them the truth for many months, that is why the three white men were digging up the body of a man who had been buried, having been buried three months before.

Investigation in all its phases is characteristic of the investigations that go on to the very last. Witnesses were willing to identify themselves and they would try to determine what the court wanted to find out, and they would use the court or the board. If they disappeared from the investigating officer, it was difficult to get them back, because they would say that the name which they identified themselves was just the name of the day following day they would perhaps have another name. They knew the country so much that it was hard to find them. They knew an oath, and they were informed of the pains and penalties of perjury, and they would recite as facts things which they imagined.

perjury a crime in Haiti?

Perjury, as I remember the code, is not defined as such, but false testimony is punishable.

Colonel, were all reports of unauthorized killings by the gendarmerie justified?

Every report against the gendarmerie body or its individual members foolish because the reports seem on its face, was investigated as far as we could possibly investigate them, and in many cases we found that the reports were justified.

And in the case of justified complaints there were trials where the charges could be proven?

If the circumstances justified a trial, they were tried.

And there were, as you say, about nine convictions there, you

My recollection is that the gendarmerie courts convicted some neighborhood of ten people for serious crimes.

For the killing of prisoners and other crimes?

They must have been for the killing of prisoners, because they did not have brought them to trial by general court. We had departmental courts and districts courts, with more limited power of punishment. They handled the minor

Mr. HOWE. There were other classes of killings down there where the individual resisted arrest, or where he was out he ran away and was shot as he was running, classes of killings come under the head of killings incident to military operations of course, true, is it not, that there were in those military killings?

Col. WILLIAMS. The repression of banditism involved the many Haitians.

Mr. HOWE. What was the attitude of the white officers in general, toward the killing of natives in the field?

Col. WILLIAMS. Of extreme regret. It was realized that if they came to be called, the Cacos, were probably 75 per cent not want to do what they were doing. The bandit leaders selective draft which worked about in this way: A bandit leader ex-criminals or bad men would come to the remote house of a man would offer him his choice between joining the bandits, the he they called it, or having his head cut off.

The CHAIRMAN. Colonel, upon what evidence or report did you base that statement? Did the peasantry tell this to your marines or to you?

Col. WILLIAMS. The peasants in many instances told it. It was common knowledge among the educated Haitians that this was the method employed in gaining recruits. It was the direct testimony of a man who had elected to remain peaceful and in whose cases his peace consideration had interfered with the completion of the head of the band we fixed them up in our hospitals. I have spoken of the Haitian testimony, but the testimony regarding this particular method is universal that one could not but believe it. Few resisted this method and the bands grew very rapidly, and as they grew the number of them increased; and I think it is conservative to state that at the end of the field were there against their wills, but as soon as they became committed by having operated in this field they felt they could not desert. Deserters from a band or gang were treated with a natural degree of suspicion and they had to prove themselves before they were permitted to go loose, and when they were turned over they were quickly murdered by the members of the gang or some other band. I think that in an attack on a bandit gang, in a fight between bandits and gendarmes, if there were 10 men of the natives, probably 7 of them were innocent of any hostility to the Americans.

Mr. HOWE. So the natural result from that was that you were loath to kill unless it seemed to them necessary, is that correct?

Col. WILLIAMS. They were loath to kill, but it must be understood that in the jungle and in the morning twilight it is impossible at times to tell exactly what a man's inclinations are.

The CHAIRMAN. When you captured bandits what disposition did you make of them?

Col. WILLIAMS. Various dispositions. The most usual disposition was to turn them over to the American provost courts. We had found that the provost courts generally were not able, where willing, to punish in such a way that the punishment would act as a deterrent. The sessions of the provost courts were held at points very distant from the scene of the bandit cases were tried months, perhaps, after the occurrence, and the effect of the criminal court's action, where it could be obtained, was small. The provost court acted promptly and the punishment was usually by hard labor—six months at hard labor. I am not quite sure.

Mr. HOWE. Were there any killings that came to your knowledge that were with natives escaping from corvée gangs?

Col. WILLIAMS. I had reason to believe, and received reports, that there had been killings in avoiding corvée work, but in no case was it possible to collect sufficient data to justify more than such investigation as was made or directed some other officer to make. In other words, I do not have a thorough investigation as is incident to the trial of an accused person. I have no doubt, however, knowing the native persons who were killed.

Mr. HOWE. Were the corvée gangs guarded by gendarmes?

Col. WILLIAMS. The corvée gangs were always guarded by gendarmes.

Mr. HOWE. For what purpose, to protect the gang or to prevent the natives from escaping?

I know of only one instance where the gang had a guard for protecting it, and that was in the Massade district.

And in the other case it was——

In the other cases they were guards to insure the continued laborers and to furnish subbosses for the road work.

What were the instructions of the guards? What were they in case some of the gang made a break and started to run away?

To recapture them.

Did their instructions justify them in shooting them?

No.

Did they run away?

No.

Then, any killing of a member of a corvée gang who was running legal killing, was that right?

Any killing of a member of a corvée gang who was engaged some time than a criminal assault on a member of the guard or a gang, would be a crime.

Do you refer to killings or to possible killings of escaping members of the gang? Do you mean those killings were by native guards?

By native guards.

Did you ever hear of such instances in which such a killing was ordered, or accomplished by the white officer of the gendarmerie?

No.

Did you hear of such instances in the marines?

The possibility of those killings was recognized, and such was possible was given.

Did you prevent them?

To prevent them; not specifically to prevent those, but to prevent the exercise of authority by the gendarmerie.

Did you hear of any cruelty by the native gendarmerie to the

I heard of cruelty; that is, the beating of corvée men by the gendarmes where it was possible to do so, those cases were punished. This was the only way to abuse authority was the subject of constant effort toward the gendarmes never succeeded in repressing it entirely.

Did your officers were directed to use their efforts to repress any of the gendarmes' acts of oppression against the natives, is that correct?

As I said before, our greatest problem in organizing and the gendarmerie was the gendarme, and we realized that the people could not be gained if the gendarme were to comport himself according to his inclinations.

I may interject that that is a difficulty which confronts the police of constabulary in the Tropics the world around.

I think it is characteristic of the lower races to exceed authority when they are invested with it. We had the same trouble in the Philip-

Can you estimate the number of natives who were killed by the gendarmes while trying to escape from the corvée?

I can not, because I do not know of any.

Do you believe that such killings were possible?

I believe that such killings were possible and probable.

At 1 o'clock p. m., a recess was taken until 2.30 o'clock p. m.)

#### AFTER RECESS.

The assembly reassembled at 2.30 o'clock p. m. pursuant to the taking of

Colonel, can you give us a brief definition of the term "corvée" under the Haitian law?

Corvée, in a general sense, is forced manual labor, or perhaps it is nonvoluntary manual labor.

Did Haiti have a law authorizing that?

The code rurale provided that the repair of the roads, and the repair of dikes, was to be performed by the labor of the commune whenever the commandant of a certain commune or department was doing the work done he would take the inhabitants of the district in which the work was to be made and put them on this work. There were

other improper uses made of the corvee under the Haitian administration in the more remote districts frequently it was the custom of the men of a certain neighborhood and put them to work on private property.

Mr. HOWE. You are speaking of times previous to the occupation?

Col. WILLIAMS. The code rurale was adopted, I think, in the early sixties.

Mr. HOWE. And these abuses of the law of the corvee that you speak of, before the American occupation?

Col. WILLIAMS. Before and during.

Mr. HOWE. Was the term "corvee" ever used except in its original sense which you have defined?

Col. WILLIAMS. Yes; the word had such general currency that it became an expression descriptive of anything a person did not like. An unwelcome reception would be referred to by a Haitian person as a corvee which he must go through. The usual sense, however, in which it was work on the public roads.

Mr. HOWE. Was it used in common parlance for work on the roads, whether that work was being done for wages or whether it was done strictly as a legal corvee?

Col. WILLIAMS. The natives almost always referred to road work as paid or unpaid, as corvee.

Mr. HOWE. Paid road work was not corvee?

Col. WILLIAMS. Was not corvee in any sense.

Mr. HOWE. A previous witness, Gen. Butler, has given a description of the use of the corvee law by the occupation, and of the reconstruction of a considerable road system under the occupation. He brought his description up to the time of his relief. Will you take up the time you became chief of the gendarmerie and tell the committee the operation of the corvee from that time on?

Col. WILLIAMS. The inspiration for the application of the corvee was the definite recognition that the commercial and social regeneration of the people and Haiti called for roads which would bear wheels. Such roads, except in small stretches, hardly existed. The country had a splendid system of roads, uniting nearly all the principal towns. It had fallen into such disrepair that in many places it was difficult to find the traces of the roads.

Mr. HOWE. May I interrupt you? Gen. Butler devoted a good deal of his testimony to informing the committee as to the necessity for roads. Just let me perhaps go over the ground of some of his observations. A few questions we can take up your observations of the corvee from the time you became chief.

First of all what is your view as to the necessity for roads in the old French system of roads?

Col. WILLIAMS. As I say, the commercial and social regeneration of the people called for communication. When we landed in Haiti, the population was homogenous, the north Haitian knew nothing of the south, nor the central Haitian of the southern Haitian, and local interests were so strong because of isolation that there was no national unity that founded upon a common race. I believed that the corvee was necessary. The military aspects of the case also appealed to me because, as I have stated this morning, the most reliable means of getting in touch with what was going on in Haiti was by personal contact. Travel on horseback was utterly impracticable, and some more rapid means of communication must be devised. That, in my mind, however, was not the main object.

Mr. HOWE. As I understand it, your chief military mission was the preservation of law and order, was it not?

Col. WILLIAMS. That was why the gendarmerie was organized.

Mr. HOWE. And when you speak of the roads being a military necessity, the implication is strong, is it not, that roads were necessary for the preservation of law and order by the gendarmerie?

Col. WILLIAMS. For the development of the gendarmerie into a police organization, personal contact with all parts of Haiti was necessary. This could only be facilitated by the construction of roads, but, as I say, the corvee which obtained during most of my tour of duty made it possible.

accidental result of the road building, rather than that which believing them necessary.

your reason for believing them necessary was—

The social and commercial regeneration of Haiti.

Are any distinction to be drawn between work done on roads and work to be done on roads as a communal project?

The law, as I remember it, classified the roads, but the not very well be applied because there are no physical difficulties which might be called a communal road and what might be highway. None of them was passable for wheeled vehicles. Work on the roads under the *corvée* required also, however, of money, did it not?

Yes. The central Government appropriated, starting, in 1880 a month, and dropping finally, toward the end of my tour, for the repair and upkeep of the roads.

In addition to that, were any of the communal funds available for the construction or repair of roads?

The Federal appropriations were quite insufficient, and a stated money for the work on roads which would immediately regular town, and, in addition to that, a good-roads campaign which led to the receipt of very substantial contributions from the town of Aux Cayes, for instance, in one meeting the people 800 in gold, which is quite a bit of money in Haiti.

That money allotted out in connection with *corvée* labor?

It was allotted out in connection with *corvée* labor, or in paid labor, or in connection with both.

Is the case might have been in the particular locality?

Yes.

Is not a fact that during the time when the *corvée* was in use and construction was also done by paid labor?

Oh, yes.

More than one instance?

Yes. We found it necessary where the work approached real and excellent road work and rock work, to have organized the labor to train and keep together by the only possible means; that

Do you recollect how many days' labor the *corvée* law exacted in 1880?

Without the code rurale I would not care to state exactly, but it is that it did not cover the entire week, and that when the *corvée* ended, the *corvée*, or the workers, were dismissed.

the recruiting, as we might call it, of the *corvée* more difficult, or less difficult under the occupation?

It became more difficult. The population of Haiti is very varied. Along the coast it is relatively dense; in the interior it is sparse. In those districts where water is available for irrigation it is dense; in the arid stretches it is very sparse. Naturally, the most important roads were those through the more populous districts. In the arid stretches there was little difficulty found in the recruitment of labor for them, but where the road stretches passed through where the population was only a few to the square mile—I mean many—the labor supply did not begin to meet the labor

the recruitment became increasingly difficult?

And the recruitment became increasingly difficult, because when men to go well back from the roads into the hills and mountains to get the people to work on these particular stretches. They came less willingly?

and they came less willingly as the work continued.

Was this operation under the *corvée* conducted by the gen-

Our first attempts at recruitment were conducted largely by the chief of section, or by the agents. This led to so many abuses, and so much bribery, dissatisfaction that we ceased using these agents, and collected

these laborers with the gendarmes. These gendarmes were localities to notify the people who were due for road work.

Mr. HOWE. When that recruitment came to be conducted was it conducted without abuse, in your opinion?

Col. WILLIAMS. Knowing the gendarmes, I do not see could have been conducted without abuse, and instances came where the gendarmes had committed abuses.

Mr. HOWE. Will you give us one or two illustrations?

Col. WILLIAMS. In the town of Arcadale the gendarme was for a stretch of road in the immediate vicinity. He went collected the entire personnel of the brickyard, thereby, it impossible to attend the baking, or whatever you call it, the same neighborhood a gendarmerie sent out to collect cor on the roads collected the entire crew of a small coasting say, in the first place, that there has never been a census. The election laws provide for a registration, but the law carried out, so it was impossible, except in a very rough fashion the labor supply in any one district, and as for listing work, so that the work could be properly distributed among who were due to perform it, we tried that, and the only natives thought the registration was a preliminary step to slavery, and they took to the woods. We issued cards to complete their tour of duty. These cards stated, in effect, had completed so many days corvée, and was not available. I am afraid these cards did more harm than good, because with such a card, having had its meaning explained to him to evade work, when he saw a gendarme in that district duty of recruiting, would come forward confidently and sh gendarme. The gendarme's reasoning in that case was, "I do not need to go any further." And he would take the tear it up, and send him on to work.

Mr. HOWE. Did you learn of instances of that happening?

Col. WILLIAMS. I was unable to prove any instances of it, so general as to the practice that I was convinced that it existed.

Mr. HOWE. What effort did you make to put an end to this in the corvée?

Col. WILLIAMS. By the instruction of the gendarmes as to tion to recruiting, by talks with the officers, who realized than I did what the dangers were, and by the punishment whom we could prove guilty of any sort of abuse.

Mr. HOWE. When the gangs were recruited were they harassed instance that you know of?

Col. WILLIAMS. I do not know of a specific instance of There undoubtedly were instances. There were many thousands at a time, and they were working over hundreds of miles of under native foremen, and in some cases they were under commissioned officers who had qualified as road builders after have no doubt that they committed abuses, but there was these laborers. A certain stretch of road would necessitate, I will say, of 100 men. They came and they went without there were no pay rolls, there was no time to make them up, and signed them had we had them, and the identity of individuals absolutely lost, and I have been present when gendarmerie charge of road gangs have attempted to investigate cases of ment, and if we found the witnesses we could not find them we found the gendarme we could not find the witnesses. The way it ran. It was an extremely difficult thing to do.

Mr. HOWE. With the number of white gendarmerie officers was it physically possible to closely supervise the corvée work time keep your territory patrolled and policed?

Col. WILLIAMS. The gendarmerie officers were given such to supervise that it was utterly impossible for them to do work, except in those instances where rock work was being cases the gendarmerie officer was usually present, because of labor could not be trusted with the handling of explosives.

Mr. HOWE. Under the occupation there was far more cor month or per year than had been customary under the H before the occupation; is that correct?

That is correct.

I understood so from Gen. Butler's testimony.

The repair of roads under the Haitian administration was not casual fashion. They would throw a lot of rocks into a fire if it is all it amounted to.

I learned from Gen Butler's testimony the other day that at the repair work under the corvee the gangs were fairly contented to stay and work, and at the outset there was no dissatisfaction on the part of the laborers themselves. Would you concur in that view?

That is absolutely true. There was a campaign for good government. Officials were encouraged to take part in the work, and they were always for what had been accomplished, even though they had done it. The laborers were brought together, and the prohibitions of public dances on work days and cock fighting on Sundays and holidays, was suspended in the labor camps, so that the companionship during the day made the life of the Negro, who is a gregarious creature.

Under the Haitian laws against public dancing and against cock fighting on Sundays and holidays, rigidly enforced by the Haitian government, times?

No; they were not enforced. The laws were on the statute books of the Haitian administration it was simply a means of oppression.

Even during the day drummers were provided so that the work and shovel work, was syncopated. The men were paid a bonus upon the value of the gendarmerie ration, or else were furnished with food not called for by the code.

That contentment lessen and disappear as time went on?

Yes; it lessened very materially. As the road system became more complete it was necessary to call laborers a second time to work on their eyes was a magnificent boulevard, they could not see the object of doing the work.

It became drudgery?

It became drudgery and the old-time attractions disappeared. The continuation of the corvee, in your opinion, act as a hindrance and was that irritation a serious factor to be considered by the occupation?

It would be interesting to note to what extent it was a serious factor. The corvee existed as the sole basis for anti-American propaganda factors which came into action at the same time and place, joined in with the corvee and made a complete whole, based on a very strong anti-American feeling.

When you became chief of the gendarmerie, did you reach any conclusion regarding the corvee system?

I had reached a conclusion regarding the corvee system before my operation. I did not believe in it. I believed that it was a waste of producing results and I did not believe that the people in a sufficiently high cultural state—and I speak now of the peasant benefits which would accrue from their labor. On becoming commander I immediately took under consideration the question.

That was the first time I had been in a position to do so. I consulted with everyone, officers of the gendarmerie, officers of the Haitian Government, the President, and civilians all and the other treaty officials. I wanted to stop it at once, but the things that I had in mind was to disabuse the Haitian from the range of chiefs meant a complete reversal of policy. That, I obtained in their own administration. I wanted them to realize that the Americans meant a continuing policy; that they were one official and then play up the next. In other words, I wanted the administration to appeal to them as impartial, so far as the policy at that time the road system had been projected to a point where it would serve the material and social needs of the people and well, and I thought that the time to stop the corvee would be when it no longer existed.

Is to say—

When the projected road system had been virtually completed that that would be in October and issued an order stopping whatever sort throughout Haiti.

Mr. HOWE. May I call your attention to this letter and a of that order to which you refer?

Col. WILLIAMS. It is nearly three years ago. I think it is

Mr. HOWE. You might take a moment to look through it

Col. WILLIAMS. Yes; that is mine.

Mr. HOWE. Was the order issued on the day it was dated

Col. WILLIAMS. No; my recollection is that the order was prior to that, and even before its issuance I had been les ment of corvee and increasing the amount of paid labor.

Mr. HOWE. This letter which I have just shown you, of General Order No. 22, is dated September 2, 1918, and is Order No. 21, dated May 10, 1918. As far as you know, is of General Order 21?

Col. WILLIAMS. I believe that is correct. It sounds right.

Mr. HOWE. I should like to have this order and the order in the record.

Senator ODDIE. Without objection, we will put them in the

(The orders referred to are here printed in full, as follows)

FROM GENERAL ORDER NO 22, SEPTEMBER 2, 1918. (SINCE)

1. Beginning October 1, 1918, the use of corvee on the nation in General Order No. 21, of May 10, 1918, will be discontinued and improvement of these roads will be carried on with prison labor except when a real emergency calls for emergency the available appropriation, in which case corvee will be used.

2. The paid labor will be organized into gangs and every to keep together a permanent personnel. A maximum of 1 without food, or 1 gourde per day, plus a meal at cost—10 ce exceeded, and wherever possible labor will be obtained at Shelter, to be constructed by the labor gangs themselves, will and the better the shelter, keeping in view its temporary nature tented and efficient will be the workers.

3. Holidays and fêtes will be recognized and celebrated with idea being to take advantage of all possible means to build which will be attractive to the Haitian laborer.

4. The use of corvee for other roads than those listed with the provisions of articles 52 and 65, Code Rural.

5. The use of corvee or free labor for other road building under the restrictions of law, and care will be exercised that local officials for illegal work.

6. When prisoners are used, only prisoners physically capable will be employed, and gangs of prisoners will be put on work performed by paid gangs. The cost of feeding and clothing paid for from prison funds.

7. Upon the receipt of this order the district and subdistrict inform the officials and notables that its issuance is made patriotic and earnest efforts of the inhabitants of the rural section fully given of their labor, and that to each and every one of merie owes a debt.

ALEX.  
Chief of

EXTRACT FROM GENDARMERIE GENERAL ORDER NO. 21, MAY

(8) For the present, funds for road repairs allotted from will be used as far as possible on the following roads:

Department of the Cape.  
Mapou-Gonaives.  
Gonaives-Ennery.  
Ennery-Saint Michel.  
Gonaives-Gros Morne.

Gros Morne-Port de  
Cap Haitien-Ouanne  
Ouanaminthe-Fort  
Post Chabert.

(9) Such other roads and trails as serve to define general be repaired when there exists a condition which seriously

or passengers by horse, pack, or cart. When communes and individuals are contributing to the repair or development of the network will be continued and every encouragement given to the contribution increase.

that General Order No. 22 orders work stopped on the General Order No. 21; that is the gist of it, is it not?

Yes.  
 These roads mentioned in General Order No. 21 all the corvée was in progress at the time of the issuance of Order

believe so.  
 Work stopped, as a matter of fact, on all those roads after General Order No. 22?

Free labor was discontinued on all those roads; corvée labor on those roads.

Matter of fact, did this order have the effect of stopping work entirely in Haiti at that time?

No; it did not.  
 You tell the committee, please, about instances of where work continued after the issuance of this order, and what steps were taken to prevent connection?

Shortly after the order had been issued, and, as I said, it was the gendarmerie officers who had operated under the old order. Within a week of its issuance reports came to me from the fact that corvée labor was continuing on the road which we call the Maïssade-Hinche road. I called up on the telephone the commander at the Cape—I had a very good connection—and asked him, he said, "Yes," that corvée labor was continued on this road. It was not a large stretch—because he had not understood that to that particular road, where corvée had always been used, incidental to feeding or paying the men came from communal funds in the funds which I myself allotted from headquarters. It may be noted, may it not, that the Maïssade-Hinche road does not appear on the roads listed in General Order No. 21?

It was not listed. I thought my order was foolproof, but it was not. I believe the instance very well, because the officer who made the mistake was much chagrined over the mistake, and did not care for the trouble he had to go to him over the phone, and protested against it. That is the place where the corvée continued on any of the public roads in the project, or the roads leading into them, so far as I was ever

Here is a copy of a telegram as follows:

DEPARTMENT COMMANDER,  
*Gendarmerie, Cape Haitien.*

On October 8 from magistrate, Maïssade, believe order stopped October 1 may not have been received at Hinche. If order received at Hinche of same by telephone. 120112.

TRACY, Acting.

?  
 Tracy was assistant chief of the gendarmerie.  
 These figures, 120112, would be the serial number of a telegram.

I think that is the time and date cipher. We had some time cipher, but just what it was I could not translate it.

The presence of those figures in the telegram would indicate to me that it was an official telegram sent on official gendarmerie business.

Yes. I think we can clear something up there. Maïssade is in the district of Hinche, and so when they referred to the corvée road at Hinche, the way in which Maïssade would be informed would be through Hinche.

Mr. HOWE. Then here is another telegram from the depart-  
of the cape to the chief of gendarmerie:

Your 120112. Corvée labor has not been stopped on the  
and St. Michel Road, for the reason that this road is not  
eral Order No. 21. Unless corvée is worked on this road  
toward opening up this section of the country. Request its co-

Who was Underwood?

Col. WILLIAMS. Underwood was the man who misunderstood  
first place, and with whom I had the telephone conversation.

Mr. HOWE. And on this piece of paper I see the typewritten  
thesis, at the bottom of this telegram, in Col. Williams's  
pencil, the following: "October 8. Orders given by teleph-  
corvée. A. S. W."

Does that recall that incident to you?

Col. WILLIAMS. We were our own file clerks largely in  
It is quite possible that I may have made a notation of  
telegram.

Mr. HOWE. Then, by the issuance of that order, all corv-  
Massade road was finally stopped; is that correct?

Col. WILLIAMS. That is my belief.

Mr. HOWE. Did you learn of any other instance where  
employed thereafter?

Col. WILLIAMS. When I say the corvée stopped on Octobe  
Haitian fashion. It took some days, we will say, after th  
to filter down to the more remote road gangs, and I have  
certain instances it may have continued for a week or 10 days.

Mr. HOWE. We will say, then, that by October 15, 1918, c  
in Haiti?

Col. WILLIAMS. Yes; and on October 1 it had practically cea

Mr. HOWE. And thereafter did you hear of any instances of

Col. WILLIAMS. Yes.

Mr. HOWE. During your administration?

Col. WILLIAMS. During my administration I visited centra  
Catlin, in March, 1919. Gen. Catlin, among other things, wis  
the reports that corvée, despite orders, had continued on t  
particularly in the vicinity of the town of Massade. I mot  
over the incomplected road, on which a large gang were the  
Catlin, through his interpreter, interrogated first the gendarm  
Williams, then the foreman of the gang, and then individ  
The gendarmerie officer stated that these men were not c  
they were paid from communal funds; that they were free  
as they chose. The foreman, a native foreman, stated  
same thing. Several individuals stated they were not paid  
allowed to go home when they wished, and they were forc  
entire gang was then lined up and they were asked or tol  
were corvée were to step forward. I think all but one slow  
forward. The conclusion which Gen. Catlin very naturall  
that corvée was in existence on the road, contrary to orde  
time Capt. Doxie, of the gendarmerie, an officer who enjoy  
and esteem of the natives to a very high degree, and one se  
gendarmerie, who spoke creole very fluently, interrogated  
presence, and they all declared that they were well paid; th  
and they were perfectly free to attend to their domestic  
the crops and attending to their wives and children. Th  
statement, I think, was not due to any intention of the me  
Catlin, but simply because of the use of the word "corvée."  
work. If you work on a road you belong to a corvée gang. A  
it further and asked other questions and was convinced at  
convinced to-day—that so far as any investigation, at least, c  
was not in existence at that time at that place.

Mr. HOWE. Were you, at the time you and Gen. Catlin we  
gang at work, aware that road repair was going on in that dis

Col. WILLIAMS. Yes.

Mr. HOWE. And was it your impression that that road  
being done by paid labor?

knew what was going on, and I knew it was being paid the very much increased revenues of the town of Massade, about by the municipal administration conducted or gendarmerie subdistrict commander.

er words, Colonel, is this what we should understand, that n who were interrogated were unable to distinguish between nonvoluntary labor, when the word used in the question e," meaning road work?

at is the only way in which I can explain the discrepancies. here other gangs of paid laborers working in that district? o; that was the only gang that was doing it. In the district the gendarmerie was altogether too busy with the o in for road building.

the gendarmerie officers in charge of disbursing those in other words, would there be any record? Was there time in existence which would show the payment to

only the disbursement of lump sums, and the bookkeeping

pay roll possible?

pay roll was not possible.

where there was paid labor?

even where there was paid labor.

tell the committee why it was impossible.

because none could sign it had one been in existence. I on with these gangs working on the Massade road that is about it. The only gendarmerie representative present, armerie sergeant who had either been enlisted and pro- because of his ability in this line—road building—or had the command because of his ability.

the real, true corvee under the law, or forced labor, was at the gang could be left working by itself without guards, gang?

there was no uniformity in the practice. It depended upon to be done, the character of it, and the date on which we

there any other instances, or seeming instances, of the der than the ones you have mentioned?

heard of none. Subsequent to that investigation the only at was made was made by the inhabitants of a certain ted against the fact that the French priest had corveed or repair the church.

it was so, it would not be any shortcoming of the gen-

was a shortcoming of the gendarmerie, because upon inves- at in this village, garrisoned by, I think, a corporal and armerie, a very remote place, the priest was of so strong great was his prestige that he was enabled to use the as an agent in the collection of these workers. That was

there any other instances that came to your knowledge?

know of no others.

there any abuse of the corvee consisting in having an on roads outside of the district in which he lived?

es; the law was exceeded in that it was impossible from draw the labor for the roads which passed through men had to be brought from other districts. I speak of

that was done, was it?

that was done.

there any law in Haiti prohibiting the taking of corvee district of their residence into another district to work?

o.

the law of corvee did not authorize that?

the law provided they should work in their own district.

the corvee was abandoned, has it been possible, in your the roads in repair?

Col. WILLIAMS. So far as labor is concerned, yes; but t even when I left, had to be spread very thinly over the syste

Mr. HOWE. A thin spreading of money, plus plenty of possible, is that correct?

Col. WILLIAMS. Yes.

Mr. HOWE. Was there less money, when available for time, at the time you left than there was available earlier

Col. WILLIAMS. Yes; I think the original monthly al \$30,000; I am not sure of that.

Mr. HOWE. A month?

Col. WILLIAMS. Yes; and it dropped to \$10,000 before I l

Mr. HOWE. And at the time you left that \$10,000 w available for road repair?

Col. WILLIAMS. The only funds available, except such as t allot and some which public-spirited individuals turned ov

Mr. HOWE. Then the greater part of your money wou to go for wages; is that correct?

Col. WILLIAMS. It would have to go for wages.

Mr. HOWE. Instead of for supplies, as formerly?

Col. WILLIAMS. Instead of for supplies, as formerly. In the labor demanded of the peasant was of the very simp carrying dirt, filling in holes, chopping a way through th some instruction we were able to have them use the ordi the ax, and wheelbarrow with some success, and for th was suitable, but after the roads approached virtual com became real roads, and they required surfacing, draining, of culverts, and the building of bridges we found corvee satisfactory. They simply did not know how. And w roads improved, placed them, for repair purposes and fina paid labor, and it worked very well.

Mr. HOWE. Up to the end of your administration, were th repair—such as had been restored?

Col. WILLIAMS. The roads were becoming better daily.

Mr. HOWE. What can you tell us about the vote for the s titution, how it was conducted, and if it was conducted u or under the direction of the gendarmerie?

Col. WILLIAMS. Who decided and when and how it was plebiscite to determine whether or not the constitution shou not know; but when the question came up about holding was but one agency by means of which the mechanics of be carried through. The administrative system of Haiti no uniformity of performance can be expected from the m various parts of the Republic, but the gendarmerie had in mune an American gendarmerie officer who, by this time, h Creole in most cases very well, always sufficiently well t derstood, he had learned the people, he had learned the o way around, and it was proposed, by whom I do not know, t conduct the plebiscite. The President informed me that th of the Government, and I had several discussions with l ministers, notably the minister of the interior, regarding followed. They had no suggestions to make, because such cite was unknown in Haiti, and I had no suggestions to n never heard of one.

However, it was necessary, in my opinion, that a consti should be adopted, and I sent circular letters to all gend forming them that they would soon be called upon to supe people for or against the adoption of the projected constitut it was desirable that this constitution pass, but that in p people they must inform them that while there might be the constitution as published, that it provided for its ow that however they might dislike the constitution, it was be tution at all, and that the stability of the Republic called ment. I do not remember how long before the plebiscite v instructions were given, but there was a considerable ti enable the gendarmerie officers to conduct this campaign, proconstitutional.

other circular letters, furnishing them with arguments for constitution. I allotted from gendarmerie funds a small amount to each gendarmerie district and subdistrict commander for meeting prior to the date on which the vote was to be held; I recollect correctly, that I made some references to earlier campaigns where barbecues were features of the meeting. As the gendarmerie officer mixed with the people, sometimes he freely advocated the adoption of the constitution, told them which would obtain when the vote was taken; and insisted, at that season, that every voter would be perfectly free to vote as he thought, moreover, he might be certain that he would not suffer from a negative vote.

The voting was held on the same day throughout Haiti. At every voting place a gendarmerie officer, except at four or five where I was unable to go, and where I placed marines, whom I borrowed from the army, were thought qualified to act in such a capacity. The gendarmerie was allowed near the voting places but were allowed to vote. The gendarmerie officer, I believe, was directed to remain in the voting place during the voting period. Some question came up about meals, and, I think, I directed the gendarmerie to make arrangements to have their meals brought to the voting places to see that every person who appeared to vote had something to eat on that day, and to see that he received the ballot which he was entitled to. The ballots were roughly printed: "Oui," and "Non." I do not remember if they were of different colors or not; but the voter would be told for a ballot, negative or affirmative, and the gendarmerie

the "Yes" votes or affirmative votes were printed on paper of one color, were they not?

I think so.

Did all the "No" votes were printed on the same colored paper?

That is my recollection.

Do you remember whether the "Yes" and the "No" were on different colored paper?

I do not think they were; I do not remember. I may say that the ballots were turned over to me by the minister of the interior or the public printing office and sent by me in sealed packages to the gendarmerie officers who would have to act in the voting places. They remained until the day of the election, when they were turned over to the gendarmerie officials who were directly charged with the conduct of the election. The judge de paix, the local police judge, the local mayor, and the gendarmerie officer. I think that was the composition of the voting committees. Each committee had a destination, except one batch intended for a little while, and the gendarmerie messenger who was to deliver these ballots. His horse, rifle, and stuff but never found him or the ballots. He was murdered or bribed to desert I do not know.

The election was conducted with the utmost order. I spent the day in Port-au-Prince from one balloting place to another, and, so far as I could see, the election was running perfectly smoothly. There was considerable excitement here always is on an election day in Haiti, but from all points of view it was clear that the plebiscite had gone through very nicely, without any serious disturbance. In one town, the town of Aquin, where a drunken row resulted in the death of a man, it was in no way connected with the political situation.

How did the vote come out?

The ballots were counted after the closing of the polls, in the presence of the gendarmerie officer and, after having been counted, were sealed in envelopes. Orders were issued for a recount, in case of a dispute, or their destruction. They were finally all destroyed, I believe. The count was 98,000 in the affirmative and seven hundred and odd in the negative. The figures would seem on the face of them to indicate fraud or at least a matter of fact, they do not indicate anything except a very strong feeling of the Haitian disposition. It was believed by all hands that the election would go through without a large dissenting vote, and this belief was held by the Haitian who wanted to vote negatively, rather than by himself with a losing cause, failed to vote at all. In Cape Haitien, after Port-au-Prince, the number of votes cast, both affirmative and negative, was ridiculous in comparison with the size of the electorate.

Mr. HOWE. So much smaller?

Col. WILLIAMS. So much smaller. The plebiscite I consider those which led up to it, and the phase of operation, and the result to be absolutely and entirely creditable to the gendarmerie. I am proud of the plebiscite. So far as supervision, orders, instruction could go, it was conducted as honestly as anything possible. I have no doubt there were many repeaters, but there was no ballot stuffing, or any such practice.

Mr. HOWE. You endeavored to guard against repeating?

Col. WILLIAMS. I endeavored to guard against repeating; but it did not amount to anything, and it very often occurs in the same name that not only are there many men of the same name but the same name have the same name two days.

Mr. HOWE. What was the attitude of the Haitian courts toward the occupation? How did they administer justice, both civil and criminal? You, Colonel, briefly what your observations were on those matters?

Col. WILLIAMS. The administration of justice in Haiti would have been not a tragedy. The lower-court judges with whom the people were brought in contact and with whom we as policemen were in contact, are, as a class, ignorant, venal, and utterly and entirely corrupt. There are exceptions, of course. I speak generally. The new judges show themselves to be excellent jurists, but their verdicts are in uniformity with which these verdicts are decided in favor of the government, to the case, excite suspicion. The very highest court, the Cour de Cassation, is a body of dignified jurists known for their legal lore ever since the independence, and these men are so wedded to the law, as law, that they have associated themselves from the life of the people. This last year, however, very high esteem, and the most radical political demagogue has accused the court of cassation, as a whole, or its membership, of being corrupt, but they do not qualify to pass upon conditions arising from the occupation. Have you time to hear an instance that is pertinent?

Mr. HOWE. Yes.

Col. WILLIAMS. Admiral Caperton, in first landing, found the bank deposited to the credit of the Haitian Government, in the name of the bank, under a million dollars gold. This he seized and directed that it was to be paid out only on his order. In other words, the government was not permitted access to the funds deposited to the credit of the administration of this fund and other funds was conducted in accordance with the lines provided for in the Haitian law. In 1918, I think it was, a lawyer that presented a Government check which called for 75 gourdes, the Haitian monetary unit, for the rental of a building occupied by the Government. The bank had shortly before that time decided that certain classes of payments were to be made in gold. In order to stabilize the exchange which, at that moment, was fluctuating in fashion as to greatly interfere with the conduct of business, the manager who presented the check, refused to accept payment in gold. He went to the courts against the bank, represented in the person of the manager. The bank's defense was simply the production of a copy of Admiral Caperton's order and the subsequent order changing the situation. Of course, other things came into it, but the main defense was the defense of the bank. The court of cassation declined cognizance of the occupation and of Admiral Caperton's order against the plaintiff.

Mr. HOWE. In what amount?

Col. WILLIAMS. To pay the check in gourdes, as the writ for punitive damages, I think, of 100,000 gourdes; I am not sure of the amount. It was, like all punitive damages, for a very large amount.

Mr. HOWE. That being the decree of the court, what happened?

Col. WILLIAMS. Of course, it would be impossible to permit the check to be carried out, because, if so, the whole structure upon which the occupation would fall, so the manager of the bank was told to refuse to carry it out. I think the case is in that status now.

Mr. HOWE. If he did not pay the 75 gourdes and the damages?

Col. WILLIAMS. If he did not. I have mentioned that as a complete detachment of the one reliable court.

you ever make any observation as to what was the percentage the ordinary police cases which were brought into the lower

The number of convictions in the lower courts obtained by is largely a reflex of the gendarmerie officer's influence. Where did he have a chance to bring his influence to bear on the

By winning the confidence of the people and the officials by popular with them, and by proving to them what we are all that we are there to help them. Whenever this influence was percentage of convictions was very small. The Haitian judges the new gendarmerie, and they did not care for it mostly be-subject to a surveillance which they had never before experi-ellance was not only carried on by taking an active interest he courts, but was carried on by having present in each of s a gendarmerie representative known as the ministre pub-darmerie representative was provided for by an obscure y long law. I discovered it, and realizing what a powerful be for the betterment of conditions in the courts, immediately whenever a gendarme of sufficient intelligence and reliability In some instances I enlisted ex-ministres publique, old men s, to service as gendarmes in the courts. Their duties were able to those of a district attorney, if you can conceive of a in a police court. They rather presented the police side of omended a punishment. The judge was bound to listen to of the police side of the case, but was not bound to accept tion. In fact, he usually did not. But by having these more gents in every court for every trial, we increased the per-tions, because in an open-and-shut game, such as police trials hardly dared run counter to the evidence.

the presence of the ministre publique?  
In the presence of the ministre publique, who would promptly, what he considered without or with reason as a miscarriage presence of these agents, who were authorized by law, and know, never exceeded their authority except in individual in-sure of constant irritation to the whole judiciary, and par-very class. They felt that the gendarmerie was trespassing es in having this Haitian institution active, and the Gov- not like it, and when a new judiciary law was passed by the und, to my dismay, that no mention was made of the ministre was forced to send telegraphic orders all over Haiti, with-ple. My order was followed by a flood of protests from the rs who realized his value.

s there a falling off in convictions after that withdrawal of lique?

I do not know, because it happened so late in my adminis- was no opportunity to ascertain.  
your opinion, are the Haitian lower courts capable of them- tian conditions, and without assistance or suggestion from so administering justice as to make the carrying out of law ogress possible?

The Haitian judge, working after the French fashion, has If the evidence indicates that the crime was committed, he a guilty, and the various classes of crimes are described with in the code. Therefore, if the Haitian Government could courts Haitians of education, and pay them sufficient to make le to attend to their business, and to ignore the temptations to bject, I do not see why the lower courts can not be reformed.

er the conditions which you have named?  
Under the conditions which I have named.

about the higher courts?  
I think the higher courts must undergo an educational process them closer in touch with the actual needs of the people. at can be done, and the Code Napoleon still remain the Haitian ough of a lawyer to say.

the conditions which you stipulate as to the lower courts, prevail, did they, at the time of the occupation, or during

Col. WILLIAMS. They did not.

Mr. HOWE. And did the courts, the lower courts, do their part holding the hands of the police, and in maintaining order in Haiti?

Col. WILLIAMS. Speaking generally, when working under the influence of the gendarmerie officer, whom they may have learned and checked by the presence of the ministre publique, they did not feel influences and these checks did not exist. I do not believe they functioned differently from the way in which they functioned years before.

Mr. HOWE. In his testimony the other day Gen. Butler indicated that the way, and with some illustrations, the work which the gendarmerie was doing in straightening out and carrying on the affairs of the communes gave us some statement of your observations on that?

Col. WILLIAMS. I think they once reported that the most desirable results had been accomplished in Haiti by the communal administration under the direct supervision of the gendarmerie officers. Early in the year the minister of the interior, under whose administration the communes worked, issued a letter to all the communes, stating that their financial operations, and some other operations, under the supervision of the gendarmerie officers. This meant a tremendous amount of work. The gendarmerie officers undertook it gladly, and succeeded in materially improving the appearance, the sanitation, and the financial condition of the communes with which they were brought in contact. Some of the revenues were increased a hundredfold. In all cases their work was directed toward the development of civic pride. It would be too much to say that a civic pride, but I could see glimmerings of it in all the towns. The class of Haitians was willing to accept public office in the towns, the books, if crudely, were at least accurately kept. The revenue collection supervised by the gendarmerie officers, and extortion was minimized.

Mr. HOWE. Had extortion been at all prevalent before that?

Col. WILLIAMS. Yes; extortion in a negative sense. That is, without influence had to pay, and the people with it did not. Payments were made only on the approval of the gendarmerie officers. In Haiti an official made to show results. The Haitians themselves were enthusiastically, and supported, except in the capital where there was a deal of friction, the efforts of the gendarmerie officers for the improvement of conditions in the town. The work was enthusiastically carried out, definitely productive of tangible results of a very important nature.

Mr. HOWE. What kind of results?

Col. WILLIAMS. The town was cleaned up, in the first place. The market places would be built, and rough slaughterhouses, and slaughtering place would be provided, and stray animals were kept out of the streets. The gutters were cleaned out, the people were encouraged to clean their hedges and put up fences and whitewash their houses; saw a very, very rudimentary sort of work was carried out with some operations of the office charged with the collection of vital statistics, supervised to a degree which resulted probably in at least a few births and deaths being registered.

Mr. HOWE. Was that better than previously?

Col. WILLIAMS. That was much better, but mostly the gain was in civic pride, so that towns began to compete with neighboring towns, and saw the beginning of this pride which I considered so essential to Haiti coming to be.

Mr. HOWE. Did this undertaking of the rejuvenation of the town itself create any friction in any quarter?

Col. WILLIAMS. Naturally, tactless officers sometimes tread on the sensitive officials, but those could ordinarily be straightened out. Cases of serious friction that occurred were in the capital, and probably the only town where the municipal revenues are received after.

Mr. HOWE. Will you compare the prison conditions as you found them before the occupation with the prison conditions as they became after the occupation?

Col. WILLIAMS. The condition of the prisons in Haiti when I was there was unspeakable. In the large cities, where they should have been the worst, were probably the worst. There was no provision made for the prisoners, the sanitary arrangements were practically nonexistent.

cept as hardly to serve as a guide in the segregation and in treatment of prisoners. A man with influence or with family could have a cell to himself, from which he would conduct and the people without money or influence would be jammed in the cells that were extremely dirty.

Are the sexes segregated there among the prisoners?

Yes; except in the smaller prisons. The prison reform was of interest, and the officers liked it very much. The prison in Port-au-Prince, I believe, a model for what the prisons of a small country could make, not only made a sanitary, livable prison out of it, but had a workshop which made all the gendarmes' uniforms, all the shoes, and made a part of the shoes and a lot of miscellaneous equipment. There was an automobile repair shop in there, a blacksmith's shop, a brass carpenter's shop that turned out far better furniture than the natives did, and not only were the natives whose term was sufficient to make it worth while taught a trade, but they were paid a salary for their production brought in. The gendarmerie, for instance, made uniforms from the prisoners. It did not commandeer this often the case that a prisoner would be discharged with \$150, a considerable sum for a poor Haitian.

Do they receive a fair ration while they were in there?

The ration was as much as we could buy. The Haitian Government, after discussion, allotted 8 cents gold for the rationing of

that ration means per day per man?

Per day per man. In normal times this would have been the conditions brought about by the war it was——the World War?

By the European war; it was very difficult, indeed, to make out. We had a scientific ration of 2,400 calories worked out on the calorific value of the native products, and it resulted in a marked increase in the general good health of the population, but I must say that the prison mortality, while less than in the general population, was still very high.

Were the conditions in the prisons where these good conditions prevailed?

Even in the prisons where these good conditions prevailed. In Port-au-Prince we had a medical officer of the gendarmerie who had nothing else to do but look after the prisoners, and we had a hospital, and every care was given them. That was our fault, even there the death rate was too high. Compared with the death rate among people who were at liberty, it was much higher.

There was no way of telling what the death rate among the prisoners was, because the vital statistics were not sufficiently well kept. Do you know whether or not the prison death rate was higher than the death rate outside of the prison?

I have no figures to compare.

Does anybody know what the death rate in Haiti is, then?

Nobody knows what the death rate in Haiti is.

Do you have any means of knowing what the prison mortality was in Haiti?

Before the occupation they had exactly the same prisoners, the same prisons, no sanitary arrangements, no medical care, and no doubt assume that the death rate was very much higher than it is now in the American direction.

What, if any, progress was made in popular education as a result of the occupation?

The Haitian Government spends a large percentage of its revenue on education, and the money is practically all wasted. There is no training of teachers worthy of the name, and therefore the school-teachers are very incompetent. Again I speak generally. The superintendents of the schools are equally incompetent to teach, know nothing about educational methods, and hold their positions largely through political influence. The gendarmerie, or any of the treaty officials, have the legal right to be in the schools, but they are not.

Do the personnel of the teaching force or the school system?

Col. WILLIAMS. The only relations we had with the personnel were two. The monthly report, to which I referred earlier, I voted to the schools, and on which the gendarmerie officer made motions on the conduct of the schools as appeared to him pertinent. In case seemed to warrant it, I would send an excerpt of this to education. I never received any other answer than a flat denial.

Mr. HOWE. But it was a supplementary kind of inspection?

Col. WILLIAMS. It was not an inspection; it was simply another contact with the personnel of the schools was that essential fact that the gendarmerie delivered the cash, the monthly salary to that teacher, and before paying him or her, required him to sign a little slip which certified that he or she had conducted his class as such and such a sort of teacher during the month or portion of the month.

Mr. HOWE. How did that work out?

Col. WILLIAMS. That worked out to this extent that the teachers were paid on the school days during school hours, but as to their compensation for the month, I paid off a number myself, resulted like this. On the personnel, I paid off a number myself, resulted like this. When a teacher came forward to receive her check, which was not more than \$2 for the month, and she could not sign the receipt. I asked her to sign, she said that she did not have to write; that she was a teacher. I could see for myself, if I read her ticket. That sort of thing was common.

Mr. HOWE. There were really a number of illiterate teachers?

Col. WILLIAMS. There were illiterate teachers.

Mr. HOWE. And did the American occupation have any legal change that?

Col. WILLIAMS. It had no legal authority whatsoever, and that was the reason because of it.

Mr. HOWE. Was the occupation responsible for building schools? Gen. Butler told us something about that, but was that work that he left?

Col. WILLIAMS. Yes; a small sum allotted originally by the Government, when he had control of certain disbursements, permitted of what we liked to call model schoolhouses in several of the communes. With this money we put up a substantial building of the type, with a center partition to separate the sexes and provide for sanitary facilities.

Mr. HOWE. Could the school system be improved without a change in the constitution?

Col. WILLIAMS. The school system could not be improved; it had to be done over again.

Mr. HOWE. Does the Haitian Government spend a substantial amount of money on it?

Col. WILLIAMS. A very creditable proportion of the revenue of the Government has gotten what it is.

Mr. HOWE. So its reconstruction is necessary?

Col. WILLIAMS. Absolutely.

Mr. HOWE. And the treaty officials and the Marine Corps and the Navy did not have the legal right to bring about any such reconstruction?

Col. WILLIAMS. We had no legal right. We were all interested in it, but we believe that one treaty official—who it was I am not sure, but I think it was the financial adviser—persuaded the Haitian Government to contract a qualified American educator. He came to Haiti under the name of a school reform. His program was utterly impracticable and of little weight. He then came around and made such reformation as was material at hand, but being engaged in a purely advisory position, he was never able to put across any of his recommendations, and without accomplishing anything.

Mr. HOWE. There would be necessarily a long wait before the school system could be supplied? They would first have to be educated, would they not?

Col. WILLIAMS. There must be a normal school; there must be a normal teaching personnel.

Mr. HOWE. You will have to wait for your first crop of teachers?

Col. WILLIAMS. Or else import them.

there ever been any financial irregularity attributable to the in the administration of these communal funds or the paymasters that you know of?

The only two cases when an American has been even suspected in connection with the public funds were these: A sergeant in charge of some work—I do not know just what it was—his own use something in the neighborhood of \$20, I think, entitled for that. The other concerns the seizure of \$1,000,000 ton. It was currently believed that Admiral Caperton, when with him that part of the \$1,000,000 which he had not turned over.

Currently believed by whom?

It was a matter of gossip in Port au Prince, and people who were—several did—told me they were eminently satisfied with the United States Government in shooting Admiral Caperton and the other for the part they had played in this.

I believed them equally well informed on both heads of the matter—as to Admiral Caperton's speculation and his later violent

I can not answer that. But, seriously, there has never been the slightest hint of a suspicion on the part of any Haitian administration of finances.

Butler has told us of what efforts were made under the circumstances of demonstrating agricultural possibilities down there. You are chief of the gendarmerie during that time, I believe. Were those efforts, or what efforts that were being made, continued during your time as chief?

No; they were not, except unofficially by individual officers and instances, being farmer boys who had enlisted, attempted to do something about better methods, particularly in the preparation of the soil.

Were the early efforts toward instruction in agriculture by the occupation?

We attempted to raise potatoes and improve the standard of living in Haiti, but our efforts were not successful.

In 1917 the constituent assembly was prorogued. Did you have anything to do with that or any direct knowledge of the process?

I was Gen. Butler's assistant at the time, but except from his knowledge and what he told me myself I know nothing.

Did you take no active part in that yourself?

I had no active part in closing it.

There was a similar prorogation in 1916.

The key, however, which I believe has become prominent in the matter, came into my possession.

What key to the chamber?

The key to the chamber. I had a great deal of difficulty in getting the Haitian minister to accept it. I did not want it. I have finally persuaded him to take it.

Did they get it into your hands?

I was assistant to Gen. Butler, and many details fell to me.

Gen. Butler hand you the key?

I do not know, sir.

Do you not know how you got it?

I do not remember how I got it.

There was a similar occurrence in 1916, the prorogation of the assembly. Do you have any direct knowledge of that, or take any part in it?

In your opinion, what would be the effect of an order abolishing temporarily while this committee is in Haiti investigating?

It would permit every liar in Haiti to go to the limit in his

Do you think it would do real harm?

I think it would do a great deal of harm.

Do you think it would endanger lives?

No.

The lives of our marines?

No.

Senator ODDIE. In what respect would it do harm?

Col. WILLIAMS. As I mentioned before, the Haitian is a what he hears he believes. The raising of martial law, which is stated except for the suppression of untrue newspaper articles, the publication of anything that any Haitian wished to say, undoubtedly—

Senator ODDIE. Say or print?

Col. WILLIAMS. Or print. It would result in a mushroom papers that would all find circulation, and what the Haitian papers he would accept as gospel. I can see that no useful gained.

Senator ODDIE. Would it have any effect on the testimony of the committee?

Col. WILLIAMS. I do not think so. On the witness who would you—and I take it that your visit there will permit only of the better qualified witnesses—the effect would be slight. A high class, does not fear punishment or imprisonment, especially of martyrdom goes with it. I do not believe that the better class would feel honestly that they would suffer because of any testimony disparaging it might be, that they gave before the committee. If, ship, it must be understood, so far as I was able to exercise, I criticised most of it—was directed only against the publication of libelous as a marine understands it.

Senator ODDIE. Untrue?

Col. WILLIAMS. Untrue. There was not the slightest attempt at criticism. That was fully discussed by me in a conference with the representatives of all the papers in the capital. That interview was printed in extenso, and I do not remember a single instance where were suppressed or their editors punished for printing a criticism. It could be even read as being truthful. I was one of the few French, and not only was a good deal of suppressing done but reading was done by me. I tried to get through all the papers, and was not difficult because there were only a few.

Mr. HOWE. To what extent would the existence of military law be affected by the suspension of martial law?

Col. WILLIAMS. It would depend upon the phraseology modifying the law or suspending it in whole or in part.

Mr. HOWE. It would not suspend the laws of courts-martial.

Col. WILLIAMS. If martial law were lifted without qualification, it would stop the operation of the military courts; I mean the provost marshal's courts.

Mr. HOWE. And that would leave only the civil Haitian courts.

Col. WILLIAMS. The civil Haitian courts.

Mr. HOWE. Are those, as they are now constituted, adequate for the administration of justice during the occupation?

Col. WILLIAMS. They are not adequate for the administration of justice so far as justice is involved in the adjudication of cases where the military or its representatives are a party.

Senator ODDIE. There is one more question I wanted to ask you with what I asked you before. If martial law were abolished, and our marines were still there, do you think there would be any sort of vengeance being worked against them?

Col. WILLIAMS. No; the Haitian is not an assassin. I think that in Port au Prince, a city of 100,000 people, there were not more than six or six murders.

Senator ODDIE. What would be the effect of suspending martial law temporarily while this committee is investigating matters in Haiti? Would there be vengeance being taken on the marines and result in harm to the Haitians who would then be unarmed, as far as the law is concerned?

Col. WILLIAMS. I do not believe that for a period of two or three months suspension of martial law would result in any crimes or violence.

Mr. HOWE. If the question referred to a longer period would the result be the same?

Col. WILLIAMS. No; an indefinite suspension of martial law would be extremely difficult the working of the occupation.

Senator ODDIE. If conditions remain as they are in regard to the occupation, do you think that it would mean any trouble in getting fair and unbiased statements from the witnesses?

I do not. The class of Haitians whom I assume you will have never had any reason to fear the operation of martial law, and they realize as well as we ourselves place on its application.

In connection with these questions in regard to martial law, I put to the witness, Col. Williams, regarding the lifting of martial law during the presence of the committee in Haiti, and I would seem to take their origin in the request or grow out of which I made last week or 10 days ago for the temporary lifting of martial law during the presence of the committee in Haiti, and I to appear on the record, in order that there may be no question in this connection, that the request was for the lifting of martial law during the period of the visit of the committee to Haiti, in any event, as I understand the present plans, above two days less than that.

At 4.35 o'clock p. m., the committee adjourned until Monday, at 10.30 o'clock a. m.)



# OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

MONDAY, NOVEMBER 7, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SAN DOMINGO,  
*Washington, D. C.*

met, pursuant to adjournment, in room 131 Senate Office  
at 10 o'clock a. m. Senator Tasker L. Oddie presiding.

Present: Mr. Oddie,  
Mr. Walter Bruce Howe, Mr. Ernest Angell, and Maj. Edwin

**MR. FREDERICK L. SPEAR, ATTORNEY AT LAW,  
FREMONT, NEBR.**

Q. Now, Mr. Spear, how old are you, please?

A. Forty-nine years old.

Q. Did you go to a law school?

A. Yes, sir.

Q. Where did you have university training?

A. At the law school; that was all.

Q. Where was that?

A. University of Nebraska.

Q. Were you ever a member of the United States Marine Corps?

A. Yes, sir.

Q. In what capacity?

A. From private to first lieutenant.

Q. When did you enlist?

A. At that time in July, 1917.

Q. How soon after that were you commissioned?

A. In 1918.

Q. Were you a commission in the United States Marine Corps?

A. In the Marine Corps Reserves, first, and a month later in the

second lieutenant?

A. Second lieutenant; yes, sir.

Q. Were you afterwards promoted to first lieutenant?

A. Yes, sir.

Q. When was that?

A. I think in about March or April, 1919.

Q. Were you first lieutenant in the Marine Corps?

A. In the Marine Corps; yes, sir.

Q. There has been testimony before the committee here of in-  
competent members of the Marine Corps, had rank in the Haitian  
army, and commissions and promotions of which we have been  
told in testimony here refer to Marine Corps promotions and grades,

is that correct, sir?

Q. Where was your service?

A. In the start.

Q. In the start?

A. In the United States?

Q. Did you serve in the United States and Haiti?

A. Yes, sir. I did go to Haiti?

Mr. SPEAR. I think I landed in Port au Prince on April 1.

Mr. HOWE. What duties did you perform?

Mr. SPEAR. The next day I was sent into the field, in the m

Mr. HOWE. With what organization?

Mr. SPEAR. I think I was attached to either the Sixty-sev Company, but I was not with them; I was detached. I w roster.

Mr. HOWE. When you took the field what outfit were you

Mr. SPEAR. I think with the One hundredth Company; I an

Mr. HOWE. Did you perform any duty as an officer of the

Mr. SPEAR. I had command of some gendarmerie, but I w the gendarmerie.

Mr. HOWE. Explain that, will you please?

Mr. SPEAR. I was sent out by the major in command at M called Sauteau, and there I had charge of the town with, I t marines and 3 or 4 gendarmes in the barracks there—a littl

Mr. HOWE. You therefore had some gendarmerie under yo

Mr. SPEAR. At that time; yes.

Mr. HOWE. But you were never given any separate con darmerie?

Mr. SPEAR. No, sir.

Mr. HOWE. About when was it that you had these few gen orders?

Mr. SPEAR. It must have been the latter part of April an May.

Mr. HOWE. Of 1919?

Mr. SPEAR. 1919.

Mr. HOWE. When were you discharged from the Marine Co

Mr. SPEAR. About the 1st of August, 1919, I think.

Mr. HOWE. Why were you discharged?

Mr. SPEAR. I asked for it, I guess; yes, I asked for it. The

Mr. HOWE. How was your health at that time?

Mr. SPEAR. I had malaria and I weighed 135 pounds, and was 175.

Mr. HOWE. Are you suffering from some after effects of th

Mr. SPEAR. I just got out of bed a little while ago.

Mr. HOWE. From malaria?

Mr. SPEAR. Yes.

Mr. HOWE. On June 26, 1919, did you act as counsel for the eral court-martial of Pvt. Walter E. Johnson, United States

Mr. SPEAR. Yes, sir.

Mr. HOWE. Mr. Chairman, I want to introduce into the martial proceedings of the Walter E. Johnson general cou which I have here the original record. My suggestion would typewritten, possibly printed later on, contain the charges the summing up of counsel for the accused, and the findin full, and the action of the convening authority in full, but a for purposes of the record of the committee, I believe that a digest of the testimony will serve all purposes equally well, tion of the digest I should, before submitting it to the commit Angell, counsel for the Haitian societies, to obtain his assist it is a sufficiently full and impartial digest.

Senator ODDIE. With a reference made to the place where

Mr. HOWE. With a reference made to the place where th that although it will be one of the records introduced in e committee the committee by that means will avoid unnecessa printing. Will that be satisfactory, Mr. Angell?

Mr. ANGELL. Quite satisfactory.

Senator ODDIE. If that is satisfactory, it will be so ordered

(It was understood that the records referred to would be record.)

Mr. HOWE. I will remind you that Johnson was tried on c ations as follows: summarizing: Charge I: Assault. Specifi Leonard Placide, a native. Charge II: Absence from station leave. Specification: Absence without leave on or about Ma III: Conduct to the prejudice of good order and discipline. S Pvt. Johnson, serving with the One hundred and forty-eight

First Provisional Brigade, United States Marine Corps, on roix des Bouquets, in Haiti, unlawfully became a member of unlawfully shot the said Leonard Placide. Specification 2: wfully joined a firing squad which unlawfully killed another ine Jean, a native prisoner.

u that the result of the court-martial was that the accused of the first charge; that the second charge, of absence with- proved; and that the third charge, with both specifications eld to be not proved, and that the sentence was confinement dishonorable discharge.

thority of this court-martial was Col. L. McCarty Little, of Marine Corps.

ntified the proceedings in that way, I will read to you the summing up or argument before the court-martial in that s on page 41 of the record of the court-martial.

upon read the closing argument of counsel for the accused e court-martial of Pvt. Walter E. Johnson)

e transcript of your summing up, to the best of your recol- ne?

ically so. The reporter was rather slow, and a few words practically the meaning of the thing.

w your attention to your remark to the court: "I myself or two Cacos shot upon notification of a chief of section." here reported substantially correct?

ically; yes, sir.

cept that as a transcript of what you said, which would not

if explained.

se explain and also state to the committee what, if any, in mind when you made that statement to the court.

in the field in command of about 30 men.

re now describing the occurrence which you had in mind?

About half of them were incapacitated with the fever. I was

and make a certain patrol, looking for this band of Cacos.

caco means the people that were fighting us.

ing against you?

d forces, yes; not natives, armed forces. When I went out

took five men, a Negro guide and myself, all the men that me at that time.

you speak of men do you mean enlisted personnel of the ne Corps?

except the Negro guide that I speak of.

was the Negro guide's position?

as chief of section there.

is a civil office, is it not, under the Haitian law?

something like our sheriff here. We came up with the

out 5 o'clock in the morning, after marching two or three

it was daylight we turned loose with our Lewis gun and the

many pieces did you have there?

Lewis gun, four rifles, and a pistol. I carried a pistol, and

pistols. These Cacos were in houses and behind trees down

ve were on top. We drove them out of the valley; at least,

in the valley there were various dead and wounded Cacos

is point, what was the date of this occurrence, as nearly as

ime in May or June, 1919.

how long before you acted as counsel for Johnson?

oly six weeks.

where did this action take place that you are now describing?

ame place, to the east of the little trading point called Petit

e is Petit Fond; what part of Haiti?

ak it is some 45 miles to the northeast of Port au Prince, I

ou continue with your description of the action?

Mr. SPEAR. We were firing as we ran down into the valley at us.

Mr. HOWE. The Cacos?

Mr. SPEAR. Yes; we chasing them up the hill, consequently reversed; we were in the valley and they were on the hill with the men—I do not know how badly they were wounded or whether they were faking, these Cacos. I rushed ahead and grabbed the machine gun at that time—the Lewis gun—and detailed two of my men to guard it. That left me with three men.

Mr. HOWE. Let me get this correct in my own mind, as far as the hill had at the time that you took charge of the Lewis gun yourself, you were in command in your advance beyond the point where lay the Cacos who were struck down in your opening volley; is that right?

Mr. SPEAR. Yes.

Mr. HOWE. And you were pursuing the others?

Mr. SPEAR. Pursuing the others.

Mr. HOWE. Up the hill?

Mr. SPEAR. Yes; sending two of my men back to watch my rear.

Mr. HOWE. Having at that time passed over and beyond the top of the Cacos?

Mr. SPEAR. Yes.

Mr. HOWE. Go ahead, please.

Mr. SPEAR. One of the men came forward and said, "What are you doing with these wounded fellows?" And I said, "Go back and stay with them. Do not bother with the wounded men."

Mr. HOWE. How many Cacos were there in the forces opposed to you at that time?

Mr. SPEAR. About 100.

Mr. HOWE. Is that an estimate or an actual count?

Mr. SPEAR. An estimate.

Mr. HOWE. How did you estimate them?

Mr. SPEAR. Our intelligence department had said that there were about 100 and I was to attack; between 80 and 100, they said.

Mr. HOWE. Were you able to judge by the volume of their firing that there were numerous or not?

Mr. SPEAR. No; except that they were unusually skilled riflemen. They were coming very close to my men all the time. Ordinarily they would not.

Mr. HOWE. At the time you gave that direction to your men to go to the rear, where were the rest of the enemy with you?

Mr. SPEAR. They had almost completely surrounded us and were coming up on the hills and went around us.

Mr. HOWE. Was there firing from front and both sides?

Mr. SPEAR. Yes, sir.

Mr. HOWE. Had there been any firing from the rear?

Mr. SPEAR. I do not know right at that time whether there was any firing from the rear. We could see them getting behind us.

Mr. HOWE. You could see these people?

Mr. SPEAR. Once in a while a flash through the trees.

Mr. HOWE. You say you could see them working around the hill in that position, some of them?

Mr. SPEAR. Yes.

Mr. HOWE. How were these Cacos armed?

Mr. SPEAR. Well, those we killed were armed with rifles, some with machine guns.

Mr. HOWE. Did you see arms in the hands of any of the Cacos who were running?

Mr. SPEAR. No; but I could see them shooting.

Mr. HOWE. Could you hear the bullets coming near by?

Mr. SPEAR. Yes, sir.

Mr. HOWE. And were you able to judge how near the bullets were coming?

Mr. SPEAR. Well, some of them hit right between my men and they could see the dust fly.

Mr. HOWE. How long did this action last?

Mr. SPEAR. About an hour.

Mr. HOWE. Was the firing of the Cacos fairly sustained during the action?

Mr. SPEAR. Yes.

Mr. HOWE. How near were your supports or reserves?

and none; there were none.  
 had made a two or three hours' march before you met with

your opinion, how important was it to disperse and drive off the  
 at possible moment?  
 extreme importance. That was the object of the campaign.  
 many dead were there that you counted as the result of the

are forgotten now; I suppose half a dozen, that is that were  
 of them, some wounded, running. I could see the blood  
 off their wounded, those Cacos. They think that if a man  
 le field and lies there overnight he goes to hell, so that they  
 carry their wounded and dead with them when they retreat.  
 many wounded were there, do you know?  
 not know, a couple or three.  
 or three?

new, however, from the report of your subordinate that there  
 e behind?  
 es; I passed over them when I went up.  
 e were they when you passed over them; were they in a  
 n some houses; small, scattered houses; it was not a village;  
 of the inhabitants.  
 there any peaceful inhabitants around in the houses?

u know whether or not, as a matter of fact, your subordinate  
 ded?

assumed that he did?  
 med that he did; yes; they were dead.  
 were later found dead?

was the nature of the country there; was it wooded?  
 ed and mountainous; very mountainous.  
 near could an enemy have approached to your rear and still  
 ver?  
 yards.  
 were modern rifles they were armed with, were they not?

was the range of these rifles they were armed with?  
 e no idea.  
 than 50 yards?  
 y, yes; they were .45-caliber rifles—old French rifles.  
 ne of those would kill a man as far as you could see him?  
 John L. Mayer was hit with one of them, and it killed him

t how close a range?  
 se range. It tore his whole side out instantly.  
 ol's range is good for more than 50 yards, is it not?  
 will have to shoot better than I can. I would say yes.  
 an hit at 50 yards?  
 an hit at 200 yards and can kill a man with a pistol; yes,  
 those guns would be absolutely fatal at a thousand yards,

ould think so. I am not a technical expert, but I should

did you come out?  
 carried only the ammunition that we could carry on our  
 se, that does not go very far in a Lewis gun, consequently  
 way and get out of there. My ammunition was about gone,  
 t the lives of my men any further, of course.

at did you do?  
 red and cleared the way and got out of this valley, and as  
 out of there we were safe again. We were on the high land  
 them.

Mr. HOWE. That was open ground?

Mr. SPEAR. More or less open ground.

Mr. HOWE. Did you retrace your steps any in order to get to the other side of the valley?

Mr. SPEAR. No; we went back; we could not get to the other side.

Mr. HOWE. Did you make a report of that engagement?

Mr. SPEAR. Yes, sir.

Mr. HOWE. Reporting the casualties to the enemy?

Mr. SPEAR. Yes, sir.

Mr. HOWE. In that report did you make any mention of your wounded?

Mr. SPEAR. No; I did not suppose that was necessary.

Mr. HOWE. You counted those as dead?

Mr. SPEAR. I had to kill them; I could not leave them there.

Mr. HOWE. Had you at the time or have you now, any doubt or hesitation in giving that order?

Mr. SPEAR. Absolutely none—no doubt.

Mr. HOWE. You believe you were justified?

Mr. SPEAR. I certainly was.

Mr. HOWE. And if you had not given that order and the men had not been killed or hurt any of your men, would you have then felt responsible?

Mr. SPEAR. I would have felt responsible and I would have been court-martialed. It was my duty to bring my five men home.

Mr. HOWE. And your reason for that feeling is that this was a critical situation in the field?

Mr. SPEAR. A critical situation in the field.

Mr. HOWE. The circumstances of which justified the killing of the wounded men?

Mr. SPEAR. Absolutely.

Mr. HOWE. When you were addressing the court-martial in the field, did you have any other instances of the killing of wounded men?

Mr. SPEAR. No, sir.

Mr. HOWE. That was the basis of your remark?

Mr. SPEAR. Yes.

Mr. HOWE. And the sole basis of your remark?

Mr. SPEAR. The sole basis.

Mr. HOWE. Where I left off quoting your remark goes on, whether a treacherous guide need expect a trial if made prisoner or any occurrence in mind when you made that remark?

Mr. SPEAR. Not to my personal knowledge.

Mr. HOWE. That remark is, in general, correctly quoted by me?

Mr. SPEAR. Yes, sir.

Mr. HOWE. What caused you to make that remark? Have you any other reason to give of it further than that you made it?

Mr. SPEAR. Yes; I understand that a lieutenant in the 8th Infantry was betrayed by his guide one morning and I do not know whether he was killed on the head and killed him or shot him or what, but something doing there.

Mr. HOWE. On the spot you heard it?

Mr. SPEAR. Yes.

Mr. HOWE. But you have no further knowledge than what I have just quoted, is that correct?

Mr. SPEAR. That is it; and if the guide did betray him, I am perfectly justified; there was no other way he could do with him.

Mr. HOWE. That is to say, out in the field and in the presence of the enemy?

Mr. SPEAR. Yes; you understand we were out in the field.

Mr. HOWE. Your views are limited by that circumstance, and you expressed them, of the treatment of unfaithful guides and of the enemy in the field?

Mr. SPEAR. Certainly.

Mr. HOWE. I will continue the quotation: "I merely mention that the men show that marines in the field live in this atmosphere and that they are surprised to receive orders to kill a man. I myself have been surprised to see forces in the field to which prisoners were sent and which were notified me—we had orders to execute. The captain detailed to guard the prisoner, which he did without question, close beside him."

back to Mirebalais through mistaken orders regarding his  
incident did you have in your mind when you made that state-

mean the times.

you will give us your recollection, I will, with your permission,  
make as precise as possible the time and the circumstance.

was, I think, in May or June sometime that I was in the  
command of Capt. Edwards.  
was 1919?

Edwards?

you know Capt. Edwards's first name?

I do not.

you know what outfit his command belonged to?

I think he commanded the One hundredth Company at that time.

One hundredth Company?

believe so; yes.

you certain of that?

sir.

that is your best recollection?

sir.

you continue what you were going to say?

was in May or June, 1919, I think, and Capt. Edwards and  
I were at this town, Petit Fond, he, of course, being superior in  
rank there at 10-day intervals, and with relief sent out and  
prisoners out there.

at was that date?

it was May or June; I could not say which.

how long before your relief at Petit Fond had you been with

me, you see, a part of the time I was in command at Petit  
Fond of the time Capt. Edwards. If you will state your question  
to answer what you are trying to get at.

said some time ago in your testimony that you left for the  
agent from the One hundredth Company?

your departure was very soon after your arrival in Haiti,  
is it not?

the next day.

was Capt. Edwards the commanding officer of that detach-  
ment you went?

I, in the meantime I was out at this little town I spoke about,  
command of the gendarmerie, Sauteau. Then I came right back  
with Capt. Edwards after that.

was your superior officer?

sir.

occasionally performed duty separate from him, did you not,

; he sent me out on patrols, of course.

you reported back to him after those patrols?

reported to him; yes.

at the time of your relief you were under Edwards's orders

the time of my relief from Haiti, you mean?

at the time of your relief at Petit Fond.

yes, sir.

how many men did you have there? Were you there under  
orders?

forty-three, about.

those were all marines?

marines, except our guides.

and the marines were not on gendarmerie duty there?

sir.

and neither were you?

Mr. SPEAR. No, sir.

Mr. HOWE. And neither was Capt. Edwards?

Mr. SPEAR. No, sir.

Mr. HOWE. Now, go ahead please.

Mr. SPEAR. Our relief brought these prisoners out, and I saw Capt. Edwards saw me and said, "You are responsible for this."

Mr. HOWE. How many were there?

Mr. SPEAR. Two.

Mr. HOWE. Do you remember the names of the prisoners?

Mr. SPEAR. No; they were Negroes.

Mr. HOWE. Haitians?

Mr. SPEAR. Yes. He detailed me to guard the prisoners. I was to shoot one of these fellows, but you are responsible. Watch him. He tried to try to get away from you." So I very carefully walked right up to the way, personally myself, as a guard.

Mr. HOWE. All the way from where to where?

Mr. SPEAR. To the place I am going to tell you about, and I saw a place there, and he detailed a man to execute this prisoner, and I personally witness it, he did execute the prisoner.

Mr. HOWE. What is your basis for saying he did execute the prisoner? Did you observe there from which you concluded he executed the prisoner?

Mr. SPEAR. I heard the rifle shot, and when I went back the prisoner was lying low there dead.

Mr. HOWE. Do you know any of the other circumstances—other men were in the firing squad?

Mr. SPEAR. One man.

Mr. HOWE. How do you know that?

Mr. SPEAR. I guess the captain told me afterwards—no; he told me the fellow away. I saw the marine taking the Negro out.

Mr. HOWE. You saw the marine taking the Negro out?

Mr. SPEAR. Yes.

Mr. HOWE. To the point where shortly afterwards the shot was fired?

Mr. SPEAR. Yes.

Mr. HOWE. The sound of the shot came from?

Mr. SPEAR. Yes, sir.

Mr. HOWE. And the marine was taking the Negro out in the place where you subsequently saw the Negro dead?

Mr. SPEAR. There was no question about it; he shot him and he was concerned.

Mr. HOWE. Is there any question but that he shot him and he was concerned? Capt. Edwards?

Mr. SPEAR. I could not say. I did not hear the captain give the order.

Mr. HOWE. The captain, however, told you he had ordered the execution?

Mr. SPEAR. Yes.

Mr. HOWE. Did he tell you on whose authority those orders were given?

Mr. SPEAR. No; he did not.

Mr. HOWE. These two prisoners were brought out by this man?

Mr. SPEAR. Yes, sir.

Mr. HOWE. Where were they brought from, do you know?

Mr. SPEAR. Mirebalais, I think.

Mr. HOWE. Do you recollect who was in command, what man was in command at Mirebalais at that time?

Mr. SPEAR. No; I can not. If you can refresh my memory I can remember. He was a major in the Marine Corps, a colonel in the army. I do not know.

Mr. HOWE. How could you refresh your recollection?

Mr. SPEAR. I believe if somebody mentioned his name I could tell you he was the man or not; I do not know. He wore a mustache.

Mr. HOWE. Have you with you or at home any notes, correspondence, material in which you could hope to find the name of this man?

Mr. SPEAR. No; I could not—I could not tell.

Mr. HOWE. What were the names of the officers coming out with the force to Petit Fond?

Mr. SPEAR. Capt. Brecker or Becker, I do not know which.

Mr. HOWE. Brecker or Becker?

Mr. SPEAR. Yes.

the marines?

there another officer with him?

sir.  
you recollect the name of the other officer?

not know. I know he went down to the military academy  
Virginia Military Institute. He was a great football player. I  
his name.

went to Virginia Military Institute last year as a student?

any notes or other material from which you could  
lection as to the names of those relieving officers?

sir.  
you know how the orders to kill these prisoners had been  
Capt. Edwards?

sir.  
point of time, how near did Capt. Edwards's remark to you  
arrival of Capt. Becker or Brecker?

it was after,  
soon after?  
I, he told me to guard these prisoners, and it was half an  
as soon as we started back.  
ould it be fair to suppose that the orders to execute these  
ried by Capt. Brecker to Capt. Edwards?

Capt. Edwards have any other means of receiving an order  
t that time?

it is possible by native he could have received those orders,  
native messenger?

sir.  
ould you have known of the arrival of a native messenger with

believe so.  
e you aware of the arrival at that time, or just before that  
e messenger with orders?

sir; but I could not say for certain, of course.

it happened to the other prisoner? You mentioned two.  
took him back to Mirebalais with us.

you have any conversation with Capt. Edwards about this?

that night, yes; after we were back in Mirebalais.

at the return of the second prisoner?

it was that?

in not give his exact conversation, but he said he was sup-  
puted that man, but he made a mistake, and did not do it.

ore he learned of his mistake and informed you of it, had he

quarters at Mirebalais?

ink he had; yes.

ore your arrival back in Mirebalais had Capt. Edwards told

mistake not to have killed that prisoner?

no.

it is fair to assume that he learned that he had mistaken his  
t time when he got to Mirebalais?

yes; that is the fact.

you think of any circumstances by which you could fix the  
early in point of time? Had you cashed a pay voucher any-

time, or was there any outstanding fact by which you could

as not paid for six months there.

you have any other incident in mind of the execution of

ou told the court that you had been second in command of

to which prisoners were sent with orders to execute them?

not understand your question.

her read the question as above reported.)

sir.

t was the only incident that you had in mind

sir; except hearsay, you understand, as I told you.

Mr. HOWE. By hearsay you refer to rumors of similar occurrences.

Mr. SPEAR. Well, I would not say similar. I have heard of men being executed. I suppose they were bandits; I do not know.

Mr. HOWE. Did the rumor which you heard go into particulars as to those executions were before or after the trial?

Mr. SPEAR. No, sir; I do not know whether this particular case of Edwards was before or after a trial either.

Mr. HOWE. Did you ever inquire of Capt. Edwards whether he was authorized after trial?

Mr. SPEAR. No, sir; I never asked any questions.

Mr. HOWE. Do you recollect whether the Capt. Edwards referred to was named Thomas L. Edwards?

Mr. SPEAR. Yes.

Mr. HOWE. Have you in mind anything about the commandant of Mirebalais, the major, acting as colonel in the gendarmerie, or the committee to identify that commanding officer?

Mr. SPEAR. Well, Gen. Catlin was the commanding officer at that time.

Mr. HOWE. Had you heard of any previous service in the gendarmerie that major had performed?

Mr. SPEAR. Yes; Capt. Edwards was under him in Mexico.

Mr. HOWE. In Mexico?

Mr. SPEAR. Yes, sir.

Mr. HOWE. At what time in Mexico did you hear?

Mr. SPEAR. About 1914, was it, when they had the trouble in San Cruz that time?

Mr. HOWE. Are there any other particulars that you can give of the commanding officer by which we could identify him?

Mr. SPEAR. Well, if I could think of the name of that district of the gendarmerie that was there, I could identify him by him, but I cannot think of his name.

Mr. HOWE. There was a lieutenant of gendarmerie at Mirebalais?

Mr. SPEAR. Yes; the commander of that district there, the district headquarters for this major.

Mr. HOWE. If you should think of any other circumstances that could identify the commanding officer there, while you are thinking, please speak of it.

Mr. SPEAR. I will.

Mr. HOWE. Now, as to Capt. Edwards, had you any information at that morning as to his present whereabouts?

Mr. SPEAR. No, sir.

Mr. HOWE. What was the last you saw of Capt. Edwards?

Mr. SPEAR. I saw him in Port au Prince just before the trial.

Mr. HOWE. The trial of Johnson?

Mr. SPEAR. Yes.

Mr. HOWE. Which was on the 26th of June, 1919?

Mr. SPEAR. Yes.

Mr. HOWE. And you have not heard from him or seen him since; that correct; Edwards, I mean?

Mr. SPEAR. Yes, sir.

Mr. HOWE. Was there any subordinate of this commandant of Mirebalais whose name you recollect?

Mr. SPEAR. Maj. Pearce.

Mr. HOWE. Was it the same Maj. Pearce who was called Johnson court-martial case?

Mr. SPEAR. Yes, sir.

Maj. McCLELLAN. That is Jacob M. Pearce.

Mr. HOWE. J. M. Pearce was the witness in the Johnson case; one to whom you have reference?

Mr. SPEAR. Yes, sir.

Mr. HOWE. Where was Maj. Pearce stationed at the time of these prisoners; do you know?

Mr. SPEAR. I can not remember the name of the town; I think it was some miles from Mirebalais.

Mr. HOWE. Do you know whether he was in Mirebalais at the east at the time when you got back to Mirebalais with the prisoners?

Mr. SPEAR. I have no idea.

ve you any reason to assume that if this commanding officer do not recollect was not at Mirebalais, that Maj. Pearce at Mirebalais?

at was the usual custom, yes; and if Maj. Pearce could not ards took charge.

the absence of the colonel, whose name you can not remem- Pearce, Capt. Edwards would go into Mirebalais and take

. I think he was called adjutant; I do not know.

utant of what?

o not know the whole thing there. I do not know what it eld.

utant of the district?

r. Spear, do you remember in general the substance of the e Johnson trial, in which you acted as counsel for Pvt. used?

, sir.

nd that testimony in substance was that a native Haitian, ame, had been taken out by gendarmes, under the orders of nd, with another native Haitian, had been shot by a firing al?

, sir.

as it your belief at the time of the trial that these one or tians had been shot under orders of Lieut. Brokaw without

, sir.

as it your belief that the killings were unlawful and illegal? o far as Brokaw was concerned.

so far as Brokaw was concerned?

ave you since that time learned anything to change your t of the shooting, or the illegality thereof, so far as Brokaw

t as regarding the fact of the shooting. However, Brokaw ane afterwards. That would be a defense, of course.

ave you learned anything since then to change your belief ad been killed under orders of Brokaw, without previous con- nce of death by lawful trial?

o you remember the comments on the findings and sentence tial in the Johnson case, by Col. L. McCarty Little, the con-

ever heard them.

ese findings are a part of the record?

y are the ones that will be printed in full.

just want at this point to refer to them, to emphasize the ening authority, Col. Little saying: "The reviewing authority, sideration, is at a loss to understand how officers of the serv- ce of some of those who constituted this court could so disre- and obligations to enforce the laws and regulations"—

t a second, Mr. Angell. Would it not be better to read the ntil we get it printed in the record as a whole? Would it r idea?

l right, I will read the preceding sentence. It was just to save

ere you going to ask a question of the witness, based upon

es.

ink it would be better if you would read the whole thing.

ery well. [Reading:]

ngs of the general court-martial, in revision, in the foregoing E. Johnson, private, United States Marine Corps, are ap- ings on the first charge and specification thereunder are ap- findings on the second and third charges and specifications acquittal, are disapproved. The reviewing authority, after tion, is at a loss to understand how officers of the service and

experience of some of those who constituted this court could oaths and obligations to enforce the laws and regulations of their country, as to find the accused not guilty of the specifications thereunder, after the testimony which was pre of the defense that it was in obedience to the order of a untenable. All regulations state that the order must be that the accused claimed he did not aim at the executed man him from responsibility in the man's death. He made no p fact that he aimed and fired led the other members of the f lieve he was shooting at the man, and the example thus set makes him a party to the execution. Subject to the foregoing sentence is approved."

Did you, as counsel for the accused in that case, believe Lieut. Brokaw was lawful?

Mr. SPEAR. Yes, sir.

Mr. ANGELL. You believed that Lieut. Brokaw, then, had these one or more Haitians to be shot without trial?

Mr. SPEAR. No, sir; I meant lawful as regards to the private.

Mr. HOWE. You mean lawful authority to the privates?

Mr. SPEAR. Yes; that is what I mean.

Mr. HOWE. For their actions?

Mr. SPEAR. Yes.

Mr. ANGELL. Did you believe it was lawful in the marine listed man to obey the order of a superior officer to execute trial?

Mr. SPEAR. Yes, sir. I do not want to get in an unfair Angell. I mean that a private should always obey the order officer under all conditions. That is what I meant to say to

Mr. ANGELL. Do you think that the belief which you have is the duty of enlisted men to obey orders of a superior circumstances was common in the marine personnel in Haiti?

Mr. SPEAR. Absolutely.

Mr. ANGELL. And irrespective of whether or not the order, instance to which we have just been referring, was that prisoner lawfully convicted, should be executed?

Mr. SPEAR. It was the duty of a subordinate to carry out superior.

Mr. ANGELL. And that was the common and usual belief personnel in Haiti?

Mr. SPEAR. In a military force.

Mr. ANGELL. Referring now to the instance of the shooting prisoners at the time of the attack to which you have just say whether or not, in your belief, the shooting of wounded similar circumstances was or was not common in engagements in Haiti?

Mr. SPEAR. Personally, I can not say; that is, as to my per

Mr. ANGELL. Have you any belief on that question, based ence in Haiti, your conversation with brother officers, and th

Mr. SPEAR. Yes; I think it was the custom. When you rounded, you have to do the best thing you can do to get your

Mr. ANGELL. And that best thing, under such circumstances the judgment of the officer so engaged, the shooting of prisoner

Mr. SPEAR. Well, they were not prisoners. They were there were not taken charge of yet, you see. I will say wounded,

Mr. ANGELL. Had you not in this particular instance instructed to go back and shoot those wounded?

Mr. SPEAR. Well, the one man came up and asked me why back there in the rear with those prisoners who were still all

Mr. HOWE. Wounded prisoners?

Mr. SPEAR. Yes; they were afraid. They did not know of faking or what they were doing. I said: "Get them out o back to the rear and watch there, and watch out for your o

Mr. ANGELL. It is correct, is it not, to refer to them as wo

Mr. SPEAR. No; they were not prisoners. They were there a knife or a gun or something and shoot me or shoot anybody

Mr. ANGELL. You had captured them, had you not?

Mr. SPEAR. No; they were not captured—they were there.

you passed by them on your way up to leave this collection of the hill after the Cacos?

; passed over them, you might say, and went right on. There was a great deal of confusion in this whole thing between a Caco and a bandit, and I can not understand it. A Caco is a man in the field, a bandit, or whatever you want to call him. I do not know the difference. They were the fellows who were fighting us. They were the worst of them were called just Haitians.

Was it your understanding of the general situation in Haiti, the instances referred to, that our forces there were engaged in fighting against the Cacos in the hills?

And that the rules and customs of regular modern warfare prevailed entirely.

What respects did they not prevail?

Well, those Cacos were very savage men, and if they had captured him they would probably have skinned him alive.

Did you ever know of such circumstances?

I never knew of such.

Did you ever hear of any such instances?

It was reported to me that one of the native guides was found by the road one morning in pieces this long.

Mean cut into pieces?

; I knew what to expect from them.

That was hearsay, so far as you were concerned?

; of course, I had viewed those Cacos, too, at close range. I had seen a lot of men they are.

Did you never know, did you, of any formal declaration of war by the United States against Haiti, or the bandits of Haiti?

Yes, sir.

There was none, as far as you knew?

I do not know anything about it. I did whatever I was told.

What were the general instructions that you had upon arrival in Haiti for operations against the Cacos?

I had no instructions. I was sent out with the other officers to take charge.

What was your understanding, derived from your conversation with the officers and instructions from them, as to the attitude to be taken toward the Cacos?

The attitude, from instructions and observations, was that we were to kill the Cacos, and the quicker the better; but to be very careful not to hurt the natives. When I went out to this town to take command, they were regardless of any belief that I held toward the black race, and I went and got to the chief magistrate and take him into consultation.

What were you doing what?

I was more taking command of the town, and work with him, and was more sympathetic toward peaceful men. But all Cacos were to be killed. I was more sympathetic toward peaceful men. But all Cacos were to be killed. Warfare, as I understood it.

Did I understand you correctly to say that you went out into the field after you reached Haiti?

Yes, sir.

And what general instruction was given, if any, in your case or in the case of those that you know of, to newly arrived officers in Haiti, regarding the conditions there?

Well, I do not just exactly remember the distinction between the general way of doing things, but I knew that the thing was to kill these cacos. They figured there were from 3,000 to 7,000 of them, and the quicker we got them killed the better the whole thing would be off. They had devastated this country where I was.

What was the substance of the instructions you had, or the instructions which you acquired, upon your arrival in Haiti and during the time of your duty there?

Mr. ANGELL. And you believe that was the general under general instructions that were given at that time to newly a yourself?

Mr. SPEAR. Yes, sir.

Mr. ANGELL. Were there any general or specific instruction to your brother officers about the time of your arrival there, member, regarding detailed conditions in Haiti; that is to condition, the social condition of the people, their attitude government and toward the American occupation; in other words, which might assist you in dealing with the people and performance there?

Mr. SPEAR. No; no more than what I picked up from C expect he was my tutor; I do not know.

Mr. HOWE. He was your commanding officer?

Mr. SPEAR. Yes.

Mr. ANGELL. In other words, there were no detailed instructions in Haiti given to newly arrived officers?

Mr. SPEAR. No, sir.

Mr. ANGELL. How long after your arrival were you placed in town or subdistrict or other area?

Mr. SPEAR. Two days; but it was supposed to be a peaceable

Mr. ANGELL. Was that a fairly common practice; that newly arrived officers command duty in the country within a very short time they arrived?

Mr. SPEAR. No, sir; I do not think it was. They picked newly of lieutenants to take command of that town. I was senior first lieutenant there.

Mr. ANGELL. Do you know whether many or most of the newly they arrived in Haiti, spoke French?

Mr. SPEAR. Very few of them. It is a kind of a patois the Frenchman can understand it.

Mr. ANGELL. Referring now to the second instance of which morning, did I understand you correctly to say that prior to this one man whose body you saw shortly after the rifle shot, said to you that the man was to be shot?

Mr. SPEAR. About two hours before that. I was to guard ready to shoot him.

Mr. ANGELL. Capt. Edwards said nothing to you, either before or afterwards, as to whether or not the man had been condemned to death?

Mr. SPEAR. No; he said nothing.

Mr. ANGELL. You had no knowledge on that subject?

Mr. SPEAR. No, sir.

Mr. ANGELL. How far had the man been brought under guard edge, for his execution?

Mr. SPEAR. Well, they sent him out there. They made him out to us. I do not know how far it was.

Mr. ANGELL. Out from Mirebalais?

Mr. SPEAR. Sixteen miles or so, I think, or whatever it was.

Mr. ANGELL. Do you believe that this man had been lawfully arrested and sentenced to death?

Mr. SPEAR. I do not know anything about it. I believe he was.

Mr. ANGELL. And that was sufficient justification?

Mr. SPEAR. I was not in it.

Mr. ANGELL. No; I am asking merely for your belief. Were you not in it.

Mr. SPEAR. Well, it was claimed they found this man with a I think he should have been shot right there.

Mr. HOWE. Before being taken prisoner?

Mr. SPEAR. Before being taken prisoner.

Mr. ANGELL. Is it your belief that the decision to shoot this man was made by Capt. Edwards on his responsibility, or came from

Mr. SPEAR. Came from higher up.

Mr. ANGELL. There is no doubt about that in your mind?

Mr. SPEAR. No.

Mr. ANGELL. You said that you had heard rumors of peace. Were those rumors common among the marine personnel in

What do you mean by common? Do you mean hundreds of them, or ones?

Well, how current were such rumors? How often did you come

to, I suppose I heard it four times while I was in Haiti.

What rumor?

The rumor that people were being executed.

And, illegally?

Right, I will make it specific. What were the rumors which were heard about people being executed?

I had heard that they had executed people, that was all.

Do you mean lawful executions as the result of trial and conviction to death, or unlawful executions?

Well, they did not state that to me. I could not tell, you see.

Were these rumors those of the death of Cacos in battle?

I do not know; I do not think so. It was after they were cap-

tured were executions, then, of prisoners?

I suppose they were prisoners, yes; that is, I do not say that of my own knowledge, you understand.

Referring now to the Johnson court-martial record and to the testimony of the accused, Walter E. Johnson, and particularly 38, which appears on page 21, I want to read you the question as follows:

It is your duty to kill Cacos if taken prisoner and if you recognize

American forces in Haiti are in war against these Cacos. I am authorized to shoot a Cacos."

That testimony is this, Johnson's own testimony?

Johnson's own testimony; yes.

Questions asked by his own counsel?

Yes; questions asked by his own counsel.

That would be question 38 by yourself?

Yes; that would be your own question. Do you regard that as having just read to you in answer to the question put by yourself to Johnson, as a fair reflex on the attitude of the marine toward the Cacos?

I said you had not seen the action of the convening authority of

the court,

yes, sir. I left Haiti very shortly after the court-martial?

One week after.

Are the findings of the convening authority are not, under the law, to the accused's counsel, are they?

That I know of.

They certainly were not referred to you?

Do you know the action of the court must be reviewed by the convening authority?

Yes, sir.

And that even the prisoner himself, or the accused himself, is kept advised of the action of the court?

Yes, sir.

Will the convening authority has acted on the court?

Yes, sir. I left Haiti on what date, about?

About the 2d of July.

Was the action of the reviewing authority which was read by Mr. Johnson on July 18, 1919. You certainly were out of the country at that time?

Yes, sir.

Did a copy of this was not later furnished to you?

Yes, sir.

Did you answer some questions on cross-examination as to the duties of the officers by the orders of their superior officers?

Yes, sir.

Mr. HOWE. You know that to be a general rule of military discipline, our Marine Corps. in our Army, or Navy?

Mr. SPEAR. A fundamental rule.

Mr. HOWE. And not one peculiar entirely to the service of the military service?

Mr. SPEAR. No, sir.

Mr. HOWE. You know, of course, that as a matter of law it is for a subordinate to carry out an illegal order of a superior.

Mr. SPEAR. No; I did not know that.

Mr. HOWE. But you do know, or it was your feeling when you were an officer, that you were to presume the legality and authority of your superiors?

Mr. SPEAR. Yes, sir.

Mr. HOWE. Did you yourself, when Capt. Edwards directed the execution of a prisoner until he should be executed, inquire of Capt. Edwards whether the prisoner had been duly convicted and sentenced, or ask him about the circumstances of the proceedings leading up to that?

Mr. SPEAR. No, sir.

Mr. HOWE. Why did you not?

Mr. SPEAR. I expect I would have got whacked on the head.

Mr. HOWE. It was not customary for you to question the orders of your superiors, is that it?

Mr. SPEAR. Certainly not.

Mr. HOWE. By your answers you did not mean to state that you were being clearly aware of the illegality of the orders of a superior, and yet you were satisfied to carrying them out?

Mr. SPEAR. I do not think it is for him to judge whether it is or is not.

Mr. HOWE. You made some answers about the shooting of the prisoners. You would not say, would you, that the killing of wounded prisoners was all and any circumstances?

Mr. SPEAR. Of course not.

Mr. HOWE. You answered that the shooting of wounded prisoners was in your opinion, under circumstances similar to the circumstances of the shooting, you gave your orders to shoot these wounded?

Mr. SPEAR. Yes, sir.

Mr. HOWE. Did you hear of many cases of similar circumstances, such as the detachment of 5 men and 1 officer surrounded by 100 Cacos firing at them?

Mr. SPEAR. In the district next to me there were 33 men and 1 officer. The others until their ammunition ran out. I think they killed them. I know whether they killed any of the wounded, or what they did. They were outnumbered all the time.

Mr. HOWE. Is it your opinion that the responsibility is on the commanding officer in a unit in battle under those circumstances to take care of the safety of his men?

Mr. SPEAR. Yes, sir.

Mr. HOWE. And if in his opinion the killing of wounded prisoners would remove an element of danger to his command, it would be his order to do it?

Mr. SPEAR. It certainly would.

Mr. HOWE. But you would say, would you not, that each case, under such circumstances, must be judged on its own circumstances?

Mr. SPEAR. Of course.

Mr. HOWE. Entirely?

Mr. SPEAR. Certainly.

Mr. HOWE. You would agree with me, would you not, that in such circumstances when it would be clearly the duty of a commanding officer to kill a wounded enemy?

Mr. SPEAR. Certainly. They had their rifles there yet. We took their rifles with us or take their arms away from them, or use them.

Mr. HOWE. How many men would be a proper prisoner of war?

Mr. SPEAR. I should say—

Mr. HOWE. The minimum, the least that you could get along with?

Mr. SPEAR. It would depend upon the circumstances. One man could lick 10 of our men if he got hold of them with a knife.

Mr. HOWE. Let us assume the circumstances that existed in the case of the Cacos.

Mr. SPEAR. They are powerful men.

many men would it require safely to guard two wounded  
of 100 armed and unwounded Cacos?

ould say two or three men.

, subtracting two or three men from your forces that you then  
osal, how many would that have left, including yourself, to  
O?

ee. In that case I do not see that there was any question about  
ere.

y much time did you have within which to make up your mind

napped his fingers.)

ong as it would take you to snap your fingers?

sir.

And the element of a few seconds or minutes might have meant  
f all your men?

ay have meant the death of two or three of them at least.

us say the reduction of your force by 50 per cent?

reduction of the whole thing.

y 100 per cent. When you arrived in Haiti you were first

sir.

your experience as first lieutenant give you any basis for  
instructions of a colonel or a brigadier general were in arriving  
social and political conditions in the island?

sir.

can not, therefore, say and you do not mean to say what  
given to lieutenant colonels, majors, and brigadier generals on  
the island?

course not.

we were assigned to duty in the field the day after you got

sir; the day I got there the adjutant called me up and said:  
a convoy going out to a certain camp and report to a certain

you reported to a certain officer there and there came under

sir.

gave you sufficient directions to let you know what your course  
e as circumstances came up?

did not say anything; but, of course, I knew what they were,  
he command of a convoy if I took it, of course.

pective of whether the United States was at war with

I presumed they were at war.

at was your reflex on that question when the bullets were  
ou on the day you have told us about, as to whether a state  
existed or not?

ther considered it did.

we were asked whether you believed that the rules of regular  
plied there in Haiti, and you said you did not believe they  
all respects, and you later on said that this was guerilla

d.

your opinion, does the kind of guerilla warfare which was  
ere modify the rules of regular warfare?

what respects?

I could not say it would, either. I will take that back. I  
does, either.

efore, the actual conditions of warfare which must govern  
umstances is self-preservation and the preservation of the  
ommand?

; that is what I am trying to get at.

the enemy observe all the rules of civilized warfare?

at do you call civilized? The warfare at the beginning of the  
not civilized, and at the end it was civilized, with respect

to poison gas, for instance. It depends on what the other understood we should expect no quarter from the Cacos.

Mr. HOWE. Did you ever hear of Cacos ordering a wound or shooting or killing wounded Americans?

Mr. SPEAR. I do not believe I ever did, personally; no.

Mr. HOWE. Did you form any opinion as to what would your men if you had been wounded or left by the rest of the

Mr. SPEAR. We would have been killed, of course.

Mr. HOWE. You have not any doubt of that?

Mr. SPEAR. No.

Mr. HOWE. Who are the Cacos the enemies of?

Mr. SPEAR. Of the United States and Haiti.

Mr. HOWE. And of law and order in the island?

Mr. SPEAR. Yes, sir.

Mr. HOWE. Were they a good or a bad influence on the country?

Mr. SPEAR. Very bad.

Mr. HOWE. Did you know of any other way to deal with a Caco to kill you than to kill the Caco?

Mr. SPEAR. Certainly not.

Mr. HOWE. Your experience in Haiti was entirely out in the substantially so?

Mr. SPEAR. Yes; except for the last week, when I was I was sick in the field a part of the time and sick in quarters the time, and then, about a week before I left, I was put out of the day.

Mr. HOWE. Do you know, at the time you were down there, a large part of Haiti this guerilla warfare with the Cacos?

Mr. SPEAR. I do not just know the distances there. I should 30 miles across each way—or 40.

Mr. HOWE. And all the time you were there the brigades of Marines was Gen. Catlin?

Mr. SPEAR. No, sir; I think he came there after I was there was a colonel in command when I came there; I do not know.

Mr. ANGELL. Do you think, Mr. Spear, that your beliefs set out in your testimony this morning regarding the duties of the Marines in Haiti at this time, and the duties of marine officers and when engaged in conflict with the Cacos, fairly conforms to the views on such subjects by your brother officers and the remainder of the Marine Corps in Haiti at that time?

Mr. SPEAR. Well, I think so. Some thought they ought to deal with them than I thought. I was a kind of middle-of-the-road.

Mr. ANGELL. What have you in mind when you say some ought to go a little stronger?

Mr. SPEAR. Well, some of them thought the warfare should be that there should be more troops there, and harder fighting and get rid of them; kill all the Cacos.

Mr. ANGELL. What were the beliefs of the others who, from the inference of your answer right, had the view to the other direction from you?

Mr. SPEAR. No; I do not know of anyone, except some of the officers or two of being more partial to the native troops than his own troops; that is what I mean.

Mr. ANGELL. Generally speaking, you think your opinion is representative of the general opinion of the other marine officers on these questions?

Mr. SPEAR. Yes, sir.

Mr. ANGELL. So far as you can remember, did you or any of the Marines in Haiti believe that the application and enforcement of the law contributed to the numbers of the Cacos operating, or that the Marines were operating, or to the attitude of these Cacos?

Mr. SPEAR. I never heard of the corvee law until I came to Haiti. States again and saw it in the paper. I did not know how the fellows.

Mr. ANGELL. So that so far as you know or knew at that time of the bandits or Cacos was not affected by the existence of the corvee law?

sir; I did not know anything about it. I knew that who called himself the chief of them, broke out of prison

you know Maj. Walter N. Hill, or Maj. Woolman G. Emery, rps?

think I knew Hill. I do not know Maj. Emery that I re-

do not know whether either of those officers whom I have as the commanding officer in Mirebalais at the time of the native?

I believe Hill was, but I do not know.

may have been Hill?

may have been Hill.

at might have been Emery?

and it might have been Pearce. I do not know. I never ers when I came in. The captain reported.

, in your views with the views of your brother officers in methods of warfare to be employed against the Cacos, you rother officers of about your own rank?

sir.

have no means of knowing the attitude of the senior officers

l, I knew the commanding officer in the field wanted me to

That is all I knew. And he was very friendly toward the

a matter of fact, the Cacos were very unfriendly toward the they not?

riendly to the extent of killing them?

re you able to judge whether the native population in general the Cacos, or not?

y much. They were all gone when we were out there. They o the cities, in other words.

ou ever hear anybody express regret at the death of battle?

t 12.30 o'clock p. m., a recess was taken until 2.30 o'clock

#### AFTER RECESS.

re assembled at 2.30 o'clock p. m., pursuant to the taking r Tasker L. Oddie presiding.)

**F LIEUT. COL. ALEXANDER S. WILLIAMS, UNITED STATES MARINE CORPS—Resumed.**

Chairman, at the end of the committee meeting last Thursday, the direct examination of Col. Williams, and I would suggest l has any questions, that he proceed to ask them. There may of the examination, some points that may come up that the counsel may want to further question Col. Williams about, at to the end.

Very well; you may take the witness, Mr. Angell.

the beginning of your direct testimony the other day, Colonel, member correctly, that you could remember only two instances prisoners without trial, and you then went on to say that you s, except where action by way of investigation or disciplinary ie in your own hands. That is substantially correct?

That is substantially correct.

as your position, and were your duties in Haiti such that been other reports made of killing of prisoners without trial, have come to you personally?

It is, of course, possible that reports of killings were made to and those subordinates did not inform me. Of that I can not nswered the question you have quoted, I answered it in that o exclude the Lovoie, Williams, and Lang allegations.



o, and that the thought was expressed that your presence as gendarmerie might influence the native witnesses to reticence. Why you felt that would be the result of your presence?

I do not remember whether or not Gen. Catlin stated persons to be excluded, but I knew that it was because he thought would have a tendency to restrict the witnesses' testimony. Gen. Catlin as to this being a fact. I believed that my presence as witness in testifying, because it was perfectly evident to even that the final responsibility for misconduct on the part of must fall on the responsible senior, and that to a certain extent the investigation and to any charges which might be additional witness in that case, looking to his own future, might be antagonizing a man who, with the exception of Gen. Catlin, the biggest man he had seen.

Speaking generally and without reference to that particular instance, do you or do you not think that it was the Haitian population generally that the ultimate responsibility by the gendarmerie must, in the last analysis, come back to the titular head of the force?

To what extent a peasant could work that out in his mind I think the better-educated Haitian was fully able to come to such a conclusion.

I presume in such an outstanding matter as the allegation of Williams that the peasant might be able to trace the

case, for example, the history of the later phase of the corvée work that the Haitian population generally regarded the senior officer of the gendarmerie, and ultimately the brigade commander and the American occupation in general, as responsible for the corvée law, and, in a general sense, responsible for whatever occurred under it?

The Haitians generally, both ignorant and educated, seemed unable to make out in the many conversations I held with them to hold the occupation—by which they meant the gendarmerie, treaty officials, etc.—jointly responsible with the Haitian adverse corvée. It was well known that the corvée, in its inception and use, had the tacit approval, at least, of the Haitian Government.

Do you have any personal knowledge, Colonel, of the Hamilton case—the case of Capt. G. D. Hamilton?

No personal knowledge whatsoever. I believe that happened in detachment; at least the development of the case did.

Do you have any knowledge of the general court-martial of one

I do not think I did.

There has been just one passing reference to that somewhere in my testimony, but I do not think we have any specific testimony

mainly, the court-martial record is not in the record before this. I do not recall any mention of it.

There is just one. I am trying to find out what it is. The color of it.

I never heard of it.

At this point I think it becomes necessary to refer to the court-martial of Capt. Hamilton, because in there is a matter which I possess personal knowledge of the witness, and I would therefore enter in the record, subject to such digesting and shortening as may

Counsel refers to the court-martial record of Capt. George D. Hamilton, court-martial record in that case, and in the cases of Johnson and Hamilton will be offered to the committee in evidence, but, with the suggestion of being admitted in full, that it be incorporated in the summary or a digest satisfactory to all parties represented.

Howe and I discussed that general question already, and we have decided that.

Very well.

For the purposes of further identification merely, the court-martial of Hamilton was the court-martial which took place at the ma-

rine barracks in Cape Haitien on August 4, 1919, and the thereto.

Charge I, preferred against Capt. Hamilton, upon which he was convicted for disobedience of a lawful order of his superior officer, of which portions, for our present purposes, are the specifications thereof, are as follows:

"In that Capt. George D. Hamilton, United States Marine Corps, commanding the Constabulary Detachment, First Provisional Brigade, in the Gendarmerie D' Haiti, at Grande-Anse, Haiti, having on or about March 10, 1919, had addressed (then Lieutenant colonel) Alexander S. Williams, United States Marine Corps, commanding the constabulary detachment, aforesaid, and charged him with the issuance of an order of which he was conversant, in words to the following effect:

"1. No prisoner while in custody, whatever his or her status, shall be executed, or permitted to be shot.

"2. In case of an attempt to escape every reasonable effort shall be made to prevent the escape before shooting is resorted to.

"3. A report will be submitted to headquarters gendarmerie in the event of a shot under any circumstances. This report will contain a full and complete account of the circumstances brought out by careful investigation."

Do you remember that order, Colonel?

Col. WILLIAMS. I remember an order which I believe to be the order issued by Mr. ANGELL. Do you remember the reasons why that order was issued?

Col. WILLIAMS. Yes. Incident to Gen. Catlin's inspection of the gendarmerie at Haiti, and the investigation of the allegations made against the gendarmes, it transpired that there was no written order ever issued by the headquarters of the gendarmerie which forbade the killing of prisoners. Gen. Catlin suggested that such an order should be issued. I proposed to issue such an order, but did issue it in the form in which it was issued. It was delivered personally to Lovole by me, and on my return to the United States, I believe, the order was sent out immediately in regular form.

Mr. ANGELL. Do you know why Gen. Catlin felt that the issuance of such an order was required or proper? Did he give any reasons for it?

Col. WILLIAMS. I do not remember that he gave any reasons for it. It was a strong tradition in the military service that every offense was punished by the issuance of an order forbidding every one else to do the same.

Mr. ANGELL. So far as you know, did the fact of prior reports of the killing of prisoners by gendarmes motivate the issuance of this order?

Col. WILLIAMS. So far as I was concerned, no. What Gen. Catlin said to me was that I could not say. You mean by that reports prior to these parties?

Mr. ANGELL. No; I meant by that question reports coming to the attention of the date of the issuance of this order. In other words, was the issuance of this order the mere fact that no such order had been issued, or was it, in addition, the fact that there had been reports of the killing of prisoners by gendarmes?

Col. WILLIAMS. The order was issued immediately following the receipt of the allegation against Lovole. But I issued it because Gen. Catlin issued it. What I mean is that I did not believe that such an order was necessary any more than one that housebreaking should not be carried out without a permit to think differently, so I issued it.

Mr. ANGELL. Referring still to the record of the Hamilton case, particularly the testimony of Lieut. Col. Hooker, on pages 4 and 5, will you read to me a part of the answer to the third question based on that:

"I asked the accused (that is, Capt. Hamilton) what he knew about a prisoner who had been shot, and the accused told me that he had shot all Cacos captured if he was positive that they were not officers. He told him about an order issued by Gen. Williams, chief of the gendarmerie, dated March 10, the gist of which was that no prisoner, no matter what his status, would be shot or allowed to be shot under any circumstances. That in case of a prisoner escaping every possible means should be used to recapture before resorting to firing upon, and further, that if a prisoner was shot, no matter what the cause, a full report would be made to the headquarters of the gendarmerie. I found this order in the files of his office and found this order, which the accused

...v, but that he thought the order simply prevented him from  
out of a prison and shooting them, that he did not consider  
plied to prisoners taken on the trail. He told me that he  
out this policy since the order had been issued."

order, as framed and intended and issued by you, was not  
interpreted as Capt. Hamilton stated to Col. Hooker, but was  
to all cases, was it not, Colonel?

It was intended to apply to all cases.

Turning now to your testimony of the other day concerning the  
of the gendarmerie officers toward the native population,  
in substance that they showed the greatest friendliness and  
natives, and identified themselves with every measure for the  
districts and the general welfare, do you think that the  
succeeded in gaining the good will, generally speaking, of  
tion?

Almost without exception, the gendarmerie officers, senior  
and the confidence and the liking of the natives.

Would you make the same answer regarding the enlisted per-  
sonnel?

Generally, the enlisted personnel mixed freely and in a  
with the class from which it had been drawn. In certain in-  
sioned officers in charge of small posts conducted themselves  
as to be disliked. The gendarmerie represented to the Haitian  
extent the old gendarmerie military, and the gendarme had  
tive, before he made his friendship, that he was not operat-  
which the old Haitian soldier followed.

In your testimony before Col. Lay, referring to that again, you  
that the difficulty of getting men in the later stages of the  
operation caused the gendarmes to resort to methods that were  
quite consistent with their training under Haitian officials.  
element of their relations, is it?

It is a fair statement of their relations in that particular  
gendarme duties, but I must explain that the gendarmerie per-  
forming training generally under Haitian officials. It is possible  
gendarmes had served in the old army, but probably a small

...w would that use of brutal methods, then, be consistent with  
Haitian officials?

That statement, as quoted, did not express my thought. What  
was that this brutality was in line with that which the  
army had learned under Haitian officials. The precedents

perhaps an inheritance from the slave days of the eighteenth

The reflexes of slavery were relatively few and did not  
themselves in any important fashion. The only relic of  
was ever able to isolate was the universal habit of carrying

This, I always believed, was due to the fact that the code  
groes from carrying a stick greater than a certain diameter.

Gen. Catlin's statement before Col. Lay, taken about the  
ber 31, 1919, in speaking of the corvee as it existed in the  
Hinche district, he says: "All the inhabitants of a certain  
rounded up and brought into Hinche, and that all the gar-  
outside of the towns had been abandoned, and the inhabitants  
many probably having joined the bandits," and Gen. Catlin  
at the priests stated this was largely on account of the fear  
of the corvee; and further, that the appearance of a gen-  
was sufficient for the peasant to take to the brush and hide.  
whether that conforms with your own personal experience  
interrelations of the gendarmes and the population?

In part I am in agreement, that central Haiti was largely

...what time?

During the period of the bandit activities.

18 and 1919?

Col. WILLIAMS. 1918. This was due to the fact that the natives were afraid of the bandit gang or else be killed, so those who did not join the towns.

In regard to the peasants taking flight on the appearance of the bandit gang, I do not think that was generally true unless the bandit gang was in the immediate vicinity. The natives, I may say, abandoned their farms, did sneak out to them and made some attempt to save their crops. If bandit gangs were in the neighborhood and gendarmes came along, it is highly probable that they took to flight, because they feared to be identified or mistreated. Generally, throughout Haiti this condition did not obtain. I have ridden over nearly all the roads in Haiti on horseback or by mule, and I remember a native running away, and that was in a country where corvee had never operated.

Mr. ANGELL. Is it your impression that the natives take to flight or otherwise make themselves scarce, because of the fear of being taken into the corvee gang?

Col. WILLIAMS. In central Haiti, no; because at the time I was there I suspected it is my belief that there was no corvee there.

Mr. ANGELL. Prior then, to the time that Gen. Catlin inspected the roads, he believed that the natives disappeared or took to the brush to avoid being pressed into the corvee?

Col. WILLIAMS. No; because my personal experience tells me that there have been over that road between St. Michel, Maisserie, and Port-au-Prince, a number of times, once alone, and I never saw anyone run.

Mr. ANGELL. Why, then, did it become more and more difficult to obtain labor for the corvee as time went on?

Col. WILLIAMS. The reluctance of the natives to work on the roads.

Mr. ANGELL. If it was the practice of the gendarmes to beat the natives for forced labor, how would their reluctance make any substantial difference in the ability to obtain labor unless their reluctance caused the presence of the gendarmes?

Col. WILLIAMS. All gendarmes were not bad. Many of them were properly instructed in the corvee conducted themselves in a perfectly proper manner. If the natives failed to come in when ordered, or broke away from the corvee, I had gathered them, that gendarme would bring in no recruits. It was a question of finding labor so much as it was a question of finding labor. If the recruits of labor did not want to come in, in very many instances the properly conducted gendarme was unable to bring them in. The personnel of the gendarmerie in the condemnatory way in which they were not be understood at all that all gendarmes were badly conducted. Many were, within the limits of their intelligence and training, native police.

Mr. ANGELL. Is it your understanding that the gendarmes used intimidation to gather in workers for the corvee gangs as well as to get men at work, once they were there?

Col. WILLIAMS. I have no doubt at all but that in many instances intimidation, and brutal methods were used by the gendarmes.

Mr. ANGELL. To get the men to the roads as well as to keep them there?

Col. WILLIAMS. To get the men to the road; yes. I had a number of these reports, but rarely found sufficient evidence to bring to the trial of a gendarme. In some instances, if my memory serves me, they were punished.

Mr. ANGELL. From what class of the Haitian population were the gendarmes generally drawn?

Col. WILLIAMS. From the lower class almost entirely. They had enjoyed such a reputation that anyone who joined it was considered a criminal. This made it very difficult for us to recruit the necessary educated material which we had to develop noncommissioned officers, who must know how to lead men.

Mr. ANGELL. Do you think that the reluctance of the natives to take service in the gendarmerie was based to any considerable extent on opposition to the intervention and presence of the United States?

Col. WILLIAMS. Absolutely not. One of the things which I think the fact that the Haitians realized that the American gendarmerie would be an excellent thing, and there was no objection to the part of the higher class to come in as officers, that is

we had no end of applicants. The feeling generally of the gendarmerie was a friendly one. They realized, of course, that we were making mistakes. Some of us did not know the language, and some knew the laws, others were tactless, but, as the President himself has said, the mistakes of the gendarmerie have been well-intentioned mistakes, and not against them.

To what extent were the native Haitians sworn into the gendarmerie as commissioned officers?

When the gendarmerie first came into being, in virtue of the agreement, an annex to the Haitian-American treaty, it was desirable that Haitian officers be included in the personnel. In my mind, a number, I think about 20, young Haitians of good education were put in a training school, but the scheme did not work. The training of these young officers naturally was conducted in a way that which we give our own, and the first requirement, that of a physical examination, was objected to so strenuously that we were unable to carry it out from semiengagement. The next difficulty concerned the instruction. A gendarmerie officer, an American, qualified to instruct Haitians, in which the Haitians are notably deficient, gave them a demonstration of the methods, and then told one of them to groom the horse. He refused. They all refused. So that school stopped almost immediately.

When you say a practical demonstration there, do you mean that the officer groomed the horse himself?

The instructing officer groomed the horse himself, rubbing the horse the way it lay, and not rubbing against it, and turning it in, making all the practical work of grooming.

However, four or five Haitians commissioned with an acting commission by Gen. Butler. Only one of these four or five lasted long. The first one to go out was detailed as subdistrict commander at Marie, and acting in that capacity he borrowed the communal funds of the magistrate in whose charge they were that he needed them to pay his gendarmes. I caused him to resign.

He was having had an ordinary police report made against him, which was against me, and which I in turn sent out to have investigated, as we were promptly brought suit in the civil courts against the man for damages, for, I think, 20,000 gourdes damages. I got rid of him.

Who was in charge of Fort Nationale, a little fort that overlooks the city? Prince, I found had diverted the water supply of the fort for irrigating his garden, which was down on the side of the fort. I got rid of him.

Having been reported for debt by almost everyone who would touch him, I had to get rid of him.

One, a perfectly splendid young Haitian, who did very remarkably well against the bandits, but his value was limited to that, because as he was put in a position where he was brought in contact with the bandits, a riot came about, and we could not remove him because the bandits liked him, and we could not keep him there because he could not be trusted by the officials, so we put him in the field. I think that was all the Haitians whom I inherited, and of those I got rid of all but one.

Was there any further attempt, Colonel, to obtain the services of Haitians as officers in the gendarmerie?

Not during my time. I believed then as I believe now that it would be good only to the extent to which it is driven by the fact that there is not good material in Haiti, but the material is not good naturally, and with the Haitian's way of looking at things, it is impossible to bring about a condition of police efficiency such as we sought. Do you think that a reasonable degree of police efficiency is possible with an exclusively American personnel of all commissions?

Judging from the administrative history of Haiti in the past,

Do you think, then, there is no reasonable possibility of the gendarmerie being as efficient officers, even junior officers, of a gendarmerie as we say, be officered in its higher ranks entirely by Americans?

I do not believe—I will not say that it is not a possibility. It is possible. But I doubt very much if an efficient military

police can be maintained in Haiti with the commissioned Haitians.

Mr. ANGELL. Do you know whether any of these young Haitians have applications for commissions in the gendarmerie, and you to a good many of them, if I remember correctly, were graduates of the military academy of St. Cyr?

Col. WILLIAMS. I have a vague recollection of one man—who was a young man—who had attended St. Cyr. I would not be sure that he was not he was an applicant.

Mr. HOWE. Could you say whether or not he was a graduate of St. Cyr?

Col. WILLIAMS. I can not say that. I do not know.

Mr. ANGELL. Were there actually any examinations conducted in the direction of a board to be selected by the senior American officers as stabulary for native Haitians as commissioned officers?

Col. WILLIAMS. No; you refer now to that treaty?

Mr. ANGELL. I am referring to the treaty, to Article X of the treaty of September 10, 1915, and to Articles II and V of the subsequent convention of the following year—I have not the exact date.

Is it proper, Colonel, to refer to the operations of our forces against the cacos as being divided into two periods; first, the early days of the occupation as one of preliminary pacification, and second, from 1918 to 1920, as one of a second period of operations by our forces against the cacos, the two periods of operations and the operations by our forces against them being separated by a period of comparative quiet and calm in 1916 and 1917?

Col. WILLIAMS. The early operations conducted by our forces were brought to a close by the native leaders agreeing to cease hostilities, way, because there was no surrender.

Mr. ANGELL. And that was about what time?

Col. WILLIAMS. Those operations took place in 1915, and continued into 1916, not very long. I do not just remember. If they continued it must have been for a short time. The operations conducted by our forces against the bandits in central Haiti, and latterly by our forces and marines, constituted a distinct phase.

Mr. ANGELL. This affects the days of 1918 to 1920?

Col. WILLIAMS. 1918 and 1919. What happened in 1920 I do not know.

Mr. HOWE. Have you been using the term "Caco" and "Caco" interchangeably?

Col. WILLIAMS. I have not. I have very much not used the term. They connote two entirely different things.

Mr. ANGELL. Gen. Cole, in his report to the Secretary of War of September 23, 1920, which appears, as I believe, as Exhibit 1, is a record of the Mayo court of inquiry, and which I should like to see in record, or refer to now—

Mr. HOWE. Mr. Chairman, as to the record of the Mayo court of inquiry, I hope that may be introduced in the record in connection with the report of Maj. Dyer, who was the judge advocate of that court, and I hope the record, in full, and some of it summarized for the printed report, can be no objection at the present time, in view of the certainty that it will be in the record—

Senator ODDIE. There is no objection to the witness referring to it.

Mr. HOWE. No, sir. It will be entirely proper, and no objection to it, with sufficient explanation as to what part he is referring to.

Senator ODDIE. There is no objection to that.

Mr. ANGELL. Continuing my question, then, and referring to paragraph 26 of the report, which is dated September 23, 1920—

"When the undersigned relieved Maj. Gen. (then Brig. Gen.) Cole as brigade commander on November 22, 1916, conditions throughout the public of Haiti were generally peaceful, there being no armed forces of the United States forces or to the Gendarmerie d' Haiti, though at increasingly rare intervals, reports would be received of the robbing of market women by armed robbers, almost invariably in the vicinity of the border between Haiti and Santo Domingo."

Does that conform, Colonel, with your own recollection of the latter part of 1916?

Col. WILLIAMS. I can not place the date, but after the operations in north Haiti had ceased there was a condition of general peace.

between Haiti and Santo Domingo. There cattle lifting, of that sort were reported from time to time. It was up in the central and north central region, near the

The east central.

How long did that general condition of relative peace and quiet last in the latter part of 1916?

Something under two years, I should say. It is difficult to say when the peace became general disturbance. One condition merged

into another for a period of approximately two years relative peace and

Continued.

Was that situation, then, was not changed until some time, well,

It did not develop in an important way until some time in

that, in your opinion, Colonel, were the reasons for the change in the recrudescence of the caco or bandit activity, or our Cacos or bandits?

It is necessary in order to answer that question to go back a little between Haiti and Santo Domingo has never been defined, agreed upon by the representatives of the two republics. The area a great part of its length it was a true no-man's land. The country is settled; it's generally very mountainous, and very heavily wooded. In time immemorial has been the resort of the Haitian and the French. I believe that the growth of the bandit movement was the result of several of these bands, and also to a great extent the popularity of one Haitian named Charlemagne Perolite. He was an influential and very large family, which lived generally in the north. He was a very large man, which carries a strong appeal to the people; he was well educated. I believe he was inspired by race hatred; men in plenty available for his purposes in no-man's land, recruitment, which I described the other day, enabled him to organize important forces.

I interrupt to ask what you mean by race hatred?

Black against white. He was able to point out a number of things and defend themselves very logically to base his claim, which was that the French were conquering Haiti; and the bases of his statements were down to most of the people in that region.

He made his claim, as far as you know, to speak for the population generally or of that portion of Haiti where he had his activity? I believe he did.

He purport to have a cabinet and attempt to enter into diplomatic relations with foreign governments?

He sent a letter to the British chargé requesting that Great Britain liberate Haiti. I think he generally signed himself as the patriot army.

His request for assistance and the liberation of Haiti meant

coming from the Americans.

Assistance to him as leader of the native patriotic Haitian army against the French?

Yes. I believe that the offer included a proposition by which Great Britain against the Germans.

Do you believe that race hatred specifically—his opposition as a Haitian, to the presence of the white man, the American in Haiti, is the motive of the organization and continuation of his resistance and the occupation there?

I believe that he was inspired to a great extent by race hatred. His objection is that he invariably referred to us not as the Americans, but as the Yankees, which is rather unusual in the case of a Haitian. He came across a copy of a play written by Charlemagne Perolite, in which he was pictured lying on a divan with a woman fanning his feet and another beautiful white girl, described as a slave, fanning his head.

Col. WILLIAMS. In the early years of the nineteenth century Mr. ANGELL. Did the code rurale of 1863, under your understanding, provide for the building of roads as well as the repair of roads by the

Col. WILLIAMS. My recollection of the text is that it provided

Mr. ANGELL. Not specifically for the building of new roads?

Col. WILLIAMS. I think it provided for repairs. That is what I remember it.

Mr. ANGELL. You testified, Colonel, if I remember rightly, that you were opposed at the outset to the institution or reapplication of the corvée. Were you opposed, and what efforts did you make or what did you express?

Col. WILLIAMS. I was opposed because I did not believe that was the way or the economical way of getting the work done. I was not in favor of it. I did not like the idea of a corvée. It seemed to me rather a waste of money. I made no effort to have it stopped, because I was not in a position to do so.

Mr. HOWE. You were a subordinate?

Col. WILLIAMS. I was a subordinate officer.

Mr. ANGELL. Who was, then, responsible for its institution in Haiti?

Col. WILLIAMS. The Haitian Government and the American Government. (Whereupon the committee adjourned until Tuesday, November 11 o'clock a. m.)

# OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

**TUESDAY, NOVEMBER 8, 1921.**

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Washington, D. C.*

met, pursuant to adjournment, in room 131, Senate Office  
m., Senator Tasker L. Oddie presiding.  
r Oddie.  
r. Walter Bruce Howe, Mr. Ernest Angell, and Maj. Edwin

**F MAJ. GEN. LITTLETON W. T. WALLER, UNITED  
STATES MARINE CORPS, RETIRED.**

eral, give your name and present rank and station, please.  
ittleton W. T. Waller, major general, United States Marine  
00 South Twentieth Street, Philadelphia.  
many years ago did you join the Marine Corps, General?  
orty-two.

long ago were you retired; that was quite recently, was it

was retired a year ago.

August, 1915, what was your rank in the Marine Corps?

was colonel commanding the brigade.

you land in Haiti in August?

did.

that August 15?

landed there August 15; yes.

the time you landed were you senior marine officer present?

was senior marine officer, and my orders detailed me to  
ed States forces ashore in Haiti.

t included command over the seamen, did it not, as well as

n shore; yes, sir.

whom did you report directly?

To the commander of the cruiser squadron, Rear Admiral

got your orders, however, directly from the Secretary of the

From the Secretary of the Navy; this refers to my original

through the major general commanding the Marine Corps?

they were sent through the usual form, but they came directly  
e orders.

long did you remain in Haiti?

left in the first part of December, 1916, but I was still at-  
peditionary force until the 10th of January, 1917, but I was  
om, I think, the 15th of December, 1916.

before, during your last months in that tour of duty you were

was in this country.

you continuously in Haiti from August 15, 1915, until De-

Except once for three weeks, when I was brought to Wash-  
with the State Department.

Mr. HOWE. But during all of that time you were commanding Gen. WALLER. Yes.

Mr. HOWE. From the time there was a position of brigade were you brigade commander at first?

Gen. WALLER. Yes.

Mr. HOWE. You had that designation?

Gen. WALLER. That was my brigade. It was sent down, so the command I had—the First Brigade.

Mr. HOWE. And after a while the bluejackets were withdrawn.

Gen. WALLER. Yes.

Mr. HOWE. Then, your command consisted entirely of marines.

Gen. WALLER. After the completion of the campaign we had then it was entirely marines.

Mr. HOWE. You were succeeded by what officer in command?

Gen. WALLER. Col. E. K. Cole.

Mr. HOWE. How long before you landed was President Dartiguenave?

Gen. WALLER. Two days, I think.

Mr. HOWE. Maj. McClellan, when was he elected?

Maj. McCLELLAN. He was elected on August 12.

Mr. HOWE. That would be three days?

Gen. WALLER. Three days.

Mr. HOWE. What was the situation there when you landed with reference to peace and order?

Gen. WALLER. Conditions were very bad, and the town of Port au Prince was being controlled by the landing party that had landed first. I arrived, and also the regiment that Col. Cole had brought down with me.

Mr. HOWE. You landed at Port au Prince, did you not?

Gen. WALLER. Yes.

Mr. HOWE. What shape did the disturbing conditions take?

Gen. WALLER. Gatherings of mobs, threatening disturbances, and a general aganda.

Mr. HOWE. American propaganda?

Gen. WALLER. Not as much so as against the Haitian Government.

Mr. HOWE. You are referring to conditions in town in Port au Prince?

Gen. WALLER. In town in Port au Prince. The country was more or less quiet in the central part.

Mr. HOWE. What was the condition in the north?

Gen. WALLER. Dr. Bobo had been made President by the army, and he claimed him as their President, and refused to have anything to do with the Dartiguenave government. Dr. Bobo came to Port au Prince probably 10 days, and then, at his own request, was permitted to leave. He was never in any danger there at any time, but could go and come as he saw fit. He had some fear of violence, and I saw that he was nervous on board the steamer, with the British chargé.

Mr. HOWE. Do you know if before the time you landed there were any armed conflicts in which the seamen or marines took part?

Gen. WALLER. I think there was one in which two of our men were killed. That occurred the night of the original landing.

Mr. HOWE. At Port au Prince?

Gen. WALLER. At Port au Prince.

Mr. HOWE. After you landed how soon was there any armed conflict?

Gen. WALLER. There was a little trouble at Gonaïves early in September. Then, on the 26th of September they ambushed two of my men. One of them at Haut de Cap and one a little south of that. I have no name for this place.

Mr. HOWE. Before the 26th of September had you gone out to look for so-called Caco leaders?

Gen. WALLER. I did. I went to Cape Haitien and got in contact with them, and they said they would permit me and two other officers to go to the Quartier Morin and interview them. They absolutely refused to let us go, because they said it was only a trap to catch them.

Mr. HOWE. Let us go back to your reasons for that interview. First of all, was there any request on the part of the Haitian Government for President Dartiguenave?

Gen. WALLER. Yes; from President Dartiguenave.

you or some one else to make an arrangement with the Cacos

He had authorized me.

President Dartiguenave?

President Dartiguenave; to conclude any treaty I could make to the extent of purchasing their arms from them. My recollection limited the price of the arms, or the negotiations, anyhow, to as to my mind perfectly absurd.

much?

Entirely.

What need was there for reaching any agreement with the Cacos? Well, they were the king makers of Haiti.

Do you mean that under the conditions which prevailed at that time Government existed during the pleasure of these Caco leaders? That had been the case before we landed. What I mean is that political power, a man who wanted to be President, would go to make an agreement with these Caco leaders, and for a certain sum the Haitian treasury after he was successful; also the privilege of the towns on the way down. They would descend from the President in power.

What extent were these Caco bands at this time a menace to Government?

They had been for a hundred years a menace to it.

At the time you landed were they a menace to the then Govern-

Unquestionably, because they were back of the man, Dr. Bobo, and they had appointed president. They had not marched upon the town because they had not done so because our people had landed.

Were they doing any actual damage at the moment?

They were stopping all food going to Cape Haitien; they cut off the communication of Gonaves, and were levying taxes on all the market people, and of the country without any authority and treating them as if they were permitted to come into the market places to sell their produce and take their money from them when they returned to the town. I understand that you would have to understand that the market places were rather peculiar. For instance, the population in Port-au-Prince would probably be increased by something like 20,000 people had marched from the interior, some of them for three days bringing their produce into the market places. The different towns had their own portion and the northern portion had other market days, and proceeded from one to the other. Almost all this work was done

and the existence of these Caco bands tended to paralyze the Government in the interior, in the northern part?

Yes.

What was the immediate effect of that was felt in the towns in the interior?

It was felt in the towns in the shortage of food. It did not affect our own provisions.

Would you describe your trip out and what transpired when you met the officers?

The officers were bitterly opposed to my going out, because they thought I would be killed; but I took Col. Cole and an interpreter and proceeded to the town, I think it is about 8 miles from Cape Haitien.

Without any further escort?

No. What is the name of that place?

Quartier Morin.

What was about 8 miles from where?

About 8 miles from Cape Haitien, as I recollect it. They met me at this place and escorted me in. Their delegation consisted of

How many privates?

Not many privates. Any one who had command of five or six privates was a brigadier; if he had 15 or 20 men he was a major general, so there was a number of generals there.

Mr. HOWE. Let me ask you, sir, did these generals who met you in turn travel a considerable distance to the meeting place?

Gen. WALLER. Some had. Some had come down from Grand Anse, others from farther south.

Mr. HOWE. How was the time and place of meeting announced to you?

Gen. WALLER. They had gathered there prior to my arrival.

Mr. HOWE. You knew of that gathering there?

Gen. WALLER. Yes.

Mr. HOWE. How did you find out? Who informed you?

Gen. WALLER. Col. Cole had informed me that Cape Haitien and the conditions were very bad, and our orders were to take anything that happened must come from them first. I went to the people and explained to them our purpose in coming to Haiti, and their minds a very fixed idea that we were going to seize navigation, them being Mole St. Nicholas. They referred to that many times in consultation. I explained to them that Mole St. Nicholas was as much less as a naval base, and we never contemplated it for a moment. Our purpose was to take one foot of territory from Haiti; that if, in the course of the occupation, it became necessary for us to take build the Government buildings, that we would pay a reasonable price for them, and we did.

Mr. HOWE. To the owners?

Gen. WALLER. To the owners; yes.

Mr. HOWE. And you did so?

Gen. WALLER. We did so always.

Mr. HOWE. What else did you say to them and they to you?

Gen. WALLER. They told me that Bobo was their president, and not have any other. Dartignenave had failed—well, I suppose that was really on the party. They wanted Bobo and no one else. They informed that I had him imprisoned. I had great difficulty in getting out of the fact that he had left Haiti at his own request, without any sort, and, as far as I was concerned, he could return; that was all. I told him as a menace in Haiti. They refused to have any dealings with him. I told them that I was very sorry; that I would give them a day to think the matter over, and the next day I proposed to open the train to Cape Haitien to Grande Riviere, and I would be very glad to have any of them on the train with me. They became very indignant that we held Cape Haitien, but that they held the north count down, and not be allowed to go. But the train left and we went on to the south, and, except for some menacing attitude on their part, there was nothing. Probably three or four hundred of their men had gathered under the train and made menaces, but there was not a shot fired at all. They agreed to come into Cape Haitien and have a further talk.

Mr. HOWE. General, what date was this first conference you had, and how long before the written agreement?

Gen. WALLER. About a week.

Mr. HOWE. Do I understand that you had a second conference, and the railroad had been opened?

Gen. WALLER. Yes; they came into Cape Haitien. That was the second conference was held, and at that time they were joined by Zamor, and the agreement was made.

Mr. HOWE. Was the agreement formulated in writing at that time, or in a second interview?

Gen. WALLER. Yes; that is, the English of it, and it was translated into French for them.

Mr. HOWE. I have here a copy of that agreement, which, I understand, is short, and I would like to read it aloud.

Senator ODDIE. Very well.

Mr. HOWE. General, is this the text of the agreement, which you read:

“CAPE HAITIEN, HAITI, Sept. 1, 1915.”

“Agreement between Col. L. W. T. Waller, United States commanding United States expeditionary forces on shore, and the United States and the Haitian Government, and Gens. Antonio Jean Baptiste Petion, representing the Cacos of Haiti.

"PART 1.

y agreed on the parts of the Caco chiefs as follows:  
 immediately, turning in all arms and ammunition at Quartier  
 fs and men to go to their homes, not to oppose in arms the  
 ent of Haiti, not to interfere with the railroads, commerce,  
 industries of the country.  
 fs agree to send delegation to Port au Prince to consult and  
 Dartiguenave Government concerning participation in the civil  
 Haiti and to abide by such terms as may be agreed upon.  
 and in arms against present Government after signing of this  
 created as bandits.

"PART 2.

y agreed on the part of the United States and Haitian Gov-  
 general amnesty granted by the Haitian Government to those  
 arms be guaranteed by the United States forces to all Cacos  
 arms and observing the requirements laid down in part 1.  
 ed States expeditionary forces agree to guarantee the terms  
 Dartiguenave Government as may be agreed upon as indicated  
 Such terms being consistent with the mission of the United  
 treaty made between the United States and Haiti.  
 a practicable, Cacos who have observed part 1 may have repre-  
 constabulary or police as may or be organized in Haiti.

"LITTLETON W. T. WALLER.

"ANT. MORANCY.  
 "P. JN. BAPTISTE.

"

What was the date of that?  
 tember 29, 1915.  
 These two paragraphs, part 1, paragraph (c), there was  
 session about at the second meeting.  
 at were those paragraphs?  
 This one, paragraph (c): "Caco chiefs agree to send delega-  
 Prince to consult and confer with the Dartiguenave Government  
 participation in the civil government of Haiti and to abide by such  
 agreed upon."  
 y much in doubt about the frankness of the Haitian Govern-  
 on with their participation in the civil government, and the  
 was put in.  
 nining which paragraph?  
 Paragraph b, under part 2. We agreed to guarantee the terms  
 Dartiguenave Government as may be agreed upon as indicated  
 , part 1.  
 k much interest in the concluding paragraph, paragraph (c).  
 hen practicable, Cacos who have observed part 1 may have  
 such constabulary or police as may or be organized in Haiti."  
 act, some of the best men we have in the constabulary to-day

me from those Caco bands who were represented by these

Represented by these generals at that time.  
 at, then, is the text of the agreement which was reached by  
 ien, as you have described?

Yes; but the French of this was not signed at that time.

French copy?

It was signed subsequently at Quartier Morin.

How long after?

It was after the 26th, because they had ambushed the American  
 5th of September, but I found that these men were not con-

Mr. HOWE. Not concerned in the ambush?

Gen. WALLER. Not as far as I know, and they have, even to their agreement.

Mr. HOWE. The signers of this agreement?

Gen. WALLER. Yes. During the campaign in the north I con- with Baptiste Petion, or Petion Jean Baptiste, just as you like either way.

Mr. HOWE. Did Morancy and Baptiste represent these Cacos?

Gen. WALLER. Yes; they practically had vice regal powers.

Mr. HOWE. You were convinced they were the individuals who sent the Cacos?

Gen. WALLER. They were so acknowledged by all of them.

Mr. HOWE. To what extent and for how long was this agreement the Cacos?

Gen. WALLER. A number of them broke it on the 26th of September, ambushed my patrols.

Mr. HOWE. Now, I notice this agreement here is dated September.

Gen. WALLER. Yes; that would be the date of the actual French.

Mr. HOWE. Of the French version?

Gen. WALLER. Yes.

Mr. HOWE. How long before that ambush on the 26th had you the English version?

Gen. WALLER. The date of the last meeting in Cape Haitien.

Mr. HOWE. How long before the ambush was that, do you believe?

Gen. WALLER. I think that was about five or six days.

Mr. HOWE. And that ambush was on the 26th?

Gen. WALLER. On the 26th.

Mr. HOWE. Of September?

Gen. WALLER. Yes. It is positively fixed in my mind, because that day, and I thought it was a nice present to receive.

Mr. HOWE. The English version was signed before the ambush?

Gen. WALLER. That was signed in pencil. I think the original copy one of them, may possibly be in the hands of our consul in Cape. He was present at the time.

Mr. HOWE. Have you any means of knowing how far the news of the English version was spread among the Cacos?

Gen. WALLER. Considering the time between the actual signing have been at that time at least 500 of them in Cape Haitien besides.

Mr. HOWE. And did they all know about this agreement?

Gen. WALLER. They all knew of it. It was very rapidly spread in the country, carried by the market people.

Mr. HOWE. Did they begin to comply with any of the requirements the 29th?

Gen. WALLER. They claimed that they had.

Mr. HOWE. Had they turned in any arms?

Gen. WALLER. They claimed that some arms in the immediate Cape Haitien had been turned in, and, of course, arms were turned in at Port au Prince. I can hardly say they were turned in. More properly they were collected.

Mr. HOWE. But, as the result of this agreement, I mean, were they before the 26th, before the ambush?

Gen. WALLER. Very few. They hesitated for a long time, I mean about turning in their arms, because they claimed they were not at any moment, and should be allowed to have these arms; and they were their own people.

Mr. HOWE. Aside from this ambush, were there any breaches of the agreement?

Gen. WALLER. At Gonaïves.

Mr. HOWE. When.

Gen. WALLER. That was, I should say, two days after this.

Mr. HOWE. After the English version of the agreement?

Gen. WALLER. Yes.

Mr. HOWE. What was that occurrence?

Gen. WALLER. They had cut off the water supply of Gonaïves, practically surrounded the town. When I left Cape Haitien I went to Port au Prince, now Gen. Butler, with me to Port au Prince. Stopping at Gonaïves.

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Gen. WALLER. Yes; because as soon as the reports came in to Cape Haitien with the plan of campaign that I had arranged.

Mr. HOWE. Why d'd you order that long reconnaissance by?

Gen. WALLER. For the purpose of finding the exact location and finding the exact location of these bands who would come down the plains and go back into the mountains.

Mr. HOWE. The continuance of these depredations by themselves a violation of this agreement, was it not?

Gen. WALLER. Absolutely.

Mr. HOWE. Did the American and the Haitian Government violate of the agreement?

Gen. WALLER. To the letter.

Mr. HOWE. Did the campaign of November, 1915, start with the reconnaissance of Maj. Butler?

Gen. WALLER. No; the plan was not made until after his reconnaissance. It was necessary for me to get this information to make this plan. I wanted to get them into the mountains, establish these different bases in the mountains, and operate from these bases each day, with rapid moving columns, small columns. I had more than 40 men in a column, but as they moved in different directions kept the other people guessing as to our actual intent and was I do not think the campaign lasted more than three weeks.

Mr. HOWE. That was a campaign, then, to keep the cacos from running the run?

Gen. WALLER. Yes.

Mr. HOWE. Moving from place to place?

Gen. WALLER. Moving from place to place. In the meantime I contacted with Jean Baptiste Petion, and told him that he must control these people and say that it was our intention as soon as we were able to see that work was started on the roads, and work would be done on the roads, and that these men would have employment at the place. I know that he did so communicate with them, because I captured letters from him to these other alleged generals.

Mr. HOWE. With the substance of that offer incorporated in the agreement?

Gen. WALLER. Yes.

Mr. HOWE. The reason you began this campaign was on account of the depredations?

Gen. WALLER. Yes.

Mr. HOWE. To put a stop to them?

Gen. WALLER. Yes.

Mr. HOWE. How many killed did the Haitians suffer, do you estimate in three weeks' campaign?

Gen. WALLER. Officially, I think I reported about 182. I do not see more than 60. They attacked me at my base the day they arrived.

Mr. HOWE. That was at Le Trou?

Gen. WALLER. That was at Le Trou. They made a mistake. I had moved in there with only 18 men. It was true that I was there when I had moved in from the base, and they had sniped me on the way to La Trou, but it did not even halt the march. But they were in the morning with a large force, but unfortunately they did not have machine companies and five machine guns had arrived the night before. The movement was of very short duration.

Mr. HOWE. How many dead did you count after that?

Gen. WALLER. Thirty.

Mr. HOWE. Thirty dead Haitians?

Gen. WALLER. Yes.

Mr. HOWE. Was this 182 total the actual counted number or an estimated number?

Gen. WALLER. Well, I suppose it was the actual count. I do not depend on the reports of my subordinates in the mountains. They counted them, because they reported so many dead and so many.

Mr. HOWE. And first to last that campaign was carried out by the men laid down by you, namely, patrolling columns based on several bases?

Gen. WALLER. Yes.

Mr. HOWE. And constantly patrolling?

I have here the plan of campaign, with the original orders. Do you have the authority of President Dartiguenave for your agreement with the cacos?

Yes; and not only his authority, but he requested me to take finally. He made the original request that I take charge of and a telegraphic dispatch from him conveying the thanks of Government for the services which were performed in the north with this agreement, and subsequently the thanks, publicly exalting the Haitian Government for the successful campaign in the north of these people of the terror that had existed for so many years. General, these letters from the President of Haiti to which you appear in a compilation of orders, etc., which compilation is in the record of this committee, and so we have before us a record of which you have referred. They appear on page 57 of that

you spoke of having your campaign orders there.

Yes, sir.

May I look at them? General, I have looked over this order, please correct me as I summarize it? It made disposition of your

Yes, sir.

directed the capture of certain fortified points in the hands

Yes.

It directed the constant patrolling from designated points?

Yes.

In field order No. 9. In order to complete this summary, I will give 1 and 2:

1. The territory inclosed between Le Trou, Ste. Suzanne, Grande Riviere, and the coast, Le Trou is infested with outlaws and bandits; they extend to the west of the Grande Riviere and to the south of the strongholds in the mountains south of Ste. Suzanne and a distance of 10 miles eastward of the trail Le Trou, Ste. Suzanne; one fort, Grande Riviere, is reported to have stone parapets and is situated near Ste. Suzanne. Strength of the hostile forces is not known, but probably about 1,000. Gen. Pinede Pierre is to occupy La Valliere with support of our troops in that vicinity. U. S. S. Connecticut to be Haitien.

2. We will occupy positions in readiness to clear the above district of movement being started Monday morning, November 1, 1915; in their possession are bandits and are to be treated as such. No money will be paid to the capture or destruction of the chiefs." Paragraph 2 of your orders described the mission of your forces,

Yes.

These orders also contain a letter of instructions which had provided the details as to distinguishing marks of the soldiers?

For the safety of our own people in night work.

Provision for water and water facilities, the care of animals, and all other matters of an unusual country?

Yes.

Is this a fairly correct summary of those orders. Is it not, sir?

I think so.

Chairman, I suggest that these orders, dated at Cape Haitien by order of Col. Waller, Field Order No. 9 of the same date, together with the instructions accompanying the field order, as well as Field Order No. 10 from Col. Waller to Col. Cole, dated October 31, 1915, be put in the record, and be kept in the records of this committee, but that they be not put in the record, as that seems to be unnecessary.

It will be so ordered.

Was the successful campaign that three weeks' campaign in obtaining it

Entirely so. At the end of that time they had given up.

Yes, and we gave them work immediately.

Did the arms turned in in large numbers?

Gen. WALLER. Arms came in rather rapidly at first, but the peasants held on for a little while, and they were coming in month afterwards.

Mr. HOWE. A month?

Gen. WALLER. Yes.

Mr. HOWE. About how many rifles were turned in, can you e

Gen. WALLER. I do not remember exactly. I do not remember the price we paid for those rifles, for each one. It was according to the gun.

Mr. HOWE. So the total amount paid would give no indication of the number of arms?

Gen. WALLER. No; because we certainly got quite a large number.

Mr. HOWE. Perhaps it would be more interesting to know you how many firearms were left in the country after this turning in.

Gen. WALLER. It was pretty difficult to say, but there were none from the north. At the same time, it was a very easy matter to move from Santo Domingo into Hinche, across the Santo Dominican way.

Mr. HOWE. After the end of this campaign, were there any conflicts for some time?

Gen. WALLER. Nothing for some time. There was an attempt at a revolution in Port au Prince.

Mr. HOWE. But that was started later?

Gen. WALLER. That was next year.

Mr. HOWE. Then there was a period of quiet?

Gen. WALLER. Entirely so.

Mr. HOWE. And with the exception of this abortive revolution, have there been any other revolutions? How long did that period of quiet last?

Gen. WALLER. As long as I was there.

Mr. HOWE. At least, then, until December, 1916?

Gen. WALLER. Over a year.

Mr. HOWE. When you speak of the revolution do you speak of the one called the Pierre Paul revolution?

Gen. WALLER. Yes.

Mr. HOWE. Where was the center of that?

Gen. WALLER. In Port au Prince.

Mr. HOWE. Did you have any intimation in advance that it was coming?

Gen. WALLER. I had. I knew it was coming and the President was actively informed. He was reporting something about it every day. I was very anxious for me to arrest the people before any overt acts.

Mr. HOWE. What course did you take?

Gen. WALLER. I told him I was inclined not to do it. I was waiting for the revolution to start. I said, "I am going to let them begin show and finish it."

Mr. HOWE. What was your purpose in adopting that plan?

Gen. WALLER. I wished to find out exactly who the leaders were, the people who were financing this thing and who were behind it.

Mr. HOWE. Did you gain any information on those points?

Gen. WALLER. I captured two letters. I know that some of the people were financing it, and, also, when Pierre Paul escaped the night before, he was assisted in his escape by a German, and I have no doubt that he was taken into the German Legation for awhile. Of course, I did not violate that. I should have unhesitatingly arrested any one outside, but the legation was sacred.

Mr. HOWE. The legation was sacred?

Gen. WALLER. Yes; the Haitians did not regard it so in the French Legation when they killed the President.

Mr. HOWE. But you had to regard it as sacred?

Gen. WALLER. I did; yes.

Mr. HOWE. Did you capture any of the leaders of this outbreak?

Gen. WALLER. Yes; we captured the commanding general in Port au Prince. In Port au Prince he escaped from prison.

Mr. HOWE. Who? Pierre Paul did?

Gen. WALLER. No; Codio did—the commanding general. We captured another general by the name of Metallus, who was probably a very desperate character on the face of the earth. He was a

and betrayed him to the revolutionists. He was accidentally shot in the arm, and we treated him; but he left Port au Prince for Fort Liberte and there committed one of the most daring crimes committed and escaped and got down to Port au Prince by Codio in this revolution.

was captured?

He was captured.

Is he alive or dead?

He is dead, and so is Codio.

Were there any other important prisoners captured there?

When they broke out of prison after the revolution, and probably, some of them political and others criminal prisoners, of the political prisoners simply hid and gave themselves up and hid because they were afraid they would be shot.

Codio taken in that way?

Codio was recaptured just as he was making his way to the order with Gen. Metallus and another man. I have forgotten now. He was not of very great importance. He was a local disturber. And there were some pirates who had been

and killed the captain of their ship and were awaiting trial. He marched back to Port au Prince, were sent down to get

and they attempted to break away from the guards and down stream and escape. Of course, they made the mistake

American riflemen were something like the Haitians. The rebels were killed.

the marines?

Yes. They were attempting to escape?

Yes. What account for the end of all your principal captures in the revolution?

except Pierre Paul himself.

What happened to Pierre Paul himself?

He got away, and subsequently communicated with me, probably five months, and asked for terms of surrender, which I refused word to him that he would have to throw himself on my mercy and surrender unconditionally. He complained that his wife and we were withholding the rent for a building that we were

up at Ouanaminthe, so the rent was paid to Madame Paul.

building was owned by Pierre Paul?

The rent was regularly paid to her. He came in and I told him to pardon him, as far as the occupation was concerned, but I tried to have action on the part of the Haitian Government; might lie against him at any time.

He was pardoned by the Haitian Government?

I took him over to the President, and the President pardoned him immediately. He was not in confinement an hour; he was sent at all; he was in my office, or in the President's office,

and he returned he was not in confinement?

What happened to him after that, when he was turned loose?

He was politically dead. Our action in not regarding him as a criminal had a wonderful effect, as we knew it would.

There was no more trouble from Pierre Paul?

Not at all. There was an alleged political trouble. The information came to me by the President. Mr. Pradel, who was one of the advisers and a very intelligent man, the President kept in communication with people who were opposed to the Government. Particularly in the salon of one of the Haitian ladies who was a

I had no reason to believe that he was in any way connected. They were so insistent in their reports that finally I said, "I will search and see what there is." So the house was searched and did find some arms that were not allowed. I think there were rifles, but they were found in the stable which opened. Pradel was brought to my office and stated he knew abso-

lutely nothing about it, and I am quite convinced that he did not have a plot on the part of his political enemies.

Mr. HOWE. Did that trouble incident to the Pierre Paul revolution constitute the only instance of that kind, the only disturbing incident?

Gen. WALLER. That is all.

Mr. HOWE. During the rest of your tour there?

Gen. WALLER. That is all.

Mr. HOWE. Did you have any active part in the negotiations with the Haïtian Government?

Gen. WALLER. Simply to carry out the instructions of the Government that were given to me through Admiral Caperton.

Mr. HOWE. The customhouses were seized?

Gen. WALLER. Yes.

Mr. HOWE. Before the negotiations for the treaty, before the treaty was signed, in the negotiations for the treaty became effective; is that correct?

Gen. WALLER. I knew that would be agreed upon, that they would agree to the customs.

Mr. HOWE. You knew that the Haitians would agree to the customs?

Gen. WALLER. That was understood.

Mr. HOWE. Was that agreement reached before the customs were taken over?

Gen. WALLER. The verbal agreement?

Mr. HOWE. Yes.

Gen. WALLER. Yes.

Mr. HOWE. The treaty later on provided for the taking over of the administration of the customs; is that right?

Gen. WALLER. Yes; and the appointment of a receiver general and a customs adviser.

Mr. HOWE. General, these negotiations in which you took part, during a considerable period of time, did they not?

Gen. WALLER. Yes.

Mr. HOWE. The treaty was signed in September, 1916, I believe?

Gen. WALLER. I think so.

Mr. HOWE. On behalf of Haïti?

Gen. WALLER. Yes.

Mr. HOWE. How soon after your arrival in August, 1915, did the negotiations begin?

Gen. WALLER. They were going on when I got there, two or three months before President was elected.

Mr. HOWE. During that time did you observe any compulsion being used to bear on the Dartiguenave government, forcible or otherwise, to get the treaty?

Gen. WALLER. None whatever.

Mr. HOWE. There were, however, prolonged negotiations, or long talks of the treaty?

Gen. WALLER. One paragraph of the treaty would take up one or two days, arguing pro and con.

Mr. HOWE. Who took part in those discussions?

Gen. WALLER. The Haitian Government, our minister, our communications from the State Department.

Mr. HOWE. Where did you come in, sir?

Gen. WALLER. I came in the Naval Establishment there.

Mr. HOWE. Were you and the admiral present, both of you, in the negotiations frequently?

Gen. WALLER. Frequently; yes.

Mr. HOWE. Did you sometimes take the place of the admiral in the negotiations?

Gen. WALLER. Yes; occasionally.

Mr. HOWE. Under his instructions?

Gen. WALLER. Oh, of course, in a case of that kind I represent the Government afterwards what was done.

Mr. HOWE. Were you present at most of the negotiations, or at a considerable number of the meetings?

Gen. WALLER. No; because a great many of these were held in the north.

I have not, then, from your own knowledge, any complete knowledge of the negotiations of the treaty?

No; I have not—only what I would read over and hear discussed; from my own knowledge, nothing.

Want to ask you now, sir, about the administration of affairs from the time you got there, and I mean by that the collection of the administration of justice under martial law, and any other government performed by Americans, or in which Americans participated. When were the customhouses seized, do you know?

I do not remember whether it was the latter part of August or September.

Yes, according to your recollection, correct—that the seizure of the customhouses went on in the last 10 days of August and on the first one of September, 1915?

Yes, sir; according to the distances of the places.

According to the distances of the customhouses from Port au Prince.

Yes. It was very difficult to reach some of those in the south. We had no cruiser available, we would have to send people overland, and the roads were in wretched condition.

Understand that martial law was put into effect on September 1, 1915?

Yes.

The seizure of the customhouses was practically completed by September 1, 1915. Law went into effect?

Yes.

Were the officers of the Pay Corps the agents of this seizure?

Yes, the officers of the Pay Corps of the United States Navy.

Were they under the orders of some one officer in the Pay Corps?

The receiver general.

The receiver general was in the Pay Corps?

Yes.

Were the different customhouses administered by other pay officers?

Yes, under his instructions, and he received his instructions from the receiver general.

What did they do when they seized the customhouses? What did they do?

They collected the export and import customs.

Of them?

Yes.

What did they do with the money they collected?

That was turned in to the Haitian bank, the National Bank of Haiti, the repository of the Haitian Government. You see, there is no bank in Haiti. The bank of Haiti is in Port au Prince.

As you say, then, General, that the funds were put in the best available place for safe-keeping, but I was more interested to know how the funds were disposed of.

The funds were disbursed in this way. At first the Haitian Government paid a lump sum, and they were supposed to do the disbursing.

Over and above the lump sum, was there any money left?

There was never any money left.

After the lump sum was paid over to the Haitian Government, was there any money left, any balance?

Yes; there was a balance left. That was used for educational purposes, for the hospital, for the external debt, and for sanitary purposes, keeping the towns absolutely clean.

What was the lump sum turned over to the Haitian Government for?

All the salaries of the Haitian officials, from the President down to the lowest official, his salary and his allowance. His salary, as I recollect, was \$3,000 gourdes for his table.

How long did the arrangement last by which the receiver general paid the lump sum to the Haitian Government?

Four or five months, I think.

When was that arrangement changed?

Gen. WALLER. Yes.

Mr. HOWE. In what respect?

Gen. WALLER. We paid all the bills.

Mr. HOWE. Instead of handing the money over to the I sum?

Gen. WALLER. Yes; we took their pay rolls, audited them,

Mr. HOWE. Without the money passing through the ha Government?

Gen. WALLER. Yes.

Mr. HOWE. Why was that necessary, if it was necessary?

Gen. WALLER. Because we were convinced, as well as the also convinced, that there had been not a proper administr the Haitian Government.

Mr. HOWE. Was there reason to doubt that the money t aries did not reach those who were entitled to the salaries i

Gen. WALLER. Very strong reason, because many of the cl in the Government offices were simply given a certificate chit for a month's salary, and those would be held back.

Mr. HOWE. The payment of those would be held back?

Gen. WALLER. The payment of those would be held back, notice that there was a sort of exchange in the different quoting prices for the value of these chits according to th they were issued. These were bought up by the capitalists 30 to 40 cents on the dollar, and then the secretary of stat would decide\* that such and such months would be paid, and be sent in.

Some of them had been bought up, I think, by the presle who was a large investor.

Mr. HOWE. In these chits?

Gen. WALLER. Yes, of course; the secretary of the treasur suppose.

Mr. HOWE. Did this practice which you have described pr four or five months during which the lump sum was paid ov

Gen. WALLER. It was not a new practice.

Mr. HOWE. But it continued on?

Gen. WALLER. Simply continued on.

Mr. HOWE. Therefore, in addition to the salaried officers salaries, this condition did not tend to keep political conditi right?

Gen. WALLER. That is right.

Mr. HOWE. It was a disturbing factor?

Gen. WALLER. Always. There were many little things little things. I did not consider that a very small item, but, the concession to the ice plant, which was a German conce required them to furnish 300 pounds of ice a day to the h Prince. I sent our medical officers into the hospital to take c were probably 10 or 12 patients. Some of the sisters of ti were acting as nurses in a way, with no provision for food made for the preservation of such food as they might hav this, the proprietor of the ice plant informed me of the fact th of ice that was supposed to be delivered at the hospital wa palace and to the administrative officers—to the houses of state, interior, finance, justice, etc. I ordered him to stop it would come down on him and put him out of business.

Mr. HOWE. Who was this—the ice-plant manager?

Gen. WALLER. Yes; I told him I would seize his ice plant cessity and administer the thing myself. After that the and promptly delivered to the hospital. That is just one of

Another little incident was in the formation of the ge appointed Maj. Butler as acting commandant of them unt could be approved here, and he came to me on one occasion like to have about 2 pounds of scratch paper; that he had official storehouse, which is under the department of the in that he could have it, but that, of course, he would have usual official channels, but I would write to the secretary c ask him if he would not permit him to take 2 pounds of paper

Two pounds of paper?

Two pounds of paper for use with the gendarmerie for printing.

About a week later the paymaster, Conard, called me up and was in his office at that time, and stated that I had authorized \$1,000 for stationery. I had forgotten this incident at the time he put him out. There was not anything else to be done. I said, "That must be what he is talking about." He came back again and was arranged between us that I had agreed that the secretary of the gendarmerie, and he was to purchase all of the supplies for the gendarmerie, and he was to begin to purchase stationery.

Who was this you are talking about—the secretary of the

gendarmerie; yes. He was the gentleman who was afterwards.

These paymasters were succeeded in their duties by civilians. Was the adoption of the treaty or before?

Yes; that was after the formal adoption of the treaty.

And thereafter the so-called treaty officials came in?

They came in at that time.

And the treaty was formally promulgated after your departure; is that correct?

Yes; I think at that time. There was a great deal of delay in the organization of the gendarmerie. There were different delays from time to time.

I want to ask you, General, about the beginning of martial law in Haiti, 1915. To what extent was martial law imposed at that time?

The proclamation was issued, and all police had been abolished, the military had been abolished, and it was absolutely necessary that some force should be employed for the protection of the Government and the people of our own men.

And for preserving peace?

And for preserving peace.

Is it correct to say, and please correct me if it is not, that the martial law at that time took over the administration of criminal justice and the administration of civil justice alone?

Left it alone, although we were besieged by the people, to make jurisdiction in that also.

But it is so that it was an assumption of the administration of justice?

Yes.

The administration of all criminal matters in the courts but of civil matters?

No civil matters. There were some instances in the north. I have heard much about executions that took place but I never heard of any sentence of execution except one that was pronounced by the Haitian court itself, in the north, and when it was brought to my attention by the officer in that district—the offense was really a minor offense, and I wrote to the President and told him that it would be in this judgment of execution was permitted to take place.

Was this an execution ordered by a Haitian court?

By a Haitian court.

During the time martial law was in existence?

When martial law was in existence, but it had not taken cognizance of it. It was something like petit theft, petit larceny, or a little

was the action of that court then set aside?

It was set aside by the President.

By the President of Haiti?

By the President of Haiti.

But, with a few sporadic exceptions like that, martial law took cognizance of the criminal law?

Yes.

Why was that necessary?

It was necessary largely for the protection of our own men and the protection of the Government itself.

Mr. HOWE. Was there not a system of criminal courts prior to the Haitian law?

Gen. WALLER. Yes; I suppose there was.

Mr. HOWE. Prior to September 3, 1916, had those Haitian courts been functioning in the administration of the criminal law?

Gen. WALLER. They had existed, but they were not functioning.

Mr. HOWE. To any extent?

Gen. WALLER. They were not interfered with by us.

Mr. HOWE. Were they functioning to a sufficient extent for the maintenance of law and order and of the Government?

Gen. WALLER. No.

Mr. HOWE. And for the safety of our marines?

Gen. WALLER. Not at all.

Mr. HOWE. Was that failure to function demonstrated by any facts?

Gen. WALLER. Every day.

Mr. HOWE. The proclamation of martial law to which you refer appears on page 67 of the printed record of this committee, and the provost courts administered the martial law?

Gen. WALLER. The provost courts.

Mr. HOWE. Was there any higher court?

Gen. WALLER. Yes; there was, but I never found it necessary to convene a higher one.

Mr. HOWE. What would the higher one have been called?

Gen. WALLER. The military commission.

Mr. HOWE. The military commission is provided for by law, but at that time none was convened?

Gen. WALLER. It was not convened. I had the power to do so, but it was only to be convened in capital cases.

Mr. HOWE. So the provost courts were sufficient for the purpose?

Gen. WALLER. Yes. The action of the provost judge, of course, was approved by me.

Mr. HOWE. In all cases?

Gen. WALLER. Yes.

Mr. HOWE. Of punishment?

Gen. WALLER. Yes.

Mr. HOWE. Or of acquittal?

Gen. WALLER. Yes. Acquittal goes without saying. It was approved by me.

Mr. HOWE. In other words, all the cases were submitted to you for approval?

Gen. WALLER. Yes.

Mr. HOWE. And your approval was necessary to sentence or to acquit?

Gen. WALLER. Yes; the execution of the sentence.

Mr. HOWE. Who were the officers or the people who conducted the provost courts?

Gen. WALLER. In Port au Prince, Col. Williams.

Mr. HOWE. I did not mean their names, but were they military officers?

Gen. WALLER. Oh, yes.

Mr. HOWE. In every case?

Gen. WALLER. Yes.

Mr. HOWE. How many such provost courts were instituted?

Gen. WALLER. One at the headquarters of each district.

Mr. HOWE. How many districts?

Gen. WALLER. Or each post, really.

Mr. HOWE. How many provost courts were there?

Gen. WALLER. Roughly, about 20.

Mr. HOWE. In your opinion, was the operation of the provost courts satisfactory and effective?

Gen. WALLER. I am very sure it was very effective, and I have no objection to my opinion of the fact that martial law, humanely administered, was the best form of government I know for the country.

Mr. HOWE. Was it humanely administered in Haiti?

Gen. WALLER. Absolutely; I mean as far as I know.

Mr. HOWE. On April 6, 1916, the Legislature of Haiti, consisting of the Chamber of Deputies, was prorogued, was it not?

Gen. WALLER. Yes.

Mr. HOWE. By whose order?

was done at the order and upon the strong personal request

did not the prorogation require some formal, legal order?

Usually the proclamation of the President of Haiti.

President of Haiti issued the proclamation?

es, sir.

you know why the President issued the decree?

He told me that it was on account of the tremendous opposition meeting from members of the legislature in the organization of the council of state.

the council of state was necessary for what purpose?

for the adoption of the new constitution.

you believe that was his real reason?

It may have been. There may have been something in it, but my impression was, and it was my own also at the time, that that was not the reason. In fact, he said so on one occasion.

May I ask you this question, sir. Did that desire to prorogue originate with the President of Haiti or was it inspired by the

it originated with the Haitian Government, the President and

as far as you know.

as far as I know.

as far as you know, was the prorogation of this legislature determined?

only to carry out the request of the President.

Haiti?

personally, I was bitterly opposed to it.

the prorogation?

absolutely; and I worked over it even after the prorogation efforts to get them together again, but I was always con-

in whom did you bend your efforts?

in the Haitian Government.

President of Haiti?

the President of Haiti and his secretaries, but was bitterly opposed to it.

what means was the President's decree carried out?

by the locking of the door—the gates of the inclosure.

you recollect who locked the doors and the gates?

I do not know, personally, who did it. I gave the order myself to carry out and he probably sent some marines to preserve the letter here from the President requesting that it be done.

is asking a slightly narrower question than that, as to who, did the doors and at whose orders?

at that time there was a lieutenant by the name of Daumet with the gendarmerie, who was acting as aid to the President.

he was the one who did the actual locking.

at whose orders, do you know?

Maj. Butler's, but if he was aid to the President, it would

be the President's orders?

Maj. Butler also received the notice from the President, through me.

it was that notice from the President to Maj. Butler, through

to close the doors of the chamber.

however, did give Maj. Butler directions to make disposal of that there was no disorder?

es.

do you understand that the actual closing of the gates was of the President of Haiti?

I know it was.

the marine forces and such gendarmerie forces as were then disposed around under the orders of Maj. Butler, to preserve

es.

Mr. HOWE. Was there any disorder?

Gen. WALLER. None whatever. The marines were not in

Mr. HOWE. Do you know if at any time any of the force used any force against the members of the legislature?

Gen. WALLER. No; it was not necessary at that time.

Mr. HOWE. Were marines or gendarmerie employed to keep inclosure?

Gen. WALLER. The gendarmerie were at the gate, and could not go in the doors, that is the members of the legislature.

Mr. HOWE. Do you know whether any gendarmes or marines of the legislature out?

Gen. WALLER. I do not think so. I should certainly have been I was in very close connection both with members of the deputies at that time.

Mr. HOWE. Did the Senate or Chamber of Deputies at elsewhere?

Gen. WALLER. Yes.

Mr. HOWE. Many times, or more than once?

Gen. WALLER. Four or five times. They stopped it at my

Mr. HOWE. Who stopped it at your request?

Gen. WALLER. Both the deputies and the senators.

Mr. HOWE. You requested them to stop meeting?

Gen. WALLER. I requested them to stop meeting until the could be made. I was confident we could get over this and

Mr. HOWE. I see; your idea was that they should be established?

Gen. WALLER. That is what I thought.

Mr. HOWE. And you used your influence with them to meetings until some conclusion could be reached along those

Gen. WALLER. Yes.

Mr. HOWE. Was there any disorder that you know of in attempted meetings?

Gen. WALLER. Not at all. The senators would come from the and the deputies also, and tell what had happened. I had them if they would take up only matters concerning the instance, and they agreed that they would take up nothing, agreed, and I am sure the senators did. I have a letter from Leon, the speaker of the House, in which he agrees to do of these meetings, but to take up only certain questions until ment could be made, but Mr. Borno, the secretary of state, was so bitterly opposed to it that finally all measures failed.

Mr. HOWE. Did you have anything to do with the preparation of January, 1916?

Gen. WALLER. I wrote the orders.

Mr. HOWE. What orders?

Gen. WALLER. For the conduct of the election.

Mr. HOWE. Who called the election; who decided that election?

Gen. WALLER. The Haitian Government—President Dartigues.

Mr. HOWE. How did you come to be charged with the duty election?

Gen. WALLER. Because, in addition to the occupation, I of the gendarmerie, not as a Haitian officer, but all the instructions from me.

Mr. HOWE. What provisions did you arrange for the conduct

Gen. WALLER. I have it here.

Mr. HOWE. You have what there, sir?

Gen. WALLER. I have this proclamation, or my order.

Mr. HOWE. That is in French, is it not?

Gen. WALLER. In French.

Mr. HOWE. That proclamation to which you refer appeared in Le Nouvelliste, dated Wednesday, the 15th of November. The proclamation is dated November 10, 1916, at Port au Prince. In the record, Mr. Chairman, and will furnish a translation for the in the record.

Senator ODDIE. It is so ordered.

on of the proclamation referred to follows:)

HEADQUARTERS OF UNITED STATES  
EXPEDITIONARY FORCES OPERATING IN HAITI.

*Port au Prince, Haiti, November 10, 1916.*

informed that considerable anxiety exists in the minds of the  
g the attitude of the occupation (expeditionary forces) in respect  
s for the month of January, 1917, the following instructions will  
expeditionary forces and to the gendarmerie serving with them  
tence of martial law:

ention of the Haitian Government and of the occupation is that  
shall be free and honest; therefore the rôle of the expeditionary  
he gendarmerie will be—

tain order, to prevent any obstruction in the voting, and to see  
ll be hindered in the exercise of his right to vote by any individual

7.  
athering of persons shall be permitted at a distance less than  
he places where the ballots are cast, and no gathering shall be  
e it can constitute an obstacle to the free exercise of voting.

representative of the occupation or of the gendarmerie shall be  
place where the voting takes place, in order to insure the full  
e present instructions. He shall decide all disputes which may  
aces where the voting takes place, and shall see to it that the  
emptying of the ballot box shall take place without interruption,  
note at the same time of formal protests which may be made on  
ny disputes.

armes who have the right to vote shall do so as ordinary citi-  
rms. They shall vote promptly and return immediately to their

ecree of September 22 having been modified by the instructions  
ries of the Government, each candidate or party will be repre-  
ureau of assessors by one individual of his own choice nomi-  
lge de paix. It is understood that where there are several can-  
e same party, they must agree upon the choice of one person  
party in the bureau of assessors.

f the occupation and of the gendarmerie will see to the execu-  
n, and especially that the nominations shall be made by the  
r by his deputy, as the case may be, before the elections.

er to prevent any fraud in the elections, very special attention  
to the question of the true residence of each voter. No one shall  
o vote except in the ward where he resides.

l who shall attempt to vote outside of his ward will be arrested  
ore the court of the high provost.

LITTLETON W. T. WALLER,

*Brigade Commander, United States Marine Corps.*

general, what did you aim at, sir, in your provision for this

The preservation of order and a fair election.

Is election took place after your departure, did it not?

It took place after my departure, but there was no disturbance.

at election was for members of the legislature, was it not?

Yes.

ad your orders contemplated those elections being supervised  
rie?

Yes.

far as law and order went?

As far as law and order went.

w, your proclamation provides that a representative of the  
the gendarmerie shall be present at each of the voting places.  
stinction there, General?

The distinction is due to the fact that it was impossible to  
entative or officer of the gendarmerie at every polling place in

ad to fill his place when you did not have enough to go

Gen. WALLER. The occupation.

Mr. HOWE. What do you mean by the occupation?

Gen. WALLER. I mean an officer of noncommissioned officers, States marines. I will have to explain the real reason for so graphs, perhaps. In Port au Prince alone it took 25 days to I mean before the establishment of these rules it took 25 days.

Mr. HOWE. In previous elections?

Gen. WALLER. Yes; such as they had.. I think at Cape H or six days, but the result of it all was that the rival cand ing up their following to such a pitch that before the elec place there were quite a number of casualties, and always ances going on. So I changed the number of polling places, made districts of Port au Prince, in other words, wards, fro would vote, and a resident in a certain ward would vote in t where else. That is accounted for.

The only difficulty we had at any time during the elect and I have every reason to believe it is true, was from the p who came down from the mountains to vote, and insisted marines for deputies. I know that is the attitude they had when I went through the country after this trouble was over a very lovable people and very happy if they are properly course, they have been under this tremendous misrule for so suspicious of everything.

(Whereupon, at 1 o'clock p. m., a recess was taken until 2.30)

#### AFTER RECESS.

The committee reassembled at 2.30 o'clock p. m., pursuant recess.

Mr. HOWE. General, the employment of the law corvee v time down there, was it not?

Gen. WALLER. Yes.

Mr. HOWE. And you were in command down there at the ti

Gen. WALLER. It continued during my whole stay.

Mr. HOWE. In order to save time, may I repeat my unders of corvee to be that before the American occupation there, t ance a Haitian law by which the inhabitants of a district to work for a limited time in the repair of roads in their dis pensation to themselves?

Gen. WALLER. Yes, sir.

Mr. HOWE. My further understanding, derived from the ceding witnesses, is that the general use of the word "co parlance down there applied to any work on roads, whether or not; that is correct, is it not, sir?

Gen. WALLER. That is correct.

Mr. HOWE. But when you answered my first question, wh corvee, you meant, did you not, the work under this old l compensation?

Gen. WALLER. Yes, sir. While we employed other men, a of their own districts to work, those were the men who had ex and they were regularly paid and went perfectly willingly. corvee, because they were paid and went willingly.

Mr. HOWE. In your opinion, was it necessary to employ th

Gen. WALLER. Not only necessary, but greatly desired by t selves.

Mr. HOWE. It was for the purpose of building roads?

Gen. WALLER. Rebuilding roads.

Mr. HOWE. There had been, as the committee has learned fr here, quite an elaborate system of roads built under the Fren

Gen. WALLER. A really very wonderful system of roads.

Mr. HOWE. Which had been neglected to the point of almo

Gen. WALLER. Impassable, practically.

Mr. HOWE. What was the need for roads down there?

Gen. WALLER. Intercommunication with the towns for t themselves, bringing their produce into the markets, and also ment of troops and gendarmes.

Was there immediate need for the quick movement of troops and

Not at that time, because they were very generally distributed throughout the island. The gendarmes, after they were thoroughly distributed in small detachments through the island, so that they were far apart, and the patrols would meet.

How about the supply of those detachments?

That was done by pack animals.

How could they be supplied on the existing paths or roads?

You could not use a wagon on those roads at that time; it was impossible.

How soon after you got there was the corvee revived or employed again?

I think we began it early in 1916.

And as I recollect your earlier testimony, that was a period of what?

Yes.

Did the employment of that system proceed uninterruptedly from that time down there?

Yes, sir.

Did you hear of its leading to any dissatisfaction among the Haitians?

On the contrary, they volunteered in such numbers that I could not employ them. The only difficulty was that it was impossible to furnish material, as evidenced, for instance, in the correction of the irrigation ditch had been built by the French in the Cul-de-Sac, one of the canals of Haiti. This system had been neglected, and large landowners deprived the small landholders, the peasants, of the use of this ditch. I gave it off on to their own places, so that probably 8,000 varas of land were left a desert and produced nothing. It became necessary to dig it out with these, and the Haitian engineer estimated that the cost of this work was \$60,000 gold. As that alleged engineer was an architect, I was not prepared to accept his estimate, and I sent out my own engineer for an estimate. He came back again and said that the native had told him that he could furnish 1,000 or 2,000 men, or just as many men as we could furnish, to do this work, and the work was completed and the land re-imbursed of \$800 in material.

Did you use the aid of that native labor?

Yes. We could not get the tools to employ all. They were permitted to do it.

Did this oversupply of labor for the roads continue during the time there, or did it become difficult later on to obtain the necessary labor?

It continued all the time. I have seen hundreds of men applying for work.

How did you apply for it?

Applying for it at the public works' office, that is my public

What is uncompensated?

Yes; uncompensated. You know, that sounds a little peculiar to me to tell you.

Would you like to hear your explanation of that?

Frequently, with the Haitian prisoners who were working on the roads, we would take out 15 or 20 of them, and it seldom happened that they would turn in less than 18 or 22. They would simply fall in and go

Why?

Well, they got something to eat and they could not get it out-

What about the employment, what is the connection between that and the roads, and your supply of labor on the roads?

The willingness of these people to do the work.

Did you supply them with food while they were working on the

Not those that were paid.

Did you have an oversupply of volunteers for the unpaid corvee?

Yes.

Mr. HOWE. And what was the inducement to them to do nothing?

Gen. WALLER. The improvement of the road itself, for the country.

Mr. HOWE. The unpaid corvée worker—did you give him his wages?

Gen. WALLER. No; we did not. Under their law it is not required that they should be paid. They know, they subsist largely on mangoes, bananas, and that sort of thing, which are plentiful everywhere; also sugar cane, a little rice, and other things. They eat very little meat. They eat very little meat.

Mr. HOWE. While at work on the roads were the corvée workers paid otherwise?

Gen. WALLER. If you could judge by the singing, I should say they were thoroughly contented.

Mr. HOWE. Were attempts made to escape from the work by any large numbers?

Gen. WALLER. Nobody escaped. I never heard of an instance of escaping.

Mr. HOWE. Or trying to get away?

Gen. WALLER. No.

Mr. HOWE. Do you know of any negotiations or discussions with regard to the constitution of Haiti?

Gen. WALLER. Yes; I had a great deal to do with that—writing the articles.

Mr. HOWE. With whom did you consult?

Gen. WALLER. With President Dartiguenave and members of the cabinet, with the senators and deputies, and also with what they call the press, who correspond to our bar association.

Mr. HOWE. Did you have any conferences with other American officers on the subject?

Gen. WALLER. Only from time to time, when, sometimes they would come and I would talk matters over with him; but during the time that the constitutional change was taking place he was in Santo Domingo. He was also ordered to command the troops in Santo Domingo, and the department informed me that my presence was required, so I could not go to Santo Domingo.

Mr. HOWE. Were there any particular difficulties encountered in the consideration of this proposed constitution with President Dartiguenave?

Gen. WALLER. I do not recall any, except the question of the right of foreigners to acquire property, and there we had considerable difficulty. I was willing to put in this article, but I objected to the phraseology, for the simple reason that it threw everything into the hands of the Americans and cut out all of the other nations.

Mr. HOWE. How would that have been brought about by the article?

Gen. WALLER. Because the article they wished to adopt provided for the acquisition of real property after a residence of five years. What was in, and what was finally put in, was after a residence of five years, the enactment of this article.

Mr. HOWE. Did you have any instructions from the United States Government as to what it wanted in the constitution?

Gen. WALLER. A general outline, and communications were sent to the Haitian Government, through their minister here in Washington, through our minister.

Mr. HOWE. Through what channels did you get this outline? Did you speak?

Gen. WALLER. From the State Department, through the Navy Department, and also through the minister. Sometimes a dispatch would come from the State Department telling me to confer with him on the subject.

Mr. HOWE. Did you take up these discussions of the new constitution independently of our diplomatic representative?

Gen. WALLER. We were all together.

Mr. HOWE. In what capacity, General, were you in those discussions?

Gen. WALLER. I was in the capacity of commander of the occupation forces, the expeditionary forces. It was rather difficult to say exactly what the minister's position was.

Mr. HOWE. You spoke about this one clause in the constitution, drafted, being advantageous to the Germans?

Gen. WALLER. Yes.

s that because there were more Germans of long residence  
 That, and the fact that under the Haitian laws the Haitian  
 ol of her own estate, and the Germans married the Haitians.  
 ber more than nationals from other countries?  
 do not know of any others at all.  
 ept Germans?

say I do not. I do know of one American; but that is the  
 now of.

we to understand, then, that there were more Germans there  
 ng residence?

They have had a long residence, and, under that clause, they  
 very great advantage over any other nation.

you any reason to suppose that that clause in that form was  
 ans?

I think that everything that was against us was inspired by  
 far as the treaty and as far as the constitution was concerned.  
 at, if any, efforts were made to improve sanitary conditions  
 ion?

We originally started in with a house-to-house inspection to  
 n. Port au Prince, I think, took about two months to clean  
 incinerators in many parts of the town, and we compelled them  
 use to these incinerators and burn it; and I must say that after  
 ation, they did so very, very willingly.

Where were there operations?

Elsewhere the same thing.

about out in the country, in the smaller towns?

In the smaller towns, when the gendarmes were located in them  
 l to do the same thing.

that was later on when the gendarmes got in there?

Yes; after we had the forces distributed. After we had the  
 d and had them large enough, we distributed them through-  
 wns.

the natives take kindly to this operation on the part of the  
 ke the conditions more sanitary?

Wonderfully well, I thought.

any friction develop out of these sanitary regulations?

None whatever. In one case we built a rest house so that the  
 coming in from the interior would have a place to rest at  
 of the day's march, you know, when their animals, if they  
 ed for. There was a guard put there to protect these people,  
 w when I have ever seen as much gratitude shown as was  
 ople.

ld you regard that as a sanitary measure?

Absolutely.

est house for the market women?

Yes.

at was the condition of the prisons at the time of the occupa-  
 any, efforts were made to improve the conditions?

When we first got there, of course, they had not yet removed  
 the prison where they had a massacre of 150 people in their  
 hem in one large room and fired on them until they was no  
 all, and about 150 of them were killed. It became necessary  
 ild this prison, reventilate it, put in water and other sanitary  
 h the kitchen, because before they had to get their food in any  
 ad of course we fed them.

feeding the prisoners represent a change in prison manage-

very much. That was one of the reasons why so many volun-  
 ners, you know, when the workmen were being brought in

at I was trying to find out was did the Haitians before the  
 eir prisoners?

o. They allowed their families to feed them, but gave them  
 s.

eneral, what was the condition of the prisons outside of Port  
 know?

Gen. WALLER. It was very much the same as the other about as sanitary as the old-fashioned pigsty.

Mr. HOWE. Was that sanitary condition in the prisons run under the occupation?

Gen. WALLER. The prisons were made models.

Mr. HOWE. What about the prison records, I mean as to the people who remain in prison, and the records of prisoners the Haitians?

Gen. WALLER. They were kept in each prison.

Mr. HOWE. Under the Haitians, I mean.

Gen. WALLER. I do not think there was any. I never heard of any.

Mr. HOWE. Were such records instituted under the occupation?

Gen. WALLER. Yes; very complete records, and the same in the hospitals.

Mr. HOWE. There was an improvement in the hospitals, was there, for the Americans?

Gen. WALLER. Yes.

Mr. HOWE. Or attempt to improve them?

Gen. WALLER. We took over the hospitals, for instance, I think there were 20 or 30 people in there. When I learned that there had been two or three hundred who were coming there for tropical surgical operations, etc. They were carried on by American funds.

Mr. HOWE. What funds were made available for the hospitals?

Gen. WALLER. Haitian funds for the Haitian hospital. The American hospitals were financed out of our own funds from the Navy.

Mr. HOWE. Were native Haitians treated in the Navy hospitals out of United States funds?

Gen. WALLER. That was not allowed, except in an emergency. If an accident happened and a man was brought in, near a hospital, we would give him first aid there, and he would be transported by ambulance to the hospital.

Mr. HOWE. Did the Navy personnel do anything in the way of caring for the sick of the natives?

Gen. WALLER. In the native hospitals?

Mr. HOWE. In the native hospitals.

Gen. WALLER. Yes; they had hospital apprentices, stewards, and medical officers. There was an American medical officer in each hospital, of course; the native doctor practiced there also.

Mr. HOWE. Did the gendarmerie have anything to do with the sick, or hospital assistance, or anything of that sort?

Gen. WALLER. Only in bringing them in. They had no authority outside, except in the country, where they had a medical authority. Then they looked out for them.

Mr. HOWE. The gendarmerie did?

Gen. WALLER. Yes.

Mr. HOWE. Looked out for the sick Haitians?

Gen. WALLER. Yes. We had a great deal of difficulty at first getting them into the hospitals. The voodoo practice had been very general. They told these people that our idea was to get them into the hospitals, and do all sorts of things, so that even in the case of the wounded, those that they could not hide away from us, they would go to the hospitals, but we had a great deal more trouble getting them into the hospitals afterwards.

Mr. HOWE. Did the practice of voodoo have any influence on the events down there during the occupation, or was it a thing that went on with?

Gen. WALLER. Yes; it had a wonderful effect over the peasantry, the lower class of the people, and had some over the higher classes. Under the Haitian law, this practice, but they never enforced the law. They broke up all their meetings, seized all of their drums, etc. If a voodoo drum was heard we immediately got on the trail and broke it up, as far as we could.

Mr. HOWE. What was the voodoo drum used for, in connection with the dances?

Gen. WALLER. In calling them to these meetings, in the first place, and in the dances that they had. They used three or four or five of the drums were 5 feet high, and as big around. It is a wicker drum, with a cowhide over the top.

What is voodoo?

It is very difficult to say exactly what it is. It comes really out of Africa originally.

What does it consist of?

There it consists in the belief that human sacrifice was a part of it, but I do not think that human sacrifice had been resorted to in many years, but they do sacrifice the goat and sheep, and they do it in a peculiar way.

General, with respect to the material side of life down there, what was the effect of the American occupation?

Uplifting in every direction. That was our attitude toward it.

What was your aim?

Absolutely so. I am sorry that I have not a copy of an address made to them there when I came away to show you exactly what we had toward them was. Home influence in Haiti is unique in the same mode of expression that the French did, they have family units as the families, and as long as there is peace in the communities, but I am sorry to say that the peace in the communities, but I am sorry to say that the men down there, even the educated men, paid comparatively little for the family.

Did I understand you correctly this morning, General, to say that when he was made president by the Cacos?

They called him president.

What was simply their declaration of an entirely informal election?

It had been the usual form they adopted.

Did you not mean that remark to be understood that there had been no election under the Haitian constitution of Bobo as President?

No.

You spoke of the conditions when you arrived and first landed in August, 1915, as being those of threatening disturbances. How many casualties during these disturbances were there ever any persons killed or molested, to your knowledge?

No; only Haitians.

At the very beginning of your testimony, when you were giving your tour in Haiti, you spoke of coming back to the United States in 1913, and having had a conference with the State Department?

Yes.

Can you tell us briefly what those conferences were and what was made, and what officials you saw?

The official was the one who is in charge of the Latin American Division.

Mr. Sumner Wells?

No; Wright. He is now the secretary of the embassy in Washington.

Mr. Wright?

Yes; Butler Wright. He had charge of that department of the Navy, but the consultation was largely at that time in connection with the organization of the gendarmerie.

Did you consult with Mr. Lansing?

No; only through Wright.

With President Wilson?

No.

Did you discuss the affairs of Haiti with Mr. Daniels?

Yes; to some extent. I do not recall what, though, because of the jurisdiction over those affairs, over the State Department had been ordered up here by the Navy Department for this consultation with the State Department.

And the consultation was chiefly regarding the gendarmerie?

They were regarding the gendarmerie, yes.

Coming now to the operations in the fall of 1915 against the rebellion which was conducted, do you know whether Admiral Schervillat, on or about the 20th of November, 1915, an order or message was received by the Navy informing him that the Navy Department was impressed with the number of Haitians killed, and felt that a

severe lesson had been taught the Cacos, and believed that could be maintained to preserve order and protect innocent further offensive operations, this appearing on page 78 of the

Gen. WALLER. Did I know of that message?

Mr. ANGELL. Yes, sir.

Gen. WALLER. Yes; my own radio picked that up.

Mr. ANGELL. Was that message then communicated to Caperton?

Gen. WALLER. Yes; but I picked it up before he did.

Mr. ANGELL. It was communicated to you, however, through Caperton?

Gen. WALLER. Yes; but we appealed from that because the been completed. I wanted to finish it successfully and cap which I stated could be done, I thought, without firing a shot was that I was to cease all hostile operations. The town dered. The commanding general met me outside, and he su firing a shot, but the message I remember very, very distinct reason that we soldiers who have taught and trained our me lived with them and go through all the hardships that th much, indeed, the fact that it is always the enemy's casualti of and pitied and not those to our own people.

Mr. ANGELL. What had been the casualties of our own pers time, do you remember?

Gen. WALLER. Approximately, about 45, I think.

Mr. ANGELL. Of those how many were killed?

Gen. WALLER. I do not recall exactly; probably 10 or 12 ki afterwards. Others would have died but for our medical ca

Mr. ANGELL. You said that Bobo was opposed to the Da ment. Did he ever make a statement to you why he was o tigenave Government?

Gen. WALLER. He never made a statement. I think every wanted to be President. Zamor would have been the same

Mr. ANGELL. What was Bobo's attitude toward the pres States forces in Haiti, if you know?

Gen. WALLER. When he was at Port au Prince at the meet I think when he was elected—I was not there, but after him on one or two occasions and he was very much depress fectly free to go and come wherever he chose.

Mr. ANGELL. You say when he was elected?

Gen. WALLER. When Dartiguenave was elected.

Mr. ANGELL. Did Bobo ever express to you opposition to United States forces in Haiti?

Gen. WALLER. No.

Mr. ANGELL. Do you know whether he was publically or to our presence there?

Gen. WALLER. Only from the attitude of these people in t

Mr. ANGELL. Would that lead you to believe that he was op

Gen. WALLER. Yes; he was communicating with them. Af went to Jamaica, and from Jamaica to Cuba. I was commu Cuba concerning him.

Gen. ANGELL. Is he still alive; do you know?

Gen. WALLER. I do not know. He probably is. He wa young man.

Mr. ANGELL. Referring again to the campaign which wa fall of 1915 against the Cacos, did you regard the opposit to be one against the Haitian Government or against the An

Gen. WALLER. Their own statements were that it was Haitian Government and the occupation.

Mr. ANGELL. Speaking practically, were our troops down warfare against these Cacos during this period?

Gen. WALLER. It depends on what you call warfare. A been declared. We were operating under the agreement. N get into an engagement of that kind both sides think ther although it is not formally declared.

Mr. ANGELL. Did you receive, on or about the end of Marc 1916, a letter from the Secretary of the Navy, which appear

port, attached as an exhibit to the report of the Secretary No. 2, one paragraph of which, No. 2, reads as follows: "During the operations of October and November in north Haiti, a large force of marines and seamen from the squadron, effected resistance to the American occupation and the Haitian Government maintained peace and order in all parts of the country." I did not receive this, but I did receive a letter from the Secretary of commendation and congratulation. This is a letter by Gen. Barnett to the Secretary. The letter the Secretary received is much shorter, the letter of commendation and congratulation is shorter, and I think you have the speech of the President, President of the Haitian Government.

There are one or two points I want to ask you about in connection with campaign orders which have been presented to the committee. In paragraph 1 of your letter of October 29, 1915, to Col. Cole, in the campaign order, I take it, the Cacos are referred to as follows:

"Disposition of troops is directed preparatory to the movements in the vicinity of Fort Capois, and the forces indicated in the campaign order are as follows: The Cacos are referred to as follows: The Cacos as rebels, both against the Haitian Government and the American occupation?"

They were so designated by the President in communications with the rebels. President Dartiguenave?

Yes. The purpose of my question was to find out whether or not you regarded them as rebels both against the Haitian Government and the American occupation?"

I regarded them as violating the agreement of the Caco general. I regarded them more or less as bandits, and I stated they would be

regarded by you or did you not regard them as rebels both against the Haitian Government and the American occupation?"

They were absolutely opposed to the American occupation. They were what the Dartiguenave government was using.

Do you remember the letter of instructions for the campaign which seems to be attached to these so-called campaign orders drawn up by you, or under your direction?"

Under my direction; written by my adjutant general. It formed a part of the instructions and orders which went

to the front. On page 2 of this letter of instructions, as so headed, under the heading "Medical arrangements," I find this language:

"Stretchers will be prepared to care for wounded on firing line, at all points. They will be carried via Grande Riviere or Caracol routes to the U. S. S. Stretchers will be prepared and will be carried by natives, who will be paid if possible to hire."

Attention of giving such an order? Was it, as the language indicates, that they were to be compelled to carry stretchers if they would not see to do so?

They certainly were. I would give them an opportunity to do so. If we were there to protect them I was going to make them do so themselves.

Do you know, General, whether or not it was necessary to im-

ploy stretcher bearers? Yes; we had a number of volunteers when the occasion arose. I had to use stretcher bearers to carry the wounded back. In the mountains the wounded men were carried on horseback.

Coming now to the treaty negotiations, the negotiations which preceded the treaty on September 16, 1915, you said this. I understood you correctly, that there was a verbal agreement prior to the treaty for the taking over of the customs?

Yes, sir.

Mr. ANGELL. Do you know who made such an agreement where?

Gen. WALLER. President Dartiguenave and the minister and

Mr. ANGELL. The American minister?

Gen. WALLER. Yes.

Mr. ANGELL. President Dartiguenave agreed to the taking

Gen. WALLER. Yes.

Mr. ANGELL. That was after his election as President?

Gen. WALLER. Oh, yes.

Mr. ANGELL. Were you present at the meeting when that was it just a meeting between the admiral, the minister, and

Gen. WALLER. I do not know that I was present at the one I was present one time when it was clearly understood, at a

Mr. ANGELL. And the President consented?

Gen. WALLER. Yes. He subsequently wrote a communication it was a dreadful thing for us to do.

Mr. ANGELL. Do you remember his proclamation, as published in the early days of September, 1915, protesting the taking over of the customs at Port au Prince?

Gen. WALLER. Yes.

Mr. ANGELL. That was published, was it not?

Gen. WALLER. That was published; yes. We also knew that was at that time. You will find the same attitude, as far as concerned.

Mr. ANGELL. I am glad you mentioned that point, General. On the stand, testified that President Dartiguenave had either consented in advance to the declaration of martial law. H. Caperton, was unable to remember the circumstances under which consent was given. Do you remember those circumstances?

Gen. WALLER. Very distinctly, because the request was made

Mr. ANGELL. Was it made to you, or, if not, to whom?

Gen. WALLER. It was made in my presence; it was made. Admiral Caperton did not wish to proclaim martial law.

Mr. ANGELL. Do you remember when it was made?

Gen. WALLER. When this request was made?

Mr. ANGELL. Yes.

Gen. WALLER. At different times, from 10 days to 2 weeks, information was actually issued.

Mr. ANGELL. In the President's palace, or where?

Gen. WALLER. In the palace; that is the one he was occupying the temporary palace.

Mr. ANGELL. Was it held that the customs constituted practically the exclusive source of national funds?

Gen. WALLER. Yes. They have very little internal taxation from the export and import duties.

Mr. ANGELL. Did the great proportion of the internal taxes come from the communes?

Gen. WALLER. They were supposed to go there.

Mr. ANGELL. It did not come to the National Government?

Gen. WALLER. No; it was not paid at any time to our representatives.

Mr. ANGELL. Is it a fair statement to say, for example, that most of the national revenues came from the customs receipts?

Gen. WALLER. I do not know exactly. I have no means of knowing. Their receipts were for licenses, and things of that sort, and other little taxes of that kind, but there was no tax on the charges for water and that sort of thing were practically all that the aristocrats paid any bills at all we found when we took over.

Mr. ANGELL. Is it substantially true, however, that the national funds came from the customs?

Gen. WALLER. Yes.

Mr. ANGELL. Did you say, in your testimony this morning, that there was no compulsion on the Dartiguenave Government to enter into the treaty which was signed in September, and subsequently in October and November by the two chambers?

Gen. WALLER. I never heard of any. I never dreamed of anything going on. I knew the trouble we were having in diffi-

ould you not regard the seizure of the customs funds and the e funds derived from the customs as compulsion exercised on

Why should it be? We were paying the regular salaries they

d we pay them at first salaries?

We paid them afterwards. We found out some of the salaries id.

d we paid the salaries until after the treaty was ratified?

h, yes. That is the salaries of the Haitian officials. There d to the legislative branch, after their prorogation.

this point, may it please the chairman, I want to offer specifi- certain messages appearing in this compilation, which have red to at any point specifically in the testimony.

Is that in the record at all?

have never been able to find out whether this whole compila- d verbatim in the record. I should imagine not, because it mple, practically all the Barnett report, and a good deal of ch would probably not be necessary to print, to the extent ritten pages. I think it has been the practice hitherto to certain parts of this, or various messages. In fact, Senator elf on one or two occasions read into the record various his compilation. I want at this time also to have in evidence, aring upon the testimony we are just having regarding the treaty and the ratification of it, certain messages appearing in

Well, there will be no objection to that.

pecifically, then, I wish to offer in evidence the message ge 47 of this compilation, from Admiral Caperton to the Navy, on September 14, where he says that in order to assure n, the Haitian Government desires immediate assurances in e effective for use in Chamber of Deputies to the effect that s will exercise its good offices to obtain a temporary loan of e Haitian Government to cover expenses, and goes on to ask that.

ferred to is here printed in full, as follows:)

on held between ministers foreign affairs and finance on one can chargé d'affaires and Paymaster Charles Gonard, my n the other hand; it was agreed that the treaty, now being rench, would be signed and ratified and modus vivendi entered

assure prompt ratification Haitian Government desires imes in such shape as to be effective for use in Chamber of effect that the United States will exercise its good offices to ry loan of \$1,500,000 for the Haitian Government to cover r approximately three months, pending settlement of details and, second, back salaries and unpaid expenses. Of this stimated as necessary for covering first head and \$1,000,000

with amount last mentioned the Haitian Government will from emitting paper to value of 5,000,000 gourdes, not ch 500,000 gourdes are said to be now in transit.

e fact that the collection of practically all the revenues after by me in accordance Navy Department radiogram 20018, ome time yet not be sufficient to meet current expenses of the ent, especially as funds should remain in national bank to , and as the Haitian Government has at present insufficient o meet these expenses; I recommend that the assurances be requested.

expressed by United States representative to effect that ess will be consolidated into one loan including temporary above and back unpaid interest on public debt. Confirmation ed. 23414.

"CAPERTON."

wish to offer in evidence also that message of Admiral following day, September 15, to the Secretary of the Navy, ed the Secretary that if definite assurances can be given

Haitian Government, that work on national railroad will continue after ratification of treaty, such assurances will aid materialization.

I wish to offer also specifically certain messages appearing on page 54 of this compilation, particularly one from Admiral Caperton of the Navy, of October 3, in which he refers to a message from the chargé d'affaires, saying, "I approve request and consider Haitian Government should have immediate financial assistance."

(The message referred to is here printed in full, as follows.)

"Chargé consulted with me before sending his telegram. In view of all the facts as they appear here I approve request and consider Haitian Government should have immediate financial assistance. I will fully to-morrow and submit estimates of receipts and expenditures."

Mr. ANGELL. I also wish to offer a long message on page 55 of this compilation, from Mr. Davis, the chargé d'affaires, presumably through Admiral Caperton, Navy Department.

Gen. WALLER. That, I think, went direct to the State Department.

Mr. ANGELL. Was it customary to radio up direct to the State Department?

Gen. WALLER. They sometimes sent a radio in the State Department.

Mr. ANGELL. Without reading all of this, I simply wish to refer to the message of the committee here to one or two paragraphs in the message. I told the President, that, as before stated, funds would be available upon ratification of the treaty.

"The President seemed utterly discouraged and pointed out that the delay was not due to any lack of effort by himself or his cabinet, but that withholding of funds only gave another weapon to the opposition. The United States Government persists on withholding all funds, and it becomes so difficult that he and his cabinet will resign rather than fight in the Senate under this handicap."

Also a further paragraph, in which Mr. Davis says:

"It is most important that the present administration remain in power. It is not believed that one more favorable to the United States could be found. In view of all the facts as they appear here that a more favorable administration would probably have to be established should this Government be removed."

(The message referred to is here printed in full, as follows.)

"Confidential, urgent, October 3, 5 p. m. This morning I received a receipt of your October 2, 5 p. m., I had an interview with the chargé d'affaires personally at his request. He stated that he had asked for this to ascertain what steps he could take under existing conditions. The Haitian Government following its plan to pay back salaries, would strengthen its position before the people and relieve suffering. He stated that he was entirely without funds, and inquired as to the disposition of the United States Government to assist them in this financial crisis. He expected instructions as to the matter and would advise him immediately."

"After receiving your October 2, 5 p. m., I told the President that funds would be immediately available upon ratification of the treaty. The President seemed utterly discouraged and pointed out that the delay was not due to any lack of effort by himself or his cabinet, but that withholding of funds only gave another weapon to the opposition. The United States Government persists on withholding all funds, and it becomes so difficult that he and his cabinet will resign rather than fight in the Senate under this handicap."

"I fear that I have failed in my previous reports to make clear the existing situation, which is as follows: The vote of the Senate and its deputies will take place probably to-morrow, the committee has favorably recommended ratification. Under the mode of procedure by congressmen the treaty goes before the Senate and then to a senate committee who, after considering, submit a report. The treaty is printed and distributed and three days allowed for consideration before discussion on the floor of the Senate begins. Therefore ratification is expected before the latter part of next week."

"The President and cabinet are using every possible effort to secure ratification and seem confident of securing the same if not embargoed. The Haitian Government realizes that such ratification is a necessary step for the welfare of Haiti. Opposition in the Senate is strong."

ers are unscrupulous politicians or fanatics and wish either United States by nonratification or to overthrow the present hoping to secure possible personal gain thereby. Pressure is not to be borne by outside interests which desire a continuance of or reasons of financial gain and which will be glad to see the organization, which is already reorganized and supported by the forced to resign.

important that the present administration remain in power, as that one more favorable to the United States could be observed of all the facts as they appear here that a military government have to be established should this government fall.

it is necessary to secure a treaty ratified before any definite can be formulated or permanent peace and prosperity assured and seem advisable to support and maintain the present administration will fail unless the slight financial assistance which they have immediately available, and further the progress made during the will be lost. Although funds collected from customs have for the first three purposes named in the department's instruction of money collected, not one cent has been turned over to the government for living expenses, which expenses have been met by use on hand and not expended. In view of the importance and the of the case, it is recommended that Admiral Caperton be turned over needed sums out of customs receipts not necessary for police, constabulary, and public works. Request earliest possible reply.

"DAVIS.

15."

also wish to offer a message on page 55 from Admiral Caperton of the Navy, of which the last paragraph reads:

present financial crisis of Dartiguenave government, the loss of United States should that government fall, the inevitably detrimental treaty the failure of that government will have, I reiterate my recommendation of the American charge d'affaires that I turn over to the Dartiguenave government such funds from the on hand and unobligated as I may consider necessary for its

referred to is here printed in full, as follows:)

1918, August. Total customs receipts Haiti to September 30, expenditures \$31,500, under following heads: Constabulary, \$9,000; customhouse expenditures, \$5,000; military and \$16,000, which covers expenditures made necessary by millipoicies in ports occupied by United States, such cost of electric of provost martial, prisons, and hospitals. No funds have Dartiguenave government.

October under heads "Constabulary," "Public works," "Customs," "Military and civil government," amounts to \$62,000. Included expense of constabulary now being introduced as rapidly to all ports being occupied for entire month. Unobligated funds, \$76,000.

present financial crisis of Dartiguenave government, the loss of United States should that government fall, the inevitably detrimental treaty the failure of that government will have, I reiterate my recommendation of the American chargé d'affaires that I turn over to the Dartiguenave government such funds from the on hand and unobligated as I may consider necessary for its

"CAPERTON.

15."

also wish to offer the following message from Secretary Daniels Caperton, dated October 5, appearing on page 55 of this compilation: has been sent this date to Charde with full instructions. You furnish Haitian Government weekly amount necessary to meet Use funds collected Haitian customs. Question payment be settled by department immediately after ratification of what weekly expenditure will be necessary under these instructions amount back salaries now unpaid. Acknowledge. 22004.

"DANIELS."

Do you know, General, whether the back salaries act after the ratification of the treaty? Just to refresh your memory, the treaty was ratified in December.

Gen. WALLER. I do not think they were. I recall an individual who came to my office to see about the back salary for his brother.

Mr. ANGELL. Vincent was president of the Senate?

Gen. WALLER. Yes; and also the secretary of the interior, I think, had been the minister to Belgium. He thought it that he should be over there without any money, and I told him when the Haitian Government had dismissed him, to take up the question; that is, we declined to pay it.

Mr. ANGELL. Do you know whether, as a matter of fact, were paid until after the ratification of the treaty?

Gen. WALLER. No.

Mr. ANGELL. You do not know?

Gen. WALLER. No. The salaries we paid were the salaries were working after we took it up.

Mr. ANGELL. I also wish to call attention on the record paragraph on page 63 of this compilation, which seems to be a message from the Secretary of the Navy, reading here as follows:

"On October 13, 1915, the Secretary of the Navy authorized Caperton to establish a weekly allowance of \$23,000 for the committee."

On that same page the further paraphrase, saying:

"On the same date (referring to October 19) the Secretary advised by Rear Admiral Caperton that he had authorized salaries from customs funds to senators and deputies for the committee."

I wish at this time also, with the consent of the committee, to record the messages appearing on page 65 of this compilation, Secretary Daniels dated November 10, 1915, being number 23109, apparently. I should say the treaty was ratified November 11, Armistice Day, 1915. This message from Admiral Caperton is dated November 10, the day before.

"23109. Arrange with President Dartigney that he be present before the session of senate which will pass upon ratification of the treaty. I request that you be permitted to appear before that meeting to President and to members of cabinet. On your part, the following before these officers: 'I have the honor to inform you of Haiti and the members of his cabinet that I am personally of public sentiment continues favorable to the treaty; that I have a demand from all classes for immediate ratification, and that the treaty was ratified Thursday.'

"I am sure that you gentlemen will understand the importance of this matter and I am confident if the treaty fails of ratification, the Government has the intention to retain control in Haiti until it is accomplished and that it will forthwith proceed to the control of Haiti so as to insure internal tranquillity necessary to the country and its industry as will afford relief to the starving population. Meanwhile the present Government will be so employed. secure stable conditions and lasting peace in Haiti, and opposition can only expect such treatment as their conduct merits."

"The United States Government is particularly anxious for the ratification by the present senate of this treaty, which will be the full intention of employing as many Haitians as possible under the provisions, so that suffering may be relieved at the earliest possible date."

"Rumors of bribery to defeat the treaty are rife. However, should they prove true, those who accept of such bribes will be vigorously prosecuted."

"Confidential. It is expected that you will be able to make it clear to remove all opposition and to secure immediate ratification of the treaty." 22010.

There follows in this compilation a message from Admiral Caperton, dated November 11, presumably to the Secretary of the Navy, in which he says:

structions in department's 22010 this forenoon. Treaty rati-  
voted 26 to 7 at 6 p. m. to-day. General rejoicing among popu-

"CAPERTON."

age from Secretary Daniels, apparently, to Admiral Caperton,  
the following day, reading as follows:  
ment wishes to express its gratification at the ratification of  
warmly commend the able manner in which you have handled  
matter and the ability you have shown in directing affairs in  
age. 11012.

"DANIELS."

nt, General, at the interview which Admiral Caperton, accord-  
ages, seems to have had with the President and cabinet, in  
em, on his own authority, this message from the Secretary of

Yes; at the palace, at the temporary palace, I mean.  
as that, do you remember, on the date of the ratification of the  
ate?

I think that was the date.  
as anything else said, so far as you can remember, by Admiral

Oh, there was a general rejoicing. I think the chargé was  
officers of the Navy.

ere any members of the Haitian Senate there?

No.  
st the President and the cabinet?  
And the cabinet.

nd you have any discussion with the President or the members  
out the situation?

had nothing to do with it at all at that time.  
o you remember whether the minister had any discussion with  
the cabinet at that meeting?

do not think so. I think all the talking was done by Admiral  
ime.

st how was it handled? Was it done through Capt. Beach, his  
l the interpreter?

Capt. Beach was there, but Admiral Caperton made the talk.  
English?

n English, and it was interpreted by the official interpreter.  
en and there?

I think at that time it was a man whom I had supplied the  
e cabinet refused to let him have an interpreter.

hen I say then and there I mean the putting of this declara-  
was made at that time at that meeting, on the morning of the  
ratification of the treaty by the Senate?

Yes.  
o you know whether or not, apart from the seizure of the cus-  
toms receipts, there was any seizure by Admiral Caperton or  
his direction, of any national funds of the Haitian Govern-

I do not.  
ou do not know one way or the other?  
No.

he particular reason I asked you was that I asked that question  
ton here in cross-examination, and he said he could not remem-  
ot think so. But Col. Alexander S. Williams, in testifying the  
a reference to the seizure of the Haitian national funds in such  
ve me the belief that it was not the customs he was refer-

It would depend. In the first place, Williams would not know  
it at that time. He must have referred to something else.  
thing to do with any of the negotiations of either the treaty, or  
l work, or the organization of the gendarmerie.  
Williams had nothing to do with the organization of the gen-

He was simply on the board, the second member, I think, on  
board received its instructions and considered the suggestions

that were sent out from my headquarters to them. I also from them, and they were discussed.

Mr. ANGELL. Coming now, sir, to this proroguing, or dissolution in 1916, do you know whether or not, under the Haitian constitution, provided that the President could dissolve the legislature if he did it by the decree of April 5, 1916?

Gen. WALLER. I do not think so.

Mr. ANGELL. You do not believe that the constitution gave power?

Gen. WALLER. That was one of the reasons why I opposed it. It has been necessary for it.

Mr. ANGELL. Do you know whether or not that decree made the subject of court action in the native courts of that time?

Gen. WALLER. It was made the subject of discussion by lawyers, and the President wrote me on the subject, opposing him in every way, and wished me to take action, but I interviewed them, and they assured me that they would assist in their power.

Mr. ANGELL. So far as you know or remember, then, that the civil court of Port au Prince, about April 15, authorized senators to open the gates of the legislative building, on the unconstitutionality of this decree?

Gen. WALLER. I do not remember it, but even if it had been made, it would have been paid to it.

Mr. ANGELL. Do you remember two lawyers, Luxembourg and Lespinasse, coming to you about this decree and the question of the constitutionality of the decree?

Gen. WALLER. I remember a number of interviews with Lespinasse, Bailly, and others, but this was after the legislature was dissolved.

Mr. ANGELL. That is some time subsequent to May?

Gen. WALLER. It followed almost immediately afterwards.

Mr. HOWE. The legislature was closed on April 6, was it?

Mr. ANGELL. The decree was on April 6.

Gen. WALLER. It closed on that day, I think. I have a decree to the deputies, by which I can fix that absolutely. That meeting was on the 8th—two days afterwards.

Mr. ANGELL. What meeting, sir?

Gen. WALLER. With Chauvin, the first meeting I had with the deputies.

Mr. ANGELL. On the 8th or 18th? The decree, I believe, was on April 6.

Gen. WALLER. It was two or three days after the dissolution of the legislature.

Mr. ANGELL. After the President's decree?

Gen. WALLER. Yes.

Mr. ANGELL. Then, it would have been April 8?

Gen. WALLER. April 8 it would be.

Mr. ANGELL. The decree of the President was that of April 5?

Gen. WALLER. It is in here somewhere—a placard for the deputies.

Mr. ANGELL. I just suggest, General, it is not of sufficient importance to fix the date of this thing exactly. Perhaps we can proceed.

Mr. HOWE. What fact are you trying to fix? Perhaps the fact that the legislature was dissolved.

Mr. ANGELL. I am just trying to find out what representation was made to the General by these Haitian lawyers about the unconstitutionality of the decree.

Mr. HOWE. Can we not fix that by bringing up the question of how long after the decree was passed these representatives met?

Mr. ANGELL. There seems to be confusion somewhere. The General has it in mind that he had this interview with Lespinasse—three days after the President's decree, was it? April 8. In the Haitian memoir the statement is made that the civil court authorizing the opening of the legislative chamber met on the 15th of April, 10 days after the President's decree. The lawyers went to the General with this decree.

Gen. WALLER. They came to me at that time, too; but, I had interviews with them on the subject.

the witness has testified that he knows nothing of the decree

I do not know anything of the decree having been issued at and told them I had received instructions.

Instructions from the President?

From the President.

And you would have carried those out, do I understand you there had been a court decree as to the unconstitutionality of order, or otherwise?

Yes; as long as martial law existed.

Appearing on page 24 of the printed record, there are two would just like to ask you to look at, General, one of them being printed here, from you to Mr. Laroche, dated April 27, and another from him to you, dated April 28. I will ask you, for the purification, whether you sent and received those two letters. I am whether that is substantially correct.

That is substantially correct.

Those two letters?

I have not read Laroche's yet, but we were having a good deal on at that time.

Just want to identify these two letters, to show they were sent and being no formal proof on that subject at all thus far.

Yes; that is correct.

Then may I consider that these two letters, as identified by the text by him to be substantially correct, as having been sent to him, are offered in the record as so identified. They are in the printed record, but have never been identified or proved. They were sent, and as the Government feared impeachment, that I made there, that they were to consider those matters

Now, the specific order for the closing of the legislative chamber, as I understand it, by you from the President, and transmitted to Maj. Butler?

Yes.

He chief of the gendarmerie, for execution?

Yes.

How far was it customary, General, for you to receive and from the President of Haiti?

They were not orders; they were always considered as requests discussed them beforehand. This was not discussed at this of his signing of this proclamation, because he knew I op-

He transmitted it to you, with the request that it be enforced?

He transmitted it in a letter, in which he states that he relies entire support in the preservation of order, inclosing at the of the proclamation.

That is not in the record already, I suggest that it be put in proclamation of April 5, dissolving the legislature.

It is not in the record, I think it should be, and also the letter accompanying the proclamation.

Referred to is here printed in full as follows, the proclamation produced as a part of Admiral Caperton's testimony.)

PRIVATE OFFICE OF THE PRESIDENT OF HAITI,  
*Port au Prince, April 5, 1916.*

W. T. WALLER,

*City.*

GENERAL: For the good of the Haitian people, the Government indispensable aid of the occupation, to resolutely carry out the mission (uplifting) that it has begun. But, from the very outset have witnessed, it has met with obstacles that have been thrown in the way who see in the new order of things the destruction of the things which had served their selfish and personal ends. Measures demanded by this state of things, I have decided, in the name of the Government, to publish in to-day's official executive orders (decrees) of which I have inclosed a copy. I expose setting forth the determining reasons which explain

and justify said two orders. I must not let you ignore the mention had been made to Admiral Caperton and to Mr. Bailly-Latour.

After taking into consideration all possible contingencies, I rely entirely upon all your help to assure public order and security. Needs be, the evil actions of those who might wish to create a disturbance for their own personal advantage which they set above the interests of the country.

In the meantime, I send you, my dear colonel, the remembrance of my very cordial consideration.

Mr. ANGELL. Are we to understand, General, from your corvée law, that the natives flocked in to work upon the motive of their desire to see the roads improved?

Gen. WALLER. I presume so.

Mr. ANGELL. And that it was not the food and it was not the money that were after?

Gen. WALLER. No.

Mr. ANGELL. They were not paid and they were not fed?

Gen. WALLER. Some of them were paid, and a number of them have thought that there was the hope of advancement later.

Mr. ANGELL. Have you any idea, sir, how long these men were to work in this manner without pay and without food?

Gen. WALLACE. When the repairs went through a district in that district.

Mr. ANGELL. Which would have been several weeks, upon the average?

Gen. WALLER. It depended largely upon the weather. Sometimes, they had torrential downpours, and sometimes considerable rain. It might be washed away that had been done during the day, if the work was not completed.

Mr. ANGELL. Did the work continue in any given district for a period of several weeks?

Gen. WALLER. Yes.

Mr. ANGELL. Sometimes several months, perhaps?

Gen. WALLACE. Yes. In the district of Port au Prince, for instance, they were working on both sides at the same time.

Mr. ANGELL. Now, sir, in reference to the new constitution, I refer to the proposal for the acquisition of the right of citizenship for foreigners, that they were willing to put it in?

Gen. WALLER. I mean the Government.

Mr. ANGELL. The executive branch of the Government?

Gen. WALLER. Yes.

Mr. ANGELL. Did that apply to the constituent assembly?

Gen. WALLER. That had not met.

Mr. ANGELL. That had not met at the time you speak of?

Gen. WALLER. The Government, the plans they were to put before the constituent assembly.

Mr. ANGELL. So the individuals who were willing to put up with the Dartiguenave government?

Gen. WALLER. Yes.

Mr. ANGELL. That is the President and his cabinet?

Gen. WALLER. The President and his cabinet. There were, for instance, Camille Leon, the chairman of the deputies, and others of it.

Mr. ANGELL. Had the conseil d'état been organized at the time of the meeting?

Gen. WALLER. During the discussion?

Mr. ANGELL. At the time of the discussion of the proposed constitution?

Gen. WALLER. Partially so; yes. He requested them to send a delegation.

Mr. ANGELL. Was there any authorization for such a body to be organized? If you know, any authorization for the body of the conseil d'état?

Gen. WALLER. I think so; either in that or the prior constitution.

Mr. ANGELL. The constitution which was then in force was the constitution of 1889, was it not?

Gen. WALLER. Yes. I say either that or the one before that, which of the two; but they had ample authority for it, it seems to me.

Mr. ANGELL. After the treaty went into effect in June, 1900, this treaty by the United States Senate, was there any single

tary, head in Haiti or was it a responsibility divided among a  
ry and civilian representatives?

Financial affairs were controlled by the financial adviser, who  
nder the treaty.

o whom did he report in this country?

The State Department, I presume.

o whom did the receiver general of customs report?

To the financial adviser.

o whom did the commander of the brigade—yourself, for ex-

When anything arose to report it was sent in duplicate, one to  
n chief of the cruiser squadron of the Atlantic Fleet and the  
nton, to headquarters of the Marine Corps.

he brigade commander, of course, did not report to the State  
tly?

No; except in personal communications.

o whom did the engineer of public works, the American official,  
ow?

His final appointment did not get there until after I left.

until after you left, in November, 1916?

Yes.

is office was provided for by the treaty?

Yes; there were two engineers provided for. One of them was  
ry engineer and one called the public works engineer. I used  
my own engineer.

o you know what accounting was made to the Haitien Govern-  
men national funds by our civil and military representatives in  
f course, up to the time that you left?

Yes. The military, strictly speaking, had absolutely nothing to  
pt to disburse the funds, except at the request of the financial  
receiver general.

he military made no report or accounting to the Haitian Gov-  
as not their function?

It was not their function.

nd the military or naval officers make any report to the Haitian  
to the appointment of the receiver general?

do not know whether Admiral Caperton did or not. I know  
d as receiver general made the reports to him.

o Admiral Caperton?

o Admiral Caperton. I saw these reports from time to time,  
resources. The budget was prepared each month, and it was  
xactly what funds they had in hand.

show you what purports to be, General, a copy of a letter from  
0, 1916, addressed to the American minister at Port au Prince,  
her that is substantially accurate?

Yes; I am sure that letter was written.

would like to offer in evidence this letter, as identified by the

can relate to you why the letter was written.

want to read this letter to the Senator.

reupon read the letter referred to, as follows:)

HEADQUARTERS UNITED STATES EXPEDITIONARY FORCES

OPERATING IN HAITI.

*Port au Prince, Haiti, June 30, 1916.*

ary commander.

a minister, Port au Prince, Haiti.

orks.

g and complying with your note of June 28, 1916, forwarding  
protest from minister of foreign affairs concerning the alleged  
in public works by the occupation, I have the honor to state  
dy explained the status of the work to the department con-

question is a continuation of work begun by us early in De-  
became necessary for two reasons:

sh employment to starving Haitians.

Second. In order that there might be communication between for military as well as commercial purposes.

3. If, as stated by the minister of foreign affairs, the operation since May 3, 1916, I know nothing of it. I must wait until I have received information through proper military channels before I can relax or under which we have been operating.

4. I was not aware that the agreements had been signed. I have been informed that this Government would not agree to the

LITTLE

I want to ask you, in this connection, if you remember the date when the treaty was officially notified of the ratification by the United States Government. The treaty is dated September 16, 1915?

Gen. WALLER. No; I do not recall the date.

Mr. ANGELL. You had not been notified at this time, on the date that the treaty had been ratified by the Senate on May 3, 1916?

Gen. WALLER. No; on the date of that letter I did not know that the United States had ratified the treaty.

Mr. ANGELL. So that, so far as you, the brigade commander, the treaty was not yet formally in effect?

Gen. WALLER. The Haitian Government had claimed from the date that the treaty had been in effect for months when it had not been ratified by the Government.

Mr. HOWE. When did the treaty become formally in effect? Was it by ratification or ratification?

Mr. ANGELL. It was ratified on May 3, and I believe it was not until the 3d of June.

Mr. HOWE. That is when it became effective, is it not?

Mr. ANGELL. That is a question of constitutional law. The treaty came into effect at that time. Prior to that time there had been no modus operandi?

Gen. WALLER. Yes.

Mr. ANGELL. Which was soon after or immediately following the signature of the original treaty in September?

Gen. WALLER. Frequently they had stated to me that the treaty was in operation before our ratifying it.

Mr. ANGELL. The modus operandi was, however, in the treaty, was it not, or substantially so?

Gen. WALLER. Not entirely so, because we had charge of the public works at that time. It was after this that they made this claim. When I was written it was because they had sent an architect up to look at the supply of a suburb of Port au Prince, and he had driven to the public works officer, and I had sent an officer up to him and appointed him. He had communicated with the Government. They then wrote me and he wrote me on the subject, and I replied in that way because of that.

Mr. ANGELL. When were the public works taken over by the Government?

Gen. WALLER. We took them over at first.

Mr. ANGELL. In the early days of the occupation?

Gen. WALLER. In the fall of 1915. We took them over after we had taken over the customs.

Mr. ANGELL. Was the occupation requested by the Department to take over the public works, or was that done as a necessity?

Gen. WALLER. It was done for military reasons, but it was done with the approval of the Dartiguenave government. Many suggestions were made.

Mr. ANGELL. And the administration of public works was taken over by officers of the military occupation until the engineer proposed by the treaty was nominated and sent down to Haiti?

Gen. WALLER. Yes.

Mr. ANGELL. And was that prior, do you remember, to the departure of the American forces in November, 1916?

Gen. WALLER. He came down just before I left, but he was not in the office exactly. I think he was there probably a month or so before I left.

Mr. ANGELL. So at the time you left in November, 1916?

Gen. WALLER. It had not been taken over.

Mr. ANGELL. The military officers of the occupation were in charge of the public works?

es.  
 at funds were being used for such expenses as were neces-  
 Haitian funds, of course. All of the expenses of the occupa-  
 paid for by our own Government.  
 en you say expenses of the occupation you mean the pay of  
 en?  
 house rent, supplies, transportation, and everything of that  
 e building of roads, public works, sanitation, and such mat-  
 from the Haitian Government, the funds.  
 administered by, first, our military representatives?  
 es.  
 I then the receiver general and financial adviser?  
 e had pretty much the same plan there that we did in Cuba,  
 e as we did in Mexico. In fact, that proclamation of martial  
 entical with the one in Vera Cruz.  
 what extent during the time you were brigade commander in  
 rican military forces interfere, if at all, with local municipal  
 e never interfered with them at all, except probably once in  
 en a man had been appointed or suspended by the President  
 appointed, and there was a little resistance to his occupation  
 t office was that, sir?  
 e corresponded practically to mayor.  
 s his name Auguste Magloire?  
 es.  
 s that the case?  
 es.  
 o you remember whether or not he was arrested and im-  
 e was arrested.  
 whom, by the marines, or by the gendarmerie, or native  
 do not remember whether it was the marines or gendarmerie,  
 he would have been arrested, because he drew a revolver on  
 office.  
 was the lawful incumbent in office, was he not?  
 e was arrested for creating a disturbance and carrying a  
 was not allowed to do.  
 you know how long he was imprisoned?  
 very short while. I do not remember whether it was over-  
 eased when the matter was brought to me.  
 you remember, General, the difficulties which seemed to have  
 ding the proposal to place under the control of the gen-  
 raphs, telephones, public works, the lighthouse service, such  
 bene, and the postal service?  
 e lighthouse service was always ours. The postal service and  
 h was the principal thing.  
 e us, General, in brief, that story, will you please?  
 he proposition was made and accepted by President Darti-  
 overnment. It was made because we would save the Govern-  
 sum of money, and we would give efficient service. We had  
 men who had operated everything in Vera Cruz for nine  
 y hitch, or anything of that sort, and we were prepared to  
 the lines all the way through Haiti, so that communication  
 carried on. We also wished to stop the graft in the post  
 yees of the post office had stolen quite a large amount of  
 dent said he would do this. He also asked for an engineer  
 that is, an additional engineer, and he told me that he would  
 to his minister in Washington that day. He failed to do so.  
 day, when he made me a solemn promise.  
 o made, the President?  
 es. He then said that he would send the cable to the min-  
 ed him that I would be very glad to have it sent down by our

messenger, but he had it coded and sent down, and it was  
his promise.

Mr. ANGELL. It was in code, was it?

Gen. WALLER. It was in code.

Mr. ANGELL. How could we tell it was exactly the reverse? Gen. WALLER. Because it is our business to decipher a message frequently it does not take them but a very few minutes to get the intricate code, either in the air or on the wire.

Mr. ANGELL. You were saying the message was exactly the promised?

Gen. WALLER. Yes; exactly the reverse; and when I went said that there had been an error in coding it, but I told him been no error and that I would be obliged to say to my Government that his Government was insincere in its question of removing martial law had arisen, and I said, "done?" He said, "No; under no circumstances."

Mr. ANGELL. This all happened during the summer of 191

Gen. WALLER. Yes.

Mr. ANGELL. Early in August, was it not?

Gen. WALLER. Yes.

Mr. ANGELL. Was it finally agreed that these various services were under control of the gendarmerie?

Gen. WALLER. Not at that time; no.

Mr. ANGELL. Subsequently it was agreed in the final agenda

Gen. WALLER. That was a long time after.

Mr. ANGELL. After your departure?

Gen. WALLER. Yes.

Mr. ANGELL. So that you have no particular knowledge of accomplishment?

Gen. WALLER. I have no knowledge of that. In fact, I think it has not been done. I mean the postal service. It was not done at that time, they had not been turned over to the gendarmerie. I believe the agreement it was agreed to, but I do not think it had yet been carried out.

Mr. ANGELL. Was Mr. Augustus Scholle, the chargé d'affaires conference in early August, do you remember?

Gen. WALLER. He was present at the first one. He was final one. There were several interviews that took place about

Mr. HOWE. I now offer a certificate by Maj. Jesse F. Dye

Mr. HOWE. I now offer a certificate by Maj. Jesse F. Dye, 8, 1921, containing true copies of extracts from the muster roll of the 1st Marine Corps, Second Regiment, First Provisional Brigade, 1st Marine Corps, which extracts show that Capt. Thomas L. Edwards, that company, was stationed at Mirebalais, Haiti, throughout May and June, 1919; also an official copy of the report of the death of Thomas L. Edwards, United States Marine Corps. The death took place as the result of an airplane accident, and the body was recovered at Port au Prince on August 10, 1920.

(The papers referred to are here printed in full, as follows:

HEADQUARTERS UNITED STATES MARSHAL SERVICE  
Washington, D. C.

This is to certify that the muster rolls of the One hundred and Second Regiment, First Provisional Brigade, United States Army, during the months of April, May, and June, 1919, show the following names: the name of Capt. Thomas L. Edwards, United States Army, is designated below, and that the remarks so shown are a true and original muster rolls:

Muster roll of One hundredth Company, Second Regiment,  
Brigade, United States Marine Corps, for April, 1919. Com  
Prince, Haiti, 1 to 30.

Name: Capt. Edwards, Thomas L.

Remarks: 1 to 30 commanding company, 6 to 30 participated against bandits in central Haiti.

Muster roll of One hundredth Company, Second Regiment, Brigade, United States Marine Corps, for May, 1919. Company Haiti. 1 to 31.

Name: Capt. Edwards, Thomas L.

Remarks: 1 to 31 commanding company participating in operations against bandits in central Haiti; 8 received requalification bar.

ne hundredth Company, Second Regiment First Provisional  
ates Marine Corps, for June, 1919. Company at Mirebalais,

wards, Thomas L.  
commanding company.

JESSE F. DYER,  
*Major, United States Marine Corps.*

FORM N.

al, First Provisional Brigade, Port au Prince, Republic of

icine and Surgery, Navy Department, Washington, D. C.  
death in case of—

s Louis, captain, United States Marine Corps, enlisted Marine  
al, S. C., July 24, 1917. Relation, name, and address of next  
rtha Edwards, 2496 Carter Street, Baker City, Oreg. Born :  
n. Date, December 10, 1889. White, United States. Eyes,  
n; complexion, ruddy; height, 67½; weight, 133. Psc. fore-  
neek; ½" up. lip.

Prince, Haiti, August 10, 1920, 2.15 p. m. Embalmed at field  
nsferred to United States by first available transportation.  
f death, fracture at base of skull. Key letter, G-R. Origin  
ty. Disability is not the result of own misconduct. Original  
isease or injury causing death or resulting in complications  
ship or station to which attached at that time. Fracture at  
th Regiment, First Provisional Brigade, United States Marine

ows: Patient was passenger in plane which stalled at 500 feet  
ed. Brought to hospital unconscious. Strong evidence of  
skull; left hip dislocated upward and backward. Lacerated  
pect of left knee. Many bruises and scratches. Dislocation  
d sutured. Put to bed; ice cap to head; Murphy drip. Pa-  
improve during the night, but at 11 a. m. pulse and tempera-  
died at 2.15 p. m. from complete dissociation of medullary

J. R. POPPEN,  
*Lieutenant, Medical Corps, United States Navy.*

JOHN H. RUSSELL,  
*Colonel, United States Marine Corps.*

e committee adjourned until Wednesday, November 9, 1921,  
m.)



# THE OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

WEDNESDAY, NOVEMBER 9, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
Washington, D. C.

met, pursuant to adjournment, at 10.30 o'clock a. m. in room  
Building, Senator Tasker L. Oddie presiding.

Mr. Walter Bruce Howe, Mr. Ernest Angell, and Maj. Edwin  
United States Marine Corps.

OF BRIG. GEN. ALBERTUS W. CATLIN, UNITED STATES  
MARINE CORPS, RETIRED, WASHINGTON, D. C.

Gen. Catlin, will you give your name, rank, and present station?  
Albertus W. Catlin, brigadier general, United States Marine  
101 Webster Street NW., Washington, D. C.

How long ago did you retire, General?

I retired in December, 1919.

How long before that had you become a member of the Marine

I was appointed in the Marine Corps on the 1st of July, 1892.

Did you see active service overseas, did you not, during the war?

I was over there for about eight months.

What was your command in France?

I had command of the Sixth Regiment of Marines.

Were you wounded?

Until I was wounded.

When you returned to this country?

I spent about six weeks in the hospital in Paris, and then re-

Where was it that you were wounded?

I was in the first attack on Belleau Wood, June 6, 1918.

How was after your return from France that you were sent to Haiti;

I was; I was sent to Haiti in November, 1918, after returning

What was your assignment down in Haiti?

I was assigned as brigade commander of the marines in Haiti.

Which officer did you succeed?

Col. John H. Russell.

What was Col. Russell's first tour down there?

He was.

How long did you remain brigade commander?

I remained from the 1st of December, 1918, to the 15th of July,

May on leave on the 15th of July, 1919.

When were you relieved, and when?

I was relieved in September.

Throughout, however, returning to Haiti?

Without returning to Haiti.

Were you succeeded by?

By Col. Russell, whom I had succeeded.

What was the state of Haitian affairs when you got down there?

There was trouble in the field?

Gen. CATLIN. Affairs in Port au Prince were very quiet. Shortly before I arrived in the Hinche district, or in the Hinche, and about the date of my arrival, I think it was, there had been an attack upon the town of Hinche by band extra gendarmes, had been sent up from Port au Prince to

Mr. HOWE. Lieut. Col. Williams was the commander of that time?

Gen. CATLIN. He was during my whole tour.

Mr. HOWE. What did you estimate the situation to be at whether it was possible for the gendarmerie to control it?

Gen. CATLIN. Well, of course, my estimate at that time upon information I received from the officers who had been knew nothing of the country myself, and Col. Williams a could control it.

Mr. HOWE. Did you later on send a detachment or company Hinche?

Gen. CATLIN. Yes; in February, the latter part of February who was in command of the northern district and the region Cape Haitien, sent a company of marines on a hike to Hinche making a report to me of conditions he had found up there recommendations which I afterwards approved, and they were k marines finally took over operations themselves.

Mr. HOWE. When was it that the marines took over operations?

Gen. CATLIN. Active operations were started about the 1st marines were sent in there during March.

Mr. HOWE. When did you first visit the Hinche district?

Gen. CATLIN. I do not know the exact date, but it was so second week in March.

Mr. HOWE. What were conditions up there when you went?

Gen. CATLIN. I found conditions were very bad. I found outside of the town was practically depopulated. All of the were empty, and the occupants had disappeared.

Mr. HOWE. What had brought that about?

Gen. CATLIN. As far as I could gather from this information about by two reasons: One was the bandits, the fear of the been recruiting throughout the district, forcing the people the other one, I came to the conclusion, was fear of the gend

Mr. HOWE. Please say a little more about that second reason of the gendarmes.

Gen. CATLIN. Well, the gendarmes were scattered all over detachments, generally with one white officer, who was a necessary, of course, to send out patrols through the district under a sergeant, corporal, etc., and I found that the native prone to use his position against other natives; if he was g at all he was very prone to exceed it, and that the patrol people, and a number of cases were reported where natives and robbed, and women carried off, and shot, and things like was the reason I said I came to the conclusion that one reason gendarmes. Many of them had disappeared, having either bandits or gone into the towns for protection.

Mr. HOWE. If a native in or near his own house saw another armed, what was his guess as to whether it was a bandit or

Gen. CATLIN. I do not think he stopped to guess; he goes to the woods.

Mr. HOWE. And if a peaceful native was seen taking to a gendarme, with no white officer present, what would the general at that time in that place?

Gen. CATLIN. At that time, with bandits in the field, the general shot at him, because it was found that the bandits had all over the country and had their own men scattered around have them out three or four hills ahead of the bands; so that that if you saw a man running he was one of their men running notice. That was the general supposition whenever a man was

Mr. HOWE. Was the overbearing attitude of a gendarme the immediate control of a white officer sufficient in itself to drive the inhabitants away; I mean at that time and under those conditions?

I do not know that it was; but there were other things, of  
as the corvee, too, which probably had an effect on that, too.  
March, 1919?

Well, in March, 1919, there was a modified corvee working in

and that contributed also to the unsettled conditions?

Undoubtedly.

I understand that it was on account of those unsettled condi-  
trust of the gendarmerie that you sent the marines in there for

Yes; I sent the marines in there on account of that; and my  
that they were simply to go in and take station in the town, not  
the field in any manner whatever, leaving that entirely to the

Did you take any other steps to restore confidence there?  
in March?

Yes. When we took over the operations the first thing we  
out a notice or proclamation by means of the priests, market  
means we had all over the island, or that district of the island,  
tives to come in and give themselves up and they would receive  
we issued a sort of a pass to them which guaranteed protection,  
ere were something over 3,000, as I remember it, who came in  
se passes.

How many of those that came in were armed?

None of them brought arms at that time. Later men came in  
received passes. That was a period of about two weeks which  
to come in.

And that was in March?

That was in March.

You spoke of taking over operations. From whom did you take

From the gendarmerie. Up to that time Col. Williams had  
he could handle the situation, and it was a gendarmerie job,  
p, but the bandits increased to such an extent that he found,  
Andrew troops from Port au Prince, and sent about 500 addi-  
up there, that he could not handle it, and about the middle  
little later than that, he informed me that he could not handle  
when I sent the rest of the marines in and took over operations

How long did those operations remain active?

Until some time after I left; I do not know the exact date,  
on when I left.

What form did the operations of the marines take?

Well, the operations were not strictly military, in a military  
ines were stationed at all the different towns in the district,  
divided up. For instance, the Fifty-fourth Company, with  
Hinche, had detachments at Maissade, St. Michel, and later  
aces. Another company which came from Ouanaminthe, was  
au and Thomasique, and three or four towns in there, and a  
n it spread down toward the south, companies were sent to  
as Cohobas. These companies there were divided into differ-  
and patrols were sent out from these towns. There were no  
e sent out by the trails over the mountains. At first they went  
the bandits, but it was found that it was impossible to find them  
e used native guides, and the farmers wherever we could get  
ally became necessary to locate a camp, and then march at  
ols would do their marching at night and jump the camp at  
was the only way we could get in touch with them.  
ut was the effect of this patrolling and these morning sur-

The effect was that the small bands joined in with other bands.  
men came in and gave themselves up. A lot of them claimed  
ed by the bandits and forced to serve with them. But it had  
fect on the bands themselves. Charlemagne, who was in com-  
t, and entitled himself commander in chief of the forces fight-

ing against the Americans, sent over the island trying to re-  
number of letters that he had sent, one to the magistrate of  
is up near Cape Hatien, and to Gen. Aspelly, telling him  
time for all good Haitians to join in, stating he had 30,000

Mr. HOWE. Did he have 30,000 men in the field?

Gen. CATLIN. No; it was impossible to tell how many he had  
at that time that there were about 5,000 bandits in the field  
and of those probably not over one-quarter, or less than that.

Mr. HOWE. How many marines were there in the field then?

Gen. CATLIN. There were less than 2,000 in the island. I  
exact number, but I imagine probably 500 or 600 in the interior.

Mr. HOWE. Actively engaged in the interior?

Gen. CATLIN. Yes.

Mr. HOWE. Were the gendarmes cooperating at that time?

Gen. CATLIN. Yes; to a certain extent. I had stopped all  
district by the gendarmes, for the reason which I gave before.  
districts farther to the west, toward Gonaïves, I still allowed them  
there; it was outside of the district where the conditions had

Mr. HOWE. What was the area of these operations?

Gen. CATLIN. I imagine from St. Michel to the border was  
or 60 miles, and it was probably 15 miles across the hills  
other way, so I should say, roughly, that it was about 50  
miles, something like that.

Mr. HOWE. That region might be described as being in the

Gen. CATLIN. Yes. It belongs to the northern district, but  
in the center of Haiti, I should say.

Mr. HOWE. Had Charlemagne been captured or killed before?

Gen. CATLIN. No. Before I left I had a letter from the  
Haitien, requesting that I allow Charlemagne and Norde, the  
leaders there, to escape from the island.

Mr. HOWE. You spoke of the bands of natives getting large  
small bands joining up together?

Gen. CATLIN. Yes.

Mr. HOWE. On their part, what did the bandits do?

Gen. CATLIN. Well, the bandits—most of their activities,  
they were fighting against the Americans, were against the  
They would jump a little town and burn the houses, take  
could gather with them as recruits, and all the provisions and  
which they could get.

Mr. HOWE. Did they commit any brutalities on the women?

Gen. CATLIN. Not that I know of; I know of nothing of  
number of cases where there were small gendarme posts and  
gendarme posts to get the arms and ammunition, principally  
the uniforms which they captured. There were a number  
where gendarme uniforms were seen with the bandits.

Mr. HOWE. You spoke of them jumping small towns. I  
gendarme posts were in those towns?

Gen. CATLIN. Not necessarily; no.

Mr. HOWE. Sometimes with posts in the towns and sometimes

Gen. CATLIN. Yes. It would not necessarily be a town. I  
community, like, for instance, near Ennery. They went  
there, which is on the road from Ennery to St. Michel—the  
road up to Cape Haitien—went through one night and burned  
in the district for about 3 miles, destroyed the growing crops  
everybody off.

Mr. HOWE. Then, from March until the time you left, did  
characteristics mark the operations in the fighting up there?

Gen. CATLIN. Practically.

Mr. HOWE. In Port au Prince what were the conditions?

Gen. CATLIN. Conditions were apparently comparatively  
Prince. There were, of course, the usual rumors always  
there was going to be an attack on Port au Prince, but it never  
and there were in Port au Prince undoubtedly a lot of people  
ing the bandits in a way, both with money and with information.

Mr. HOWE. There were no outstanding political occurrences  
at that time; that was, not during your tour?

nothing at all; and there was absolutely nothing political in the bandits in the field.

Can you explain that a little further, please?

What I mean is that there was nothing against the Government really. The bandit uprising was started by Charlemagne, a Caco leader before he had been imprisoned in Cape Haitien, in September, 1918, and took to the woods and gathered a group around him, and most of the leaders of the bandits were Cacos.

Did he describe his operations as being against the Americans?

He did that for recruiting purposes, principally, as far as I

can tell. What do you think started this trouble, aside from the escape of

Charlemagne? I doubt if there would have been any trouble if Charlemagne had not

I think he started the whole thing.

Was there any feeling existed among the people whom he recruited which would induce them to take up arms and operate against the Americans?

Well, that I do not know. As I say, he was one of the old

I have been told that there was a feeling among the natives to follow their old leaders. A lot of the ignorant natives and

lives in the hills there are really almost savages. You see they are

They are naked, where they never come down, many of them. They

What would you say that the operation of the corvee had anything to do with the

growing of discontent which would have made this outbreak possible?

I think the operation of the corvee possibly aggravated the situation. I do not

think the corvee had anything to do with the original outbreak. I think the operation of the corvee undoubtedly sent a number of

bandits. Were you personally during the greater part of the tour in Haiti?

Yes, Port au Prince.

Under whose direct immediate control were the operations in the

district? Lieut. Col. Richard Hooker.

Did you make, however, General, an inspection trip?

Yes, I made several inspection trips.

Were you referring particularly to one up to Hinche and the Hinche

district? I went to Hinche about four times.

Did you make an inspection trip in which you were principally interested in

finding out whether the corvee was going on?

Yes, sir. When did that trip start?

That trip took place about the middle of March; I do not remember the exact

date. Would you please tell us what led up to your taking that inspection

trip? Rumors had reached me that conditions were unsatisfactory in the

district. I stated that it was not; he had issued an order in October to stop the

corvee; but I believe it was worded so that it covered certain districts

intended to cover the road to Hinche, and he had discovered that the

commanding officer up there to stop the corvee. I issued an order to the

commanding officer up there to stop the corvee. I issued an order to the

commanding officer up there to stop the corvee. I issued an order to the

commanding officer up there to stop the corvee. I issued an order to the

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commanding officer up there to stop the corvee. I issued an order to the

commanding officer up there to stop the corvee. I issued an order to the

commanding officer up there to stop the corvee. I issued an order to the

Gen. CATLIN. That is the report of the investigation.

Mr. HOWE. And on which you invited the comment of Col. Wells?

Gen. CATLIN. Yes.

Mr. HOWE. Mr. Chairman, I think this report should be on record. I offer this report of Col. Hooker's for the record, and

#### Personal.

MY DEAR GENERAL: I left for Hinche Tuesday last, arriving I inspected the whole district south of San Michel. I am accompanied by special messenger, as I consider immediate action most important. The fourth Company will leave here for the Hinche district Tuesday on a hike, arriving in Hinche next Friday or Saturday. I have time to approve or modify my recommendations given later.

I found the following conditions existing: The corvee is still in effect, either accidentally or otherwise by the payment of more than one gourde forty per week per man. Men are kept a long time on this work, and in order to escape the draft they are joining the so-called Cacos. The magistrate of Malsade is a weak man, and is to be removed, being back of the corvee and using about 50 men. This can be taken up later. It was very hard for me to find the gendarmes themselves, as the entire district was expected to be under the control of the natives I could get to come to me, and together with the priests I am certain that the corvee is a great whole trouble, as it was in 1917 when Hinche was attacked. The other cause, which is equally as important as the corvee, is the criminal strong-arm work being pulled off. A great many men are suffering; and those who are outside the towns, not necessarily, are remaining in the bush through fear of the gendarmes, who are helped in their methods by officers of the gendarmerie who have intelligence or experience to act in executive capacities. I am sure to state that I got the impression that the officers higher up are using these methods.

I ran into a horrible condition in San Michel. On Wednesday I had a talk with Lieut. Haug. He was in a frightful mental state, on the verge of a nervous breakdown. He volunteered and told me which I corroborated by the magistrat, his interpreter, that on the 4th of February he ordered some prisoners to work on the road for 15 or 20 minutes had passed and the prisoners had not a chance to leave. A corporal was standing in front of them and when questioned, refused point blank to either let them work or to obey any order from Haug. Haug then told him to take the key to the prison, and when he reached to take the key the corporal caught him by the throat, and assisted by two other men held him against the wall. Haug tried to pull his gun and the gendarmes had secured their rifles and had them pointed at him to shoot. Haug is over 50, and he is in horrible physical condition. He is not strong, and he does not yet realize the enormity of what he has done. The next day, while I was out of San Michel, Capt. Gibbons, came to make an investigation. Gibbons was supposed to have made it much sooner, as he knew at least seven days previously that similar conditions existed at San Michel. He claims that he was the cause of the assault. When I arrived in the evening I found that his investigation by informing Haug that he was going to discharge him out of the gendarmerie and other like remarks. The orderly, Susse, was present. He conducted the investigation of the gendarme in separately, excluding Haug, and making him confidential. The interpreter told me later that the gendarmes were pleased because they had put their officer in a bad hole and that they wanted an officer, which they wanted. I, unfortunately, was too late to prevent the investigation started and to prevent Haug from being taken into the hands of the accused. I took charge later to the extent of ordering to Gonaives, with instructions to return with sufficient men to take charge of the place with reliable men. Haug knows of it, and if the gendarmerie does not act immediately it will take charge. The news of the affair has spread rapidly and is very serious, although at present I do not believe so if action is

that whole district is, to say the least, out of hand, and I had the following:  
 oned in San Michel, for the present at least.  
 alassade.

Fifty-fourth Company at Hinche.

y go to Hinche primarily as nearly all the people know me, certain extent trust me.

ow out two weeks to return to their farms and towns except-  
 se who through leadership have placed themselves outside the

e that these men who return are not proceeded against as the  
 have been forced through fear to take to the bush and not

I do not believe it would be proper to start a military cam-  
 y until all efforts to regain the lost confidence of the people  
 t.

ely,

R. C. HOOKER.

letter over in some respects it does not seem strong enough  
 strong, but I can not impress too strongly on you that in my  
 of régime is most necessary and do not believe any gendarme

asse, the bearer of this letter, was with me and can give you  
 cluded.

Sasse a white?

e was a private of marines.

what respect did Col. Williams and Maj. Wells differ in their  
 report of Col. Hooker?

a regard to the corvée, they both stated that there was no  
 ork was being done voluntarily, and that the men were being  
 iber now, they said they were being paid half a gourde a day.  
 How much is a gourde?

gourde is 20 cents.

was the general average exchange of the gourde, was it?

es; that was settled by Admiral Caperton down there, at 5  
 lar, and it has practically been that ever since, although the  
 ed a little. I found when I went up through there that they  
 en, and the day before I arrived they told him they would get

ore we go on to your inspection trip, which we do want to  
 hear, please, in what other respects there was disagreement  
 s report?

ell, as I said, in regard to the corvée, and Gen. Williams did  
 e action of the gendarmes had any effect on men going to the

you know how this mutinous incident was handled or dis-

he mutineers were tried by court-martial. I do not remem-  
 ly done with them, but that was a gendarme trial.

you remember whether the court-martial found them guilty

think they did. I can not say positively. I had nothing to

your recollection that this report of Col. Hooker as to this  
 was later on approved substantially at the court-martial?

h, yes; undoubtedly.

re is no doubt, then, that the circumstances were accurately  
 looker?

one whatever.

er referring this matter as you described to Col. Williams,  
 step you took?

aj. Wells stated that he had just been through the district,  
 f he was satisfied that there was no corvée. He stated posi-  
 ; that he had seen the men paid off by the gendarme officer,

Lieut. Williams, at Maissade, and stated that there were no men on the pay roll or working—no; I am wrong there. It was not as he stated that. He stated he did not know how the men were paid, but was satisfied there was no *corvée*. I then sent Williams out to find out who paid the men, as there was some talk of the money being paid to the magistrate to pay them, and to investigate on his part which he did.

Mr. HOWE. Wells, you mean?

Gen. CATLIN. Wells.

Mr. HOWE. You sent him back?

Gen. CATLIN. I sent him back for his side, for the general. That report was made verbally, not in writing, and when Col. Hooker and Col. Williams were also present at the time, in the manner in which the men were paid, and that he found that many were working, or they were all on the pay roll, and not on *corvée*.

Mr. HOWE. Was this verbal report made at Port au Prince?

Gen. CATLIN. At Port au Prince; yes. The two reports were opposite that I decided to go up into the district myself and see what the conditions actually were. So that, I think in the middle of March that I took Col. Williams with me and went up.

Mr. HOWE. Your investigations there, as I have heard, were of the *corvée*, and incidentally to that you heard reports of men being paid and made investigations along that line?

Gen. CATLIN. Yes; my object in going was to investigate the conditions. As I was practically new to the country and found I had reports a very good idea, I went up to satisfy myself what the conditions were, and to satisfy myself in regard to the *corvée*.

Mr. HOWE. Was that your first visit to the Hinche district?

Gen. CATLIN. My first visit; yes, sir.

Mr. HOWE. General, will you please describe your inspection and how you went about it and what you found out?

Gen. CATLIN. Well, I went up to St. Michel, and was joined by Wells and Col. Hooker, and then proceeded to Maissada first. On arriving at Maissada I found a gang of about 45 men working in the fields, gendarmes sentries over them, and I stopped, and, through questioning the most intelligent looking members of the gang, I stated that they were not there of their own free will but that they had been ordered there. Several of them stated that they had been brought by the chief of section. There was no chief of section but he had been changed to the chief of agriculture. The chief of section in Haiti used to have a great deal of authority in his section.

Mr. HOWE. He was a civil Haitian officer?

Gen. CATLIN. He was a civil Haitian officer, and most of the time they had to do whatever the chief of section told them to do. They had been directed to report to the point there for work, and had been ordered to do so, but did not dare not to come. A number of them stated they had been ordered to go to the gardens, and had been ordered out to come, and had gone to the bad because they had not been able to work there.

Mr. HOWE. Let me interrupt you there. Did you gather that they had been ordered by the chief of section or the chief of agriculture?

Gen. CATLIN. Most of them; yes.

Mr. HOWE. Did you find or did some of them tell you that they had been ordered there by the gendarmes?

Gen. CATLIN. Yes; in one or two cases the men had been ordered by the gendarmes.

Mr. HOWE. That is what they said?

Gen. CATLIN. Yes; they said gendarmes had come out and ordered them to go to work and they had come along. I asked them if they had been ordered to use force, and they said no; they did not have to use force, because what the gendarmes said was enough for them.

Mr. HOWE. According to the answers you got, what proportion of the men were ordered to come by the gendarmes and what proportion were directed by the officers?

Gen. CATLIN. I can not remember that, but there were some men directed by gendarmes, as I remember it.

the rest?

The rest were mostly ordered by the chief of section. There claimed that they had been told to come into a meeting or some-  
Maissade, and when they got in there they were locked up for  
n put on the gang.

v, will you go ahead, please?

After questioning a number of these men, I then asked all who  
ntarily, not of their own free will, and who did not want to  
d to step across the road, and all but three stepped across.  
uestioned, and they said they were overseers and they lived in  
y could not say anything else. I then told them that all those  
o so could go home, and did not have to work unless they  
if they wanted to come back and work for money they could  
Following Monday I understood that six men came to work.

at happened on that particular occasion when you told them  
ne and leave work if they wanted to?

They stopped work; work was stopped.

at time of day was that?

It was in the morning, about 10 o'clock, I should say, 10 or 11

It was the end of work there for that day?

That was the end of work there for that day.

Is the next working day Monday?

The next working day was Monday.

and it was on the next working day that only six of them re-

es.

What else developed on that occasion?

Then proceeded into Maissade.

Use me just a second. I mean at the time you were question-  
ing, were there any other features developed by your ques-

ot then.

How you learn at that time in questioning the gang as to the resi-  
dents of the gang? Were they working in their own district  
e from other districts?

As far as I remember, the majority of them were working in  
t. They all came from the vicinity—in the district around

you strike any cases where they said they came from dis-  
tricts?

As I remember it, there was only one man who claimed he had  
gendarmes in the foothills, and as far as I could gather from  
apparently he was a bandit.

What did you learn from them as to the amount of their pay?

They stated they had been receiving half a gourde, and that  
promised the following Monday that they would get a gourde a

They had been receiving half a gourde a day?

es.

How you know what the prevailing labor wages were in that dis-

trict? A gourde a day was fair pay.

Half a gourde a day was less than fair pay?

That was a little less, yes. Although there were districts where  
pay was paid.

Does that pay include subsistence?

No; the men fed themselves.

How many sentries were there, General?

Two, as I remember it.

armed?

Yes; armed.

Gendarmes?

Gendarmes.

Did they have been performing any other duty than that of  
the gang?

Gen. CATLIN. The officers stated they were there to guard from the bandits.

Mr. HOWE. Which officer was that?

Gen. CATLIN. Williams.

Mr. HOWE. Col. Williams?

Gen. CATLIN. No; Lieut. Williams.

Mr. HOWE. Dorcas Williams?

Gen. CATLIN. Dorcas Williams.

Mr. HOWE. What conclusion did you reach on that, Gen. there to protect the gang or to prevent the gang from running

Gen. CATLIN. Well, my idea at the time was that they were gang from running away.

Mr. HOWE. What led you to that conclusion?

Gen. CATLIN. Simply the fact that the men were there that there was as I say, one man who apparently was a self, that had been captured near the foothills, running off believe, and he would probably take to the woods when he got

Mr. HOWE. Was Col. Williams present at this time?

Gen. CATLIN. Col. Williams was standing beside me; yes.

Mr. HOWE. What, if any, comment did he make on the

Gen. CATLIN. None whatever at that time.

Mr. HOWE. Did he offer any explanation of the apparent between the facts as you found them and his report?

Gen. CATLIN. Yes. A little later he stated that his idea had made the statements to me because they thought that was that that was the Haitien custom.

Mr. HOWE. Did you regard that incident of that gang violation of the orders stopping the corvee?

Gen. CATLIN. I did; yes.

Mr. HOWE. And you still so regard it?

Gen. CATLIN. I do.

Mr. HOWE. In the course of that inspection trip, or otherwise did you come across other states of affairs which you regarded of that order against the corvee?

Gen. CATLIN. Yes; I found in Hinche that same day that the gendarmerie had been building a prison and bar believe they were very short of money, and the gendarme of all the inhabitants of a certain district called Zebguinea and Hinche and presumably for protection. Zebguinea being claiming that it was a bad district and that no one but bar anyway and these men were either bandits or in favor of these men had all been worked on these barracks to build a prison, and paid nothing, but were fed.

Mr. HOWE. Were these men prisoners?

Gen. CATLIN. They were not prisoners, but they were there. They had all been released or let go before my arrival.

Mr. HOWE. Were they detained in the compound against

Gen. CATLIN. I assumed so. They had no other place. The town was full of people. They were detained in the not allowed to leave the town.

Mr. HOWE. How many days' work did they work there, was the extent of that job?

Gen. CATLIN. I do not know that. It was quite a build there.

Mr. HOWE. Masonry?

Gen. CATLIN. Masonry.

Mr. HOWE. What part did they take in the construction you hear; what kind of labor?

Gen. CATLIN. Well, the stone all had to be carried from distance.

Mr. HOWE. What did you find out about the magistrate Hooker said was using 50 men for his own garden?

Gen. CATLIN. I was unable to get any information on the who would mention it at all was the priest of Maissade, afraid of his life and would not go into the town. I saw He claimed the magistrate had two men hired to kill him to the town. I think he was crazy, because his statements

was unable to get any information, because there was no one who had been there, they left before I arrived.

Aside from these instances, were there any further violations of the corvee?

Not that I know of—not that I heard of.

Do you believe these instances marked the end of the corvee in Haiti?

I think so.

General, in your investigation there did you learn how this road was built and who paid them?

Yes; the road gang was paid personally by the gendarme.

And, in your opinion, was there any chance for the chief of section to come in on the pay of these men in any way?

No; when I say they were paid in that way, I mean they were paid when I got there, but how long before they started that I do not know.

Did you form any idea as to why these chiefs of section were paid for the road gang?

I did not go into that, because I was satisfied myself that the road gang was on, and my main object was simply to stop it, but my idea was that they were probably acting under the orders of the magistrate of the district.

Was there anything in it for the magistrate?

No; except it was a very nice thing to get a good road put in for communication in that country. I would like to say here that this corvee it covered only a very small section of Haiti; that is, this one locality, not in any other part of Haiti.

What is the breach of the orders?

Yes.

What leaves me to ask how much of Haiti the corvee system extended in it was at its height?

Well, I was not there at that time, but, as far as I know, it was on the road from Port au Prince to Cape Haitien. The road was in putting through that road. As far as I know, the corvee was in the southern part of the island.

Do you want to go back again and ask you about the chiefs of section, did you learn which would lead you to believe that before the road was built and inspected any money had been paid to the chiefs of section for the corvee gangs?

No; I had no reason to believe it had been.

Is there anything more that you might add about your investigation at that time?

Nothing.

What other subjects did you investigate?

Well, I called for the magistrate, the judge de paix, and the principal of the town to come before me, and questioned them on conditions, and the judge de paix said everything was all right and there were some complaints, of course, against the magistrate, those were things which I did not take up. It was the business of the officer, not mine.

Did you hear reports of the killing of prisoners?

At Malissade I questioned a lot of gendarme privates. In fact, they came before me; and they came and at least two stated that they had killed, Lieut. Doras Williams, had killed a native named Garnier, and, of course, a local lawyer or something like that there.

When you say a local lawyer, would he be described down there as a lawyer?

A notary, yes; and these two men, two privates, stated that this man had been sent for on the day after the attack by the bandits on Malissade, brought to the office, and had been beaten to death with a cane, the sergeant denied it, and Lieut. William denied it, and the magistrate and so did others. I found out upon further investigation that the man who made the original report had both had a grudge against the sergeant for treatment which they had received from him. One of them, the sergeant, found asleep on a post, and he had been kicked up because he was found asleep, and the other man something else; so I decided

that there was probably nothing in it, as those two men were the only ones who said anything about it. The others although Williams admitted that the man had died in his first sergeant both claimed that he had been shot. He was which was between the gendarmes and the bandits on the had been shot in the stomach, and when he came over he was a towel, and he died from the effects of the wound.

Mr. HOWE. Therefore, in this Garnier case, where the accusation against Lieut. Williams, you took no action because you had no accusation?

Gen. CATLIN. I took no action because I could get no testimony from two men who had a grudge against the lieutenant—two gendarmes.

Mr. HOWE. You mentioned talking to other witnesses, they testified in a way contrary to the statement of the two gendarmes.

Gen. CATLIN. Including the first sergeant of the detachment of the town and the judge de paix.

Mr. HOWE. Do you know whether this case of the killing of Lieut. Williams was one of the subjects of the Mayo court of inquiry?

Gen. CATLIN. I have been told so. I do not know it personally.

Mr. HOWE. Maj. McClellan, is it your recollection of the court of inquiry record, which we are going to put in the record as an opportunity to call Maj. Dyer, that Lieut. Williams was charged with the charge of killing Garnier?

Maj. McCLELLAN. Yes; to such an extent that there is a copy of a Haitian document which was in the Mayo court, I believe, a copy of a Haitian document which was not known how he met his death; in other words, it was a document which they do not know whether it was a caco bullet or an American bullet which killed him in this scrap around there. It is very definitely a death is not attributable to Lieut. Williams.

Mr. ANGELL. What is that Haitian document, do you know?

Mr. HOWE. It is in the record here.

Mr. Chairman, I asked Maj. McClellan that question at the time it seemed to me that there should be some mention of the court of inquiry in the record in connection with this testimony of Gen. Williams. In other words, in justice to Lieut. Williams, after investigation, it would be better for it to be put in the record at this time.

I will read from page 205 of the record of the Mayo court of inquiry, which, it is there testified, was written by the judge de paix in 1919, to the commissary government of the city of Gonaïves.

"COMMISSARY: I am in haste to inform you that the bandits yesterday noon. During the fight the notary, Garnier Jean, and whose house was between two fires, was wounded. No bullet was fired by the gendarmes or by the cacos.

"After the battle he was sent for to come to the office where he died a short time after. During this time his body was put under seal. The bandits were repulsed.

"I salute you, commissary, with respect."

General, in addition to this accusation against Lieut. Williams, were there any other accusations against other officers of the gendarmerie for the same offenses?

Gen. CATLIN. Yes; upon my arrival at Hinche I sent for the judge de paix, and several other natives and questioned them separately in regard to conditions and their knowledge. The priest rather wild. The priest stated that over 50 persons had been killed but he had not seen any of the killings; he only heard it from the magistrat, as I remember, stated that a number had been killed but he did not state how many, but other people placed the number any. After talking with all of these people, I went into the house outside on the porch. I went in the house and questioned the priest who had been in command of the gendarmes at Hinche. At first he said there had been no killings, but when I informed him of what I had heard from the magistrate and the priest, he said there had been six persons killed. He stated that they were bandits and had been captured in the hills; they had since tried to escape several times, and caught.

n and had been killed. I questioned a lot of the gendarmes, but would admit that they knew anything about any killings.

his is Capt. Ernest Lavoie?

Capt. Ernest Lavoie.

of the gendarmerie?

Of the gendarmerie at that time.

le was an enlisted man?

An enlisted man in the Marine Corps.

id Capt. Lavoie make any statement as to whether these six had been shot were shot at his orders, or with his previous

I do not remember that any absolute statement was made to that was the understanding, that he was responsible for their ough he stated that he was not present at the shooting.

id he state whether or not those six killings took place while and there?

He did; yes.

id you bring any charges against Capt. Lavoie?

I did not.

id it seem to you that the other witnesses whom you inter- nished corroboration of the admission of Capt. Lavoie that een shot?

Not entirely. The statements made by the other witnesses and a number of statements made were, on the face of them, not consider that the'r statements amounted to anything, one r, as far as corroboration went.

owever, did you believe Capt. Lavoie, when he told you that d been killed there while he was in command?

I partially believed it, and partially d'd not, because Capt. a who sort of loved the theatrical part of it, and liked to brag ad done, and I do not think that the man was entirely right in not think so at that time. I think he was queer, and without orroboration, I would hesitate to believe that they had been the thing over very carefully with Gen. Williams for several matter, and finally came to the conclusion that a court-martial ng.

hat reasons led you to that conclusion?

Well, in the first place, I did not believe that it could be proved Undoubtedly if he had been brought to trial he would have ility, and I did not believe that any court would accept the ese witnesses that I had heard. I considered that if the man trial and acquitted it would have a very bad effect with the arly, who would say that we had whitewashed the man, and I better not to try him. It was a question of policy more than

o I understand you to say that you feared an acquittal would nate effect?

At that time; yes.

at that time, on the natives?

On the natives.

at that time what effect do you think a conviction would have had?

I could not imagine a conviction would have affected matters other—much.

what extent then, General, did reasons of policy prevail in your to what extent did doubt as to the ability to convict Capt. you in bringing no action at that time?

I can not say exactly to what extent, because they were both oth entered into my final decision.

as there any other aspect to your decision not to bring charges voie which you would like to mention?

Not that I know of.

hat action, other than bringing charges, did you take in the voie and Lieut. Doras Williams?

I considered that their services were no longer of any use in at they were simply harmful, and I directed Col. Williams to once, and ordered them to Port au Prince, and to take steps

to have them removed from the gendarmerie, because I were proper officers for the gendarmerie.

Mr. HOWE. How soon afterwards, do you know, did the gendarmerie?

Gen. CATLIN. They did get out, but I do not remember now took some little time. It had to be done in the States; or the States.

**Mr. Howe.** Orders to relieve them from gendarme service

Gen. CATLIN. Yes; but they were taken to Port au Prince and were kept in Port au Prince under the colonel's eye all the time.

Mr. HOWE. When they finally were relieved of duty with the 101st Airborne Division, they reverted to duty as members of the enlisted forces of the Army.

Gen. CATLIN. Yes.

Mr. HOWE. Do you know anything of the subsequent history of Williams or Capt. Layole?

Gen. CATLIN. Personally, no.

Mr. HOWE. Do you know how long either of them stayed in

Gen. CATLIN. I do not. The records will show that, but I

Mr. HOWE. Did you, on that inspection trip, hear of any killing of natives?

Gen. CATLIN. No.

Mr. HOWE. Subsequent to that inspection trip, did you have any knowledge of the killing of native prisoners?

Gen. CATLIN. The case I heard of was the case at Croix de la Chapelle, near Port au Prince, where a man was taken out, a man was taken out, and executed that night.

Mr. HOWE. Under whose order?

Gen. CATLIN. Lieut. Brokaw.

Mr. HOWE. That was the incident which was the subject of the courts-martial of Privates Johnson and McQuilkin?

Gen. CATLIN. It was.

**Mr. HOWE.** What about the case of Ryan?

Gen. CATLIN, Ryan was an officer of the marines stationed was reported for having shot two natives near Grande Riv gation by Col. Hooker. I directed his trial by court-martial tried when I left the island. I understood afterwards he was

Mr. HOWE. Were there any other cases of alleged killings during that time there?

Gen. CATLIN. There was a case of a gendarme killing someone, I believe, one or two being Santo Dominicans, which took place before my arrival but for which I ordered a military commission of one man, and he was acquitted by the military commission.

Mr. HOWE. That military commission met at?

Gen. CATLIN. At Cape Haitien.

Mr. Howe. Was that the only military commission you are

Gen. CATLIN. The only military commission during my ré-

Mr. HOWE. Was the case to which you refer the only case pointed a military commission?

Gen. CATLIN. That was the only case in which I appointed a military commission.

Mr. HOWE. I understand that the provost court can not  
penalty.

Gen. CATLIN. No.

Mr. HOWE. The military commission is the only body which can sentence to death?

Gen. CATLIN. A court-martial could sentence to death, but not people, people under their jurisdiction, not for civilians.

Mr. HOWE. Not for civilians?

Gen. CATLIN. No.

Mr. HOWE. Could a gendarme have been tried—a gendarme court-martial?

Gen. CATLIN. He could have been tried by a gendarmier or by a marine court-martial.

Mr. HOWE. Why was it that this gendarme, accused of  
was tried before a military commission?

Gen. CATLIN. Because—well, it was directed by Admiralty, and the probability is it was because one or two of the people sup-

a different country, belonged to Santo Domingo. It was  
 r where it took place.  
 here may have been some doubt as to the jurisdiction of the  
 -martial?  
 s.  
 his a correct statement: After you heard these accusations  
 d all other accusations of illegal killing of natives lead to  
 martial?  
 s; every one that was heard of.  
 e are no exceptions to that statement?  
 o exceptions.  
 y one that was heard of?  
 s.  
 ou know of any death sentence imposed by gendarme general  
 .  
 ou know whether there were any or not?  
 am positive there were not.  
 ng your time you know of no death sentences imposed by any  
 ere were none imposed by any court with which the Ameri-  
 to do.  
 eral, the other day here before the committee Lieut. Spear,  
 Marine Corps, testified that at a point about 16 miles from  
 time probably in the month of May, 1919, he was on duty  
 anding officer, Capt. Thomas Edwards, commanding the One  
 ny of Marines, or a part of it, and that a relieving force of  
 er officers came out near the station of this One hundredth  
 rt thereof, and the relieving force brought two native prison-  
 Edwards informed him, Lieut. Spear, that those two prisoners  
 orders for their execution, or words to that effect—probably  
 at direct effect, because one of these men was returned  
 s. Lieut. Spear testified that his commanding officer, Capt.  
 m to guard these two prisoners, which he did for two or  
 that thereafter one of the prisoners was marched out in  
 e marines and shot; that is to say, one of these prisoners to  
 ards had referred when he said they were received with  
 them, and that May, 1919, was during your tour of duty down  
 was.  
 ou hear in any way of any sentence of death emanating from  
 ed on any native during that time?  
 did not.  
 ther in the district of Mirebalais or anywhere else?  
 nywhere in the island.  
 are able to state positively that during your time no sentence  
 ed by a commission?  
 ositive.  
 ou know whether or not military commissions had been con-  
 decessor, or by any of your predecessors?  
 ot to my knowledge.  
 ld you have known of the existence of a prisoner under sen-  
 sed by a military commission previous to your arrival?  
 evious to my arrival?  
 ean if there had been in custody during your tour a native  
 death you would have known of it?  
 ertainly; I would have known of it.  
 ou state whether or not there was any such?  
 ere were none, and previous to my arrival there were no  
 s or anything else in the districts you have referred to, Mire-  
 hobas.  
 truth is that this One hundredth Company and others to which  
 me—  
 ere sent there by me.  
 e put in by you or came in there after 1919?

Gen. CATLIN. May probably is the period.

Mr. HOWE. Do you know who was in command at Mireba

Gen. CATLIN. I can not state exactly now. Lieut. Col. W command a part of the time.

Gen. CATLIN. No; Maj. Emery belonged to the gendarmes work, etc., but was not in command.

Maj. McCLELLAN. This man referred to was a gendarmier.

Mr. HOWE. Was Hill a gendarmerie officer?

Gen. CATLIN. Hill was a gendarmerie officer, but I had him on temporary duty and had put him in command of that district.

Mr. HOWE. When Hill was absent from headquarters was there subordinate to him who would act in his place?

Gen. CATLIN. Certainly. The next senior officer would ac

Mr. HOWE. Do you recollect at this time who was his next

Gen. CATLIN. I do not at this time.

Mr. HOWE. It would be the purpose of the committee to see who could have given that order for the execution there and wondering if, besides Maj. Hill or possibly Maj. Emery, the

Gen. CATLIN. Maj. Emery could not have given orders to darme officers were not allowed to issue orders to the ma was a Maj. Pearce at Las Cohobas.

Mr. HOWE. Was he on gendarme duty or with the marin

Gen. CATLIN. No; he was a marine.

Mr. HOWE. Was Pearce ever performing duty which would be in place of Hill during the temporary absence of Hill?

Gen. CATLIN. Yes.

Mr. HOWE. How far away would Maj. Hill have to be from the front to make it proper for his next in command to act?

Gen. CATLIN. As soon as he was out of sight, if he was a

Mr. HOWE. Do you know whether Maj. Jacob M. Pearce Mirebalais in the absence of Maj. Hill?

Gen. CATLIN. No; I do not know. I imagine, though, I have said it a number of times.

Mr. HOWE. Is there anybody else there who could have been in command of May or the early part of June, 1919, acting in command?

Gen. CATLIN. Yes; any officer who might have been left in command of the company would have been sent out at different times. Capt. E. was sent out with the company to Las Cohobas, and then to his company or a part of it, and some officer would be in Mirebalais. Now, during that time, whenever Col. Hill was sent to go to a different part of the country—Las Cohobas, or a different part of the country, or to the mountains, the officer left would be in command temporarily of the town.

Mr. HOWE. Where would be any records from which we in command, or acting command there, during the month of

Gen. CATLIN. Those records would all be in Port au Prince headquarters. All records were there in regard to operations of the troops were.

**Maj. McCLELLAN.** They would not show the temporary c

Gen. CATLIN. No; they would not show the temporary  
would show what officers were out there.

Mr. HOWE. And what officers could have been in temporary

Mr. ANGELL. You testified, General, that to the best of corvee had actually been in operation only on the Port au road. Was that just your understanding of it, or are you of that?

Gen. CATLIN. That is my understanding. I know nothing but it is only from hearsay, what I heard in regard to it.

Mr. ANGELL. Are you able to give us any estimate of who had been engaged at any one time in forced work on corvée?

Gen. CATLIN. No; absolutely. As I say, all my informants have heard of camps of 2,000 men, etc., but that is all. As to the number of men, I have not any idea. Gen. Butler would be the only man to give the actual number, probably.

Mr. ANGELL. Did you see any of those camps yourself, them, when you came there?

Gen. CATLIN. I saw places which were said to have been

Did you ever hear whether or not those camps were surrounded and closures? You never heard of any such rumor?

Not barbed wire; no. I heard they had inclosed camps, and not in them.

And kept in them by armed guards?

Yes.

Were those guards, so far as you heard, always gendarmes, or mes marines?

Always gendarmes. All the corvee was worked by the gendarmes as I know.

Were these camps, so far as you know, in charge of white gendarme officers?

Yes. As I say, my information is all hearsay on the corvee, and I took place before I went down there.

Do you know of your own personal knowledge of the corvee and went out on this inspection tour at Maissade and Hinche?

Yes.

What is your understanding of the meaning of the word

The meaning of the word "corvee" in the corvee law of Haiti could be taken to work in their district upon the roads for a certain time each year, and upon the completion of that time they were released; that they had so worked and completed their work.

Do you remember what that period of time was?

I do not remember; roughly, I should say, two weeks, but I do not know. As I said, the corvee did not interest me, the corvee itself. The question of stopping the corvee that interested me.

Was it your understanding that the corvee administered prior to 1919 in conformity with the old Haitian law or custom?

As I understood it, the corvee, as first started, was in compliance with the law, and that later, in building the road to Cape Haitien, it was through a district where very few people lived, that there was no need to do the work, according to the law, and that natives were not taken from other districts.

And was it your understanding that these natives were kept in the statutory period of service?

I have heard so. These statements I have made in regard to the corvee are absolutely from hearsay evidence, not from any knowledge on my part.

Can you tell, General, from your conversations with Haitians and American officers in Haiti, particularly from any conversation with Col. Butler, our marine officer, that there had been the policy in the corvee of taking men and making them work in districts beyond their own and keeping them beyond the statutory period of time, etc.? No; I do not know who did that. All I ever heard was that the corvee was under Gen. Butler's régime, and presumably carried on during the administration of the gendarmes officer.

What do you believe that Charlemagne and the other Caco leaders who were active in the operations were conducted in 1919 intended and hoped to obtain some operations or activities out there in the hills?

It is impossible for me to state what they believed; I have not heard, they were outlaws. They could not come in themselves and be imprisoned.

How are they outlaws; in what sense?

Well, Charlemagne was an outlaw, because he was serving as an outlaw, and escaped at the time. Norde was an outlaw, for the same reason?

Norde had not escaped. Norde had always been an outlaw, as far as I could gather.

He never had been brought to trial?

No, to my knowledge he never had been.

Was that generally true of the other Caco leaders?

Of the principal ones, I think. Some of them were new. One of the ones down on the southern side of Mirebalais was a young

man named Charlemagne, by the way, been tried and imprisoned by

Gen. CATLIN. By the provost court.

Mr. ANGELL. For some violation of the criminal law?

Gen. CATLIN. No; banditry, in 1917.

Mr. ANGELL. For being in armed opposition to the Haitian the American occupation?

Gen. CATLIN. Yes.

Mr. ANGELL. And sentenced to imprisonment?

Gen. CATLIN. For a certain period; I do not remember the

Mr. ANGELL. From which sentence he had escaped?

Gen. CATLIN. He had escaped from the gendarme sentry, on the road, and disappeared.

Mr. ANGELL. To what extent do you believe the opposition of the American military forces in Haiti contributed to the opposition under the lead or inspiration of Charlemagne's followers?

Gen. CATLIN. None.

Mr. ANGELL. You believe, then, that the sole motive of these irregulars, the Cacos out in the hills, was criminal banditry?

Gen. CATLIN. The sole motive at first was that, and their and their fighting against the Americans, was to protect the hills.

Mr. ANGELL. Protect themselves from what?

Gen. CATLIN. From the Americans who were trying to chase them.

Mr. ANGELL. Did you ever hear, General, that Charlemagne was by a very strong feeling of racial hatred against the whites?

Gen. CATLIN. I never did.

Mr. ANGELL. Did you ever hear his forces referred to as bandits?

Gen. CATLIN. No. He called himself the commander in chief, operating against the Americans in several letters which I have seen.

Mr. ANGELL. Did he attempt to get into diplomatic communication with the British chargé d'affaires down there?

Gen. CATLIN. Yes; and with different people, and he wrote to public officials, asking them to come out.

Mr. ANGELL. Did he purport to have a cabinet?

Gen. CATLIN. Yes; a cabinet.

Mr. ANGELL. Is there any distinction, in your mind, between "Cacos" and the English word "bandits"?

Gen. CATLIN. Yes; a Caco is not the proper term for the bandits.

Mr. ANGELL. For which people?

Gen. CATLIN. For the people who were out in the field in 1918 and 1919.

Mr. ANGELL. Who were Cacos?

Gen. CATLIN. They were improperly called Cacos. They stand it, were the old leaders of bands which were not regular. They were really simply separate bands who lived by the sword. The people who were in the field in 1918 and 1919 were bandits, in the English idea of a bandit.

Mr. HOWE. The English-language idea, you mean?

Gen. CATLIN. The English-language idea.

Mr. ANGELL. Referring, General, to the case which was mentioned in the question put to you by Mr. Howe regarding Lieut. Spear's execution of one man, under orders of Capt. Edwards, can you, from your own personal knowledge of the sentences of courts-martial, commissions, either immediately prior to the time when you were in Haiti or during the time when you were in command, that the execution as was mentioned by Mr. Howe in his question, assuming it to be true, could not have been lawful?

Gen. CATLIN. I can not, as no military commission or court-martial had been ordered except by me.

Mr. ANGELL. So that if, then, such a killing, in fact, did take place?

Gen. CATLIN. It was unwarranted.

Mr. ANGELL. It was unwarranted?

Gen. CATLIN. Yes.

Mr. ANGELL. General, do you remember the sworn statement made before Lieut. Col. Lay. I believe, in Washington, at the end of 1919?

Gen. CATLIN. Before Col. Lay; no.

Can you find that, Major?

AN. Yes; it is here.

That was a statement I made to the Secretary of the Navy.

AN. Yes; he put it under oath afterwards.

I remember making a statement to the Secretary of the Navy. There are two reports or statements. I just want to identify

AN. Did the general make two of them?

Yes; he made a statement to Gen. Lay, which it attached to the Turner investigation, on December 31, 1919 and he also at the request of the Secretary of the Navy, dated September 1, 1920, a statement having made such a statement?

Yes; I remember now.

Could you have written a letter to the Secretary of the Navy, dated, about September 20, 1920?

Yes.

I wonder if you can and will possibly in the intermission just two, of which there are copies here, and then just state on the testimony there given or the statements there made are correct as you now recollect.

That is correct—the testimony I gave there.

I want to ask you a few questions, further, General about the Hinche and the alleged Lavoie incident there. In your statement you said: "I consider Maj. Wells principally responsible for the conditions found. He stated he made frequent inspections of all posts, and it is probable that he should not have known something of the conditions, as you now recollect it, an accurate statement of your contentment?"

Yes; although this statement was made, of course, after I came and my idea in regard to the responsibility of Maj. Wells was that he was at the time of the inspection at Hinche. Things came up which caused me to change my idea in regard to Maj. Wells and to consider him more responsible than I did at that time.

When you say "at that time," you mean at the time of the inspection at Hinche?

Yes.

And later, if I understand you, you became convinced that there was a degree of responsibility attached to Maj. Wells?

Yes.

Do you mean by that answer to refer to the causes or to the conditions, which?

No; I mean the general conditions and the lack of supervision which I found Maj. Wells had.

Maj. Wells was a major of marines and colonel in the gendarmerie?

Yes; he was colonel in the gendarmerie and had charge of the 1st Brigade, which took in Hinche at that time.

Did you, as brigade commander in Haiti, consider that the gendarmerie, and ultimately the marine officers not of the gendarmerie, were responsible for conditions as they existed?

No; I could not say that.

To what extent, then, would you say that the gendarmerie officers, were responsible for general conditions?

I would not say the gendarmerie officers were responsible for the conditions. I say that I consider Maj. Wells principally responsible for his part in the conditions.

Was that district?

In that district. I think the conditions in the rest of the island were very good.

That was on the other side, then, to the credit, to your mind, of the marine officers, and ultimately the marine direction?

It might have been; it might not. It may have been that the conditions were better in the gendarmerie. I do not know whether the conditions were better or not.

Did you regard the conditions in the gendarmerie and the general conditions of the island to be the ultimate responsibility of the gendarmerie officers?

cers and, in a military sense, the final responsibility of the marine occupation?

Gen. CATLIN. Yes; the conditions in the gendarmerie was the gendarmerie officers, undoubtedly.

Mr. ANGELL. And the gendarmerie was, in the last analysis, and generally directed by the marine officers of the occupation?

Gen. CATLIN. The marine officers were in command of the gendarmerie. The upper officers of the gendarmerie.

Mr. ANGELL. Was the ultimate responsibility that of the gendarmerie, or of the marine occupation?

Gen. CATLIN. Really, the marine occupation had nothing to do with the gendarmerie—that is, with their actual work in the field. Theoretically under the brigade commander—that is, the gendarmerie—but the brigade commander had nothing to do with the field or with the under officers except through the head of the brigade.

Mr. ANGELL. Did the brigade commander confer with the gendarmerie as to matters of gendarmerie policy and discipline?

Gen. CATLIN. No; that was entirely a Haitian matter.

Mr. ANGELL. How was it, then, that, for example, you, Gen. CATLIN, correctly, had Lieut. Doras Williams and Capt. Lavoie in the Hinche district to Port au Prince?

Gen. CATLIN. I did that because I was going into a district to take command and considered that they were not the proper officers and the officers of the gendarmerie are still attached to the constabulary detachment of the brigade. They are under the brigade commander for disciplinary purposes only, not for the exercise of command.

Mr. ANGELL. What effect do you think the change of American constitution, the article which prohibited the ownership of land had in the general feeling of the population toward the United States? American occupation in Haiti?

Gen. CATLIN. I am unable to state. My personal idea is that it had effect in a way.

Mr. ANGELL. The change?

Gen. CATLIN. Yes; I think not so much in the feeling of the people as in the feeling which was engendered by certain leaders.

Mr. ANGELL. I do not understand the difference.

Gen. CATLIN. What I mean to say is that the people do not really think, cared very much, the majority of the people.

Mr. ANGELL. You spoke of the feeling engendered?

Gen. CATLIN. Yes; engendered by the leaders.

Mr. ANGELL. Engendered among the Haitian people?

Gen. CATLIN. Among some of the Haitian people. Some of the feeling was issued by Charlemagne was along that line.

Mr. ANGELL. Was that feeling very strong?

Gen. CATLIN. Well, I am unable to state, because I was not in touch with the Haitian people, and I could not say.

Mr. ANGELL. You were not in touch with the Haitian people?

Gen. CATLIN. No. I, of course, had certain dealings with the people at Port au Prince, but outside of that I was not in touch.

Mr. HOWE. Mr. Chairman, it has been the intention all along to put on the record of the Mayo court of inquiry and exhibits on that has not been formally put on the record because it was put in in connection with the testimony of Maj. Dyer, who was called of that court of inquiry, and we are having difficulty finding Maj. Dyer here as a witness. I, therefore, suggest that the testimony be admitted in evidence now, with the understanding that it be left out as may be a duplication of other matter which has already been admitted. It may be left out from the printing or the record, and that is all right. The gist or digest of the testimony there may be printed in lieu of the testimony, but my present proposition is to admit it in evidence and be referred to now as one of the exhibits.

Senator ODDIE. If there is no objection it will be so ordered.

Mr. ANGELL. You testified, General, that you did not believe in the event that Capt. Lavoie had been court-martialed for these matters very much?

Yes.

Why?

Well, I do not know that I can give any particular reason, except would be expected in case of a man being guilty in the service, convicted you would naturally suppose that everything is carried right, while if a man is acquitted there are always a lot of willing to say that it was a whitewash.

Do you not feel, though, that a conviction, if a man had been a guilty, would have had or might have had a beneficial effect of the natives toward the gendarmes in that district?

I did not consider it so. If I had considered his conviction as undoubtedly have ordered the court-martial.

In this large compilation of the Mayo court of inquiry records, as Exhibit 5, is an official report from Gen. Lejeune and Gen. investigation in 1920 into conditions in Haiti, and as a part of the report, Exhibit 5, there is attached a résumé of testimony of officers wherein, at page 5, I find the résumé of the testimony of Col. Richard S. Hooker. Col. Hooker at that time was not of the gendarmerie?

No. You mean at the time of this?

At the time you were brigade commander in Haiti?

No; he was in command of a regiment of marines stationed at the north of Haiti.

He was later assistant chief of the gendarmerie?

He was assistant chief after I left.

I want to read from one paragraph of this report and ask you is Col. Hooker's testimony, or a résumé of his testimony, in the investigation which he made upon your order, he says, a note on a Corona typewriter to Gen. Catlin, setting forth the investigation; that he kept no copy of his notes; and that no record and in the files of the brigade headquarters at Port au Prince, presumably, is the typewritten letter which you have introduced? That is the letter which has been introduced to-day.

Col. Hooker further states that Gen. Catlin, before leaving him (Col. Hooker) in substance as follows: 'I suppose you never did anything about the Hinche matter.' Hooker said, 'Whereupon Gen. Catlin further stated in substance: 'That he being because it was during the period of the consideration of the case; and that he did not wish to embarrass our President by the cruelty appear about our own soldiers when we were taking the side of humanity,' or words to that effect."

Whether or not you did make such a statement to Col.

I do not remember making any such statement.

Could you say that you did not make such a statement?

To the best of my knowledge and belief I did not, because I can state that my statement had any influence on my action in regard to the investigation of my knowledge and belief no such statement was made.

I would just like to ask you one question. I want to ask what opinion of the value of Haitian testimony?

I do not think it has any value, sir. My idea, from seven years here, is that a Haitian, as a rule, will testify to whatever he thinks best interests.

Were you called before the Mayo court?

I was not.

Do you remember where you were on duty in the fall of 1920?

I was living in Washington at that time.

Were you retired at that time, and were living in Washington?

I have been in Washington since I retired in December, 1919; I am out of the city.

Why did you retire, General?

I was retired by a medical board as being not fit for active duty on account of wounds received in France.

At 1 o'clock p. m., a recess was taken until 2.30 o'clock p. m.)

**AFTER RECESS.**

The committee reassembled at 2.30 o'clock p. m., pursuant to recess.

**STATEMENT OF BRIG. GEN. ELI K. COLE, UNITED  
CORPS, PARIS ISLAND, S. C.**

Mr. HOWE. General, will you give your name, rank and position?

**Gen. COLE.** Eli K. Cole, brigadier general, Marine Corps.

**Mr. HOWE.** How long have you been in the Marine Corps?

Gen. COLE. Since 1890; in the Naval Academy before that

Mr. HOWE. General, you went down to Haiti in 1915, did

Gen. COLE. I sailed on the 31st of July and arrived there

**Mr. HOWE.** On what ship?

Gen. COLE. The *Connecticut*, and took about 500 men.

**Mr. HOWE.** You were in command?

Gen. COLE. I was in command of the Second Regiment.

Mr. Howe. When did you land in Haiti?

Gen. COLE. On the 4th of August.

**Mr. HOWE.** Were you at that time the senior marine officer

Gen. COLE. Yes; until August 15, when Col. Waller arrived.

Mr. HOWE. And then he was senior to you?

Gen. COLE. He was senior to me. I had taken down Waller had followed on the *Tennessee* with another regiment he took command of the brigade, which was then formed, and transferred to Cape Haitien and took command of the Second and acted as military governor of northern Haiti and conducted northern Haiti.

Mr. HOWE. You remained with that assignment until what

Gen. COLE. I remained with that assignment until early  
remember it, 1916, when I went to Port au Prince to relieve  
bly the latter part of November; the 22d of November I  
date on which I relieved him and on which he sailed.

Mr. Howe. From that time what was your position?

Gen. COLE. From that time I was in command of the brigade there "chief of the occupation." That was the name the H

**Mr. HOWE.** Until when?

Mr. HOWE. Until about the 1st of December, 1917. As a  
actually attached to the brigade until the end of January  
sent up here with the constitution for the State Department  
December, 1917.

Mr. HOWE. So after the first few days after the land 16 months in the north?

Gen. COLE. Approximately.

Mr. HOWE. And approximately a year after that as bri-

Gen. COLE. Yes; a little over a year; very little.

Mr. HOWE. What was the situation in Haiti at the time of the Prince?

Gen. COLE. In Port au Prince?

Mr. HOWE. Yes.

Gen. COLE. The landing force of the *Washington* was on  
sion of the city. There were Government troops and  
around there. Conditions were quiet but unsettled in the  
no government whatsoever other than the committee of

Mr. HOWE. There was no President of Haiti at the time

Gen. COLE. There was no President of Haiti.

Mr. HOWE. The last President of Haiti had just before he not?

Gen. COLE. Yes; he had taken refuge, I think, on the morning of the 28th in the French legation, which was near the palace, and had been wounded, as a matter of fact, that morning of the 29th a mob of about 60 Haitians, under the Zamor, had entered the legation—I might go back a little, the mob had gone in the legation, but the French minister with the possible assistance later of Mr. Cohn, the Br

ré, had protected the President. The next morning, the 29th, the same 60 people, actually invaded the légation, pushing aside demoiselles Gireau, the daughters of the French minister, and the bedrooms and bathrooms they found him I think under a taken out and cut to pieces and his body dragged through the cutting into pieces, as far as I know, was done actually outside compound.

How long after that occurrence did you learn that the *Washington*?

Well, I was in the United States, and the first I knew of it was on the 30th.

Where is what I am getting at. How long had the *Washington's* been on shore when you got there?

The *Washington's* landing party—I think I have the date, or I can get it. I got there about five days later, approximately; it was four or five days. I got there on the 4th.

Was there active disorder going on at the time you landed?

The city was quite quiet, although there was a decidedly tense atmosphere, and during the time I was there there were disorders. There was nothing at our people, but after the landing there was very little of it. That, if any, Haitian was in authority or control in the city?

The only control was the revolutionary committee, called the Committee of Safety, of which I think Mr. Polynice and Gen. Zamor were members. Mr. Polynice was a merchant but not, so far as I know, of the revolutionary forces.

Under whose direct orders were you after you landed?

Admiral Caperton's.

You spoke of revolutionary troops being in the vicinity of the city. Where were they and what were they?

I never saw many of them. They were around outside of the city, mostly outside of the city, except on one or possibly two occasions. I sent Capt. Fay some 12 or 15 miles outside of Port au Prince, to the Cul de Sac, to hunt up a bandit by the name of Desgantes, who had about 15 or 20 followers and who was pillaging and robbing on the coast. Capt. Fay captured him and a lot of his followers. They were

Were there any other troops other than the United States forces?

There were Government troops in the city, and Government troops on the plain, and particularly around St. Marc and

What was farther north?

What was farther north.

Was there any fort or garrison in the city of Port au Prince?

There was Fort Nationale, which was on a commanding eminence in the city and which was occupied by the Haitian forces.

How distinguished from the revolutionary forces?

It was distinguished from the revolutionary forces. I landed on the 5th we took Fort Nationale. There we found 14 cannon, 450,000 rounds of ammunition. We tried to do everything we could to get the city to surrender without armed resistance, and I got hold of one of the leading men in Port au Prince, and after considerable discussion and a great deal of persuasion on his part, and a promise to do it, and a backing out, and to do it—and we in the meantime were making preparations in case it became necessary, because it dominated the city, and with its guns, etc., there, it would do untold harm—he agreed to surrender. The lieutenant of the Navy, who had command of two of the companies of the *Washington*, was detailed as the officer to receive the surrender, and the general entered the fort by the drawbridge, and the surrender was made. However, quite a good many of the people jumped over the parapets, but we did nothing in regard to them, because what we were doing was to get the city to surrender, so that there would be no fighting.

As a matter of fact, what disposition was made of such of the city as stayed to surrender?

Those that surrendered, as I remember it, were placed for a short time in the barracks, the Dessalines Barracks. On the 6th we disarmed



without adequate food, and some were actually starving to death. The roads had ceased to exist, being impassable for vehicles at all seasons, and only donkeys could go over the trails, and then only with great danger of being drowned in mudholes.

Telephones and telegraphs were practically destroyed. The postal service was dishonest and inefficient and the mails unsafe, and the employment of employees and to the operation of revolutionary bands. The prisons were pestholes and filled with prisoners whose only sources of support were their families and relatives and whose only offenses were enmity of officials. The means of support were nonexistent or absolutely lacking in means of support for treatment to the sick.

No sanitary measures were taken by the Haitian officials, and the contributions funds collected were used for benefit of officials and

for all male persons were under arms (forced levies) or in

The system was entirely a political affair, and, with the exception of the church, there were practically no educational institutions for the poorer classes, and these in a few localities only; probably 95 per cent illiterate.

As there were politico-military in their character and the interests of their chiefs.

The judiciary was venal and generally only responsive to political favor and who could pay for decisions.

The spoils, including customs, were spoils of political success.

Corruption was rampant.

The fact that a great war was raging in Europe, there seems to be no doubt, but what a European country would have attempted control over Haiti unless we took control ourselves. German influence was dominant, and unless conditions set forth above were checked we had an aggressive enemy at our doorstep or have given way to the decadent ills of such a procedure or backdown."

As that paragraph 3 you just read?

Paragraph 2.

Will you read paragraph 3?

Paragraph 3 is a question as to how the situation has changed

You need not go into that.

Did not think you wanted to go into that at this particular time. At 3 o'clock p. m., a recess was taken until 4 p. m.)

#### AFTER RECESS.

The assembly reassembled at 4 o'clock p. m., pursuant to the taking of

Did you think you had asked me a question as to my opinion of the situation, and I think I had stated that there had been this mass killing, President had been killed, and that there was no government.

Did you give a number of items as to the—

As to the general condition of the country.

Which, as I take it, would demonstrate a lack of systematic gov-

There was no government at all. The courts had practically ceased to function, and it was a state of each man for himself so far as he was concerned. Foreign lives had never been troubled by the Haitians. They were careful in regard to that. Foreign property was generally—

Please let me interrupt there. Do you think if there had been mention there that foreign lives would have been taken?

Not at that time; but it was a case of disorder piling on disorder, and things were getting worse and worse, and the longer anarchy and where that sort exists the worse it is going to become, and it probably was a question of time only before there would have been destruction of lives and, without any question, destruction of foreign property. The past history of Haiti had been that they had been very careful of revolutionary activities not to direct them against the property of foreigners against the lives of foreigners. They had milked the foreigner

whenever they could in their courts and in their demands—told—in demands for contributions, etc., in the way of payment but they had been very careful in regard to property. I do not think this had to do with it—this is simply one of my opinions—was on, and the condition of anarchy existing in a country on the front door, in the first place, made an intolerable condition of affairs, and, in the second place, the German influence in Haiti proved to be greater than our own influence and it was beyond the French. The French were the owners of practically all of the Haitian property. The marine campaign was getting along about that time, and the justification of it would be that we could not have our coast guarded by submarines from submarine bases in the West Indies. Of course, that is a personal opinion.

Mr. HOWE. That was, of course, before our entry into the war.

Gen. COLE. That was before our entry into the war, but since then, knowing that trouble was going to come sooner or later. We have a general conglomeration of intolerable conditions, a civilization absolutely to ruin.

Mr. HOWE. In your opinion, was some intervention necessary?

Gen. COLE. Absolutely, unless you wanted to allow what is the richest part of the globe to become an African jungle. The French the whole country had been the richest and best-cultivated world. It had financed one or two of the French wars. The land was cultivated, and the French had mile after mile of fine roads. They had landed the whole thing was a jungle. As I say, the roads were desolate. The men had either become soldiers or were Cacos. The roads were desolate. The people had moved back into the mountains. The Government or revolutionary forces going along the roads. Men were never seen in the towns, except those who were women did all the marketing and things of that sort. On the road to Liberté and Ouanaminthe, about 15 or 16 miles, on the trip there we did not see one single habitation, we did not see yet it was said that that stretch of the road on either side of the road a population of about 3,000, and before I left Haiti and the people had come back into the area surrounding Ouanaminthe.

Mr. HOWE. Were there any other foreign Governments involved directly in that state of affairs in Haiti?

Gen. COLE. The French were materially. They were the owners of Germany. As I said, the French were the owners of the Haiti.

Mr. HOWE. After you landed there what did you learn about Bobo?

Gen. COLE. Bobo had been in the north of Haiti, around Cap-Haïtien, under arrangements made by Admiral Caperton he was commander of it, on the *Jason*, some time about the 3d or 4th of July he arrived in Port au Prince on the 5th.

Mr. HOWE. Who was Bobo?

Gen. COLE. Dr. Bobo was a Haitian physician, a man who was of considerable ability, inordinately, I understand, vain, and away above the majority of the Haitians in intellect.

Mr. HOWE. Was he a presidential candidate at that time?

Gen. COLE. He was a presidential candidate at that time. He considered himself the possessor of the executive power. I have found him used for it, but he had declared himself in that position; and then, if we had not landed in Port au Prince I think Bobo would have been President of Haiti and that he would have brought his revolution to Port au Prince; and, as always was the case, the national assembly elected him as President. The successful revolutionary leader considered himself the possessor of the executive power, and then, when he arrived at Port au Prince, the national assembly gave legality to him as President. They had to do it.

Mr. HOWE. Had the town and the fort been disarmed by the time he arrived?

Gen. COLE. The town was disarmed, I think, the day after he arrived. The fort was taken the day he arrived. That is my recollection.

Mr. HOWE. What relations did Bobo establish with you or the Government?

Gen. COLE. Personally, there was practically no relation between him and myself. I gave him protection and gave him a guard.

courts were functioning.

Col. Waller told us that an agreement was signed with the Cacos there, or about that time. Will you tell us what you know about

Col. Waller came up about the middle of September—the 18th, I think, and he and I, and I think one or two orderlies, met the Caco chiefs at Carrefour, a mile and a half or 2 miles outside of Cape Haitien. I think, was instrumental in bringing about that meeting. At recollection is that Col. Waller stated it was necessary that the and the other people that had been given prior to the election be let out, Bobo having given instructions that his followers in the arms, disband, and go to their homes. They had and Col. Waller informed them that that would have to be done, posed to start patrolling; that it was necessary for foodstuff to Haitien. After that conference he decided to open up the rail- go to Grande Riviere, which, as I remember it, was about 18 miles from Cape Haitien. We started out with some three squads of men, I think, across-roads at Carrefour, near Quartier Morin, where we were construction placed on the track, and we were met by the Cacos that we could not go on. Col. Waller said we were going on, and they promptly derailed us, they having drawn the spikes of the track. I put the men out at once alongside of the track, and these squads crossed the road at Carrefour, behind the hedges, etc., but there and we got our train back on the track after a while, and they told us that we were going to Grande Riviere. But we went back to find out and it was decided that the situation was sufficiently charged that we better have more than three squads, so we took about four squads, a machine gun, put sand bags on a flat car and built up a parapet, and we went to Grande Riviere that night. It was one of the hardest rides I ever took.

The road had not been used for a period of five or six months, and it was going through a young forest. We never knew what was going on, and the time the engineer let her go lickity-split down grade, and we were going miles an hour on this road where you could not see the track in front of you. We got up to Grande Riviere at about 9 o'clock in the evening, and found a lot of obstructions on the track there. We were halted right where we found out later the Cacos had occupied with some cam- em trained on us, but fortunately Col. Waller induced the Cacos to propose our entry, and we went on into Grande Riviere. We spent the night and a part of the next day, loaded up all the produce that was waiting shipment, and took that back to the cape, mostly coffee. Col. Waller went back to Port au Prince and I had instructions not to go back until I got orders; along about the 23d, I think, or the 24th, I was ordered to start patrolling, and to notify the Caco leaders that we were going to start patrolling; that we did not intend any harm to them, but we were going to patrol; that we must have the food coming in, and that making these patrols we did not intend to open fire on them, but must not open fire on us; that if they did we would then certainly take action.

On the 1st of September I sent two patrols out, one to Haut de Cap about 10 miles from the town, in the morning. They went through some of the hills and they did not stop us. Our patrol went to Haut de Cap. On the way there was considerable shouting at one point, and apparently they were upon our men, so our troops just put their machine gun in position and the Cacos quieted down, and we came on in.

In the afternoon I took a patrol out to Petite Anse, and we rode by their camp. The matter of fact, their outpost was at the crossroads, Petite Anse and the main road. I took one company past their outpost, and the other went through Petite Anse and came back. This day they had evi- dently been surprised and their outpost commanders evidently did not know about these patrols.

On the 2d I sent out two patrols of about 40 men with a machine gun. One, I remember, was to go to Haut de Cap, and then on to the Plain du Nord. The other patrol was to go past Petite Anse and then on to the Plain du Nord, and eventually join with the other column at Haut de Cap from Plain du Nord. They had the same instructions as the

others, and we sent interpreters with them so that there was no as to the thing being understood, that we were going to do that we did not intend to start offensive operations against them; must make the patrol; that if they attempted to stop us by force on us, we, of course, would return the fire.

About 9 o'clock I got word from Haut de Cap that the Cacos if we advanced they would fire on us, and was asked for the instructions were plain, to go ahead. And our men were fired on. Our men dropped alongside of the road, and their machine gun. The Cacos scattered through the town. There was considerable firing going on there. I sent out reinforcement, and shortly after that went out myself, going on all along out there, and up to three o'clock in the morning the firing was kept up, principally from across the river at the town. Considerable firing had been heard in the distance, from the column. The Cacos had attacked him, and had caught him in a place, and he had a number of his men wounded, but he had killed them. We do not know how much loss he inflicted. He inflicted some, without any question, because they gave up.

As soon as they got back to the Cape I had a conference with the officer present, Capt. Durell, and said that my proposition was to Quartier Morin the next morning with all our troops, with just a few to hold Cape Haitien; that I would like him to have companies to hold the Cape, my idea being that if the troops which was their headquarters, would stand, we would have them then and there; that if they would not stand, we would ride down on them and show them we would go anywhere we wanted to.

We started out the next morning. Quartier Morin was the headquarters. We went out there, and there was only one shot fired by Carrefour, about half or three-quarters of a mile from the town. We were met by a Gen. Fouche, a Haitien, who was surgeon general, that the war was over; that they wanted to be good, and to go to Quartier Morin. As we were going up toward Quartier Morin, a shot fired by a Caco at our column and one of our men took him who had fired and killed him.

We went to the town of Quartier Morin, and I asked for the officer in charge. He was told that he had business elsewhere and had left the town before, so there were none of their soldiers there. The town, such as it was, largely women, turned out to greet us, pleasant, and so on, and Dr. Fouche, the only officer who was left, that the war was over without any question; that they had learned the day before had been a very severe lesson to them, and that it would not pay to attack us again.

Gen. Waller, I think, came up about the 28th. I am not sure of the sequence of events there. I am inclined to think that he came to Cap Haitien, and a few days later Gen. Waller and I went to Quartier Morin, and Gen. Waller signed the convention with the chiefs for them to carry out their instructions to turn in their arms and go to their homes and take up peaceful pursuits, to the recollection of it.

Mr. HOWE. That, by the way, went into our record here. Gen. Waller was testifying. Did you have any negotiations with the Cacos at or about that time?

Gen. COLE. I do not think you could call them negotiations. They did not come into Cape Haitien for preliminary negotiations. I went to go out to their outpost with one orderly to meet them, and to meet them, but Gen. Morancy would not come in. He came in.

Mr. HOWE. Who did?

Gen. COLE. Gen. Petion, with a considerable number of his men, came into town, and they insisted that I should accompany them.

Mr. HOWE. You mean back into their own country; back to their posts?

Gen. COLE. Not only through the town, but back into their own country to their outpost. As a matter of fact, I accompanied them to their headquarters at Quartier Morin, which was about 8 or 9 miles from the town.

Mr. HOWE. What happened there?

l, they brought out some champagne, and had a band and a and I distributed some gourdes among the band, and they then they escorted me back to their outpost.

as a friendly visit?

as a friendly visit. Gen Petion said that if I would go out—doing it—he said that if I would go out with them that it bring about peace in the north of Haiti than anything else.

it have a good effect?

nd a splendid effect. It gave me a very big influence with the n of Haiti.

ncy you must have been more comfortable after the receipt than on the way out to it.

; I was. I was not particularly anxious to go, but it was you had to decide like that. They evidently saw that I was suppose that they thought that I thought of treachery, which ht, "Well, the best thing to do is to go."

general, what were your relations thereafter with the Caco

y friendly; very friendly. Gen. Morancy, who was supposed y, used to come into my office and prink himself before the had one of these big mirrors in the office, one of the signs would step up there before that and prink himself. And old come in crying. They arrested him time and again, and n crying like a child, and look up in the mirror and see nd would straighten up and get along very well. He was a cco, but he had a good deal of force withal. He was a child but I got along splendidly with Morancy, and exceptionally who really had the brains of that outfit.

those two keep the terms of that agreement fairly well? he best of my knowledge and belief, absolutely. I had more sup- than I did from Morancy. Morancy was an entirely different Petion. Gen. Petion was a man of a great deal of intelligence. things very frequently, and he became convinced after I was hough he did, that there was a great deal more for him and hrough peace than there was through disorder, and at that big boom in logwood. German dyes were kept out of our ood was selling away up to the skies, and Petion had large started in cutting logwood, and I think he cleared a good of dollars.

n, we are now up to the point, after the attacks on those u took Quartier Morin, and where the agreement with the igned. Now, will you outline the developments after that?

ing October and November there were a considerable number n. They came in slower than we thought they should come

n. The arrangement was that they should be paid for their vere turned in, and possibly, in part, for the reason that they as turned in, some of the minor chiefs thought that their head g the money, and as they were not getting anything, they did arms. Some of them were opposed to the Americans. You see, volution after revolution in Haiti, and they had lost the habit d not want to work, they did not want peace, and some of the I could call them, took to the hills, more or less. They went hich lay between the Grande Riviere and the Dominican bor- rticularly up in and around what was called the Capois to meet them. I went up in that vicinity two or three times, promise, but they would not meet us; they attacked our forces ces; there was robbery going on all the time, and conditions rise in that area; so it became necessary to clean it up, and ematic campaign of running down these bands.

me interrupt right there. How would you characterize the u came into conflict at first there on the 26th of September? or bandits?

y were Cacos. They were what I would call mercenaries. I ut as good a definition of what a Caco is as anything I know eople who sold their arms, that is the use of their arms, mili- ary revolutionary candidate. They were, generically, people north of Haiti, and a certain type of peasant and his chief.

Mr. HOWE. Later on, up near the border, at the time when it was necessary to clear that country up on account of the band of Cacos any more that you were opposed to?

Gen. COLE. They had been Cacos, and they were Cacos in word that they belonged to that ilk. There were good Cacos and bad Cacos. Most of the Cacos that I ran across I rather liked better than the other Haitians. They were more sincere. As a politician I never had much use for, but I did have a good deal of use for the Caco chiefs.

Mr. HOWE. Then, were these people that you did have good ex-Cacos or bad ex-Cacos?

Gen. COLE. I would say they were bad ex-Cacos, most of them. I have been some of them who were actuated by patriotic motives. The principal leaders, Joseph, was very bitterly antiwhite, and the Americans had come there to enslave the country. He inspired the people, and got a good many together, a considerable number, in command of Fort Riviere. The day before our final attack on the fort he took some of his principal followers and certain minor followers with orders to defend it, and he went off to save his own skin, the sort of patriot he was. He left them there with orders to hold out to the last, and they did. They were not in the habit of showing mercy. They had no idea that mercy would be given them. That was the result of the warfare, and they fought to the very end in the fort.

Mr. HOWE. General, will you give us an outline of the operations from the time you got up at the border there and ending in the capture of Fort Capois?

Gen. COLE. Well, we sent troops up to Grande Riviere, and on to Bahon, which was 10 or 12 miles beyond Grande Riviere. We sent three squads—three squads, I think. They were fired on from the fort. They were at the railroad station there. Our troops retreated, but evidently did some damage, although they never knew how much. The next morning they examined the place and they found that the troops were withdrawn to Grande Riviere, and the report was received that the fort was attacked, and there were only about 20 men left. We sent a company to Grande Riviere, I think, that night. Along the trail the same conditions prevailed, and there was a good deal of fighting. That was cleared up, and Capt. Campbell at Grande Riviere was to operate through that country and find out what he could. Gen. Butler, then Maj. Butler, was directed to make a raid from Fort Liberte, by way of Terrier Rouge, Le Trou, St. Pierre, Grande Riviere, Bahon, to a place called Valliere, thence back to Fort Capois. There was some trouble around Terrier Rouge, as I remember, but we had some 50 rifles there. Butler's detachment was mounted, but the trails so bad that they could not get through, so the horses were left at Grande Riviere. I had information that the principal stronghold was at Fort Capois, but we could get no information as to its location. Gen. Butler, at St. Suzanne, was given information that he could be determined from the northern trail from Bahon to Fort Capois.

The informant said that there were probably three people in the fort. He was one, and he could not do it, and they could not, without any question. I changed Gen. Butler's route to Dipiti, with the idea of locating Capois. He was attacked in the night by what was estimated to be about 400 Cacos, but they were held off; held them off. I think we had a couple of wounded men. Gros Roches. In the meantime Col. Waller had come near the fort. Col. Waller and me at Cape Haitien, and as the result of the plan of action was drawn up to attack Fort Capois. The operation was divided into two parts, (a) cleaning up the country east of the fort, and (b) the cleaning up of the Fort Riviere district to the Grande Riviere. The country east of the Grande Riviere was cleared up, and the failure of a part of the troops to get to the fort at the time of its garrison escaped.

Mr. HOWE. The fort was occupied?

Gen. COLE. The fort was occupied. It was very well occupied. It has been held if they had gone about it properly, with the aid of the troops. Some of those people fled across the Grande Riviere. We could not advance very slow through that section, and it was a very wide area, and a considerable number got across and to the north.

at area was cleaned up of the bandits our troops refitted. I, in the meantime, had been getting a good deal of Fort Riviere; a plan was drawn up and the place was columns coming from widely different directions, but the that each column got to the place at the right time, and ade at daylight on a certain morning; the fort was occupied firing, and some of the people escaped but I do not know were about 50 dead counted in the fort and in the vicinity of was only one entrance. It was on a high mountain, and it fort, with embrasures and a moat, and places inside, cells could shoot in every direction, and they simply fought to the I not surrender.

It was the character of the fighting there?

I to hand, considerable.

Was entrance gained?

Report was—and I presume it is correct, there was no reason our assaulting troops got under the cover of the wall of this our and they had difficulty in getting in, so Pvt. Gross and ed in through a small sally port and held the entrance, fol- and the rest of his men.

Butler got a medal of honor for that, did he not?

Not think so. Iams did, and Gross.

Yes; he did.

There was a brief resistance then by the Haitians inside the fort? Presently, and then we blew up the fort, got dynamite from the the fort.

Was on November 17?

November 17.

That mark the end of the campaign?

It ended the campaign, but my plan had been, just as soon e refitted, to start a detachment to Hinche. That was Gen. and my plan was to send out other troops and to go all through the Grande Riviere and the Dominican border, not with the sive action, but with the idea that if any wandering bands a they would be disposed of, captured, dispersed or killed, be done, and to show the Haitians in that area, in the first ericans would go anywhere.

Government troops had never been in the Fort Riviere and Fort It was absolutely an unknown land to them. It was the Caco's ough there, and my idea was that by sending troops all try they would see, in the first place, that so long as there we would treat them kindly, and in the second place, that we e wanted to go. I do not think they had any doubt about it, one all through that country, but I thought a second going aceable sort of way would be a very good thing; but the de- that there had been enough lesson given to them. and that ld be good.

You abandoned that reconnaissance?

Sent troops to Hinche, but in very much smaller numbers, to ere which were to be turned in. They were not turned in, y manner or means. They kept a lot of them at Hinche. If away a column in there, I think we would have gotten more

soon after was absolute quiet restored?

There was quiet from then on, except for bands of robbers, small re, or six, just here and there and anywhere between St. Limonade, and the border. They usually robbed the market s their best bet. They always avoided our patrols if they they did not.

To that extent there was unrest and trouble there?

That extent there was unrest, but it grew smaller and smaller, policy wherever a man who had been out would come in and d state that he would be good and would go to his place n touch with us, that unless there was some crime alleged tual crime, he would not be confined but given his liberty and o make a good citizen of himself. That was the general were practically no punishments, practically no imprison-

ments, on account of that. Joseph some time later was myself, in view of the cowardly way in which he left Riviere, he ought to have been hanged. He was given 10 years.

Mr. HOWE. By the provost court?

Gen. COLE. By the provost court.

Mr. HOWE. That brings you up to March, 1916?

Gen. COLE. That brings us up to March, 1916. There was a number of small outbreaks directed against the gendarmes, but they had, in the meantime, been established, and had been sent out from Port au Prince—that is, for some political reason. Port au Prince had been sent out to take over the policing of the country to a great extent as possible. They were not fit for it, they had no efficient training to do it, and it was not a good thing to have affected the political situation, of which I have no doubt. As the military proposition of this order was concerned, the thing to do, but it was done, and soon there was troops sent out, troops, a couple of white soldiers to each detachment, of that sort, and with the white man they were stiff—they were not the white man they were not apt to do it. I was afraid of the white man, and I sent from two to four to six to eight, depending on the post, but during the month of December, 1916, there were several skirmishes. On December 6, at Gros Roches, there was one, and on December 12, at Perche and Terrier Rouge, several. On December 21 one was killed at Perche in an attack there.

Mr. HOWE. General, as you look over your notes there, what was the number of engagements there then, in the first months of 1916?

Gen. COLE. Well, that was the end of 1916. During December, 1916.

Mr. HOWE. In the first months of 1916?

Gen. COLE. In 1916 I have notes showing 17 little attacks.

Mr. HOWE. Between what dates?

Gen. COLE. Between March 6 and April 11 St. Michel and the gendarmes fled.

Mr. HOWE. Did that end the disturbances?

Gen. COLE. On May 1 there was a serious attack on Haiti. All of these things, except St. Michel, amounted to very little. There was quite a serious repulse. I had this policy in regard to that sort: I believed that prevention was very much more important than cure; we could not keep troops in all parts of the country. As a matter of fact, they did not want it done, but I did have white troops at the considered strategic points, and whenever trouble showed up in a section, I immediately sent military detachments of white troops to the place they surrounded them and went right in.

Mr. HOWE. In order, if possible, to prevent the trouble from recurring.

Gen. COLE. Always before it did, because it did not become a habit. It stopped it. There were seven attacks in 10 days on different parts of the sent troops in from along the border towns and in from the interior.

Mr. HOWE. But the attack on Ouanaminthe ended thirty days ago, May?

Gen. COLE. Yes; that was in May.

Mr. HOWE. Had you by that time been able to begin building?

Gen. COLE. Oh, yes; it had been going on.

(Whereupon the committee adjourned until Thursday, May 11, 1916, 10.30 o'clock a. m.)

## TO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

THURSDAY, NOVEMBER 10, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO.

*Washington, D. C.*

met pursuant to adjournment, in room 131, Senate Office  
10 o'clock a. m., Senator Tasker L. Oddie, presiding.

Senator Oddie.

Mr. Walter Bruce Howe, Mr. Ernest Angell, and Maj. Edwin N.

OF BRIG. GEN. ELI K. COLE, UNITED STATES MARINE  
CORPS—Resumed.

General, yesterday, when the hearing closed I had just asked  
about what you were able to do in the way of internal im-  
restoring the various undertakings of government, such as

the North?

es.

think probably I can do that more quickly with my notes. You  
if you feel disposed to do so.

Will you go ahead, and let us have the heads of what you under-

ere was no civilian administration whatsoever in Cape Haitien,  
things pertaining to a town administration were taken up and  
. The Hospice, in charge of the French Sisters, was in a very  
e, and without supplies or proper appliances, and even shelter  
were there for care. In the course of our stay in the north of  
ng was thoroughly overhauled, supplies were obtained from the  
he question of proper food was taken up and solved, and gen-  
ced in a very satisfactory and efficient condition.

e lines, the people of the rural districts of Haiti had absolutely  
ntion whatsoever, and in order to eliminate as much of this  
ad established, wherever we had American troops, small dis-  
hing the medicines for a long time from the United States sup-  
purchasing them in the United States, and had either medical  
tal Corps men detailed in charge of those dispensaries, where  
physical troubles could receive such examinations and treat-  
ited facilities would allow, medicines being dispensed, and in  
e people being sent to one of the large ports where they re-  
ospitalization care as we could give them. This was without  
t value to the people, and it did much to establish our influence  
ne people of Haiti.

Cape Haitien was a national affair, and was about as dis-  
stitution as it would be possible to find. The place was thor-  
r, rebuilt in many places, repaired, put in sanitary condition,  
s were prepared, the men incarcerated therein were taught  
were fed, the former procedure being that if the prisoner had  
tives to feed him, he was apt to die of starvation, and gen-  
was placed in a condition where one could see that it was  
itary a place as one could find anywhere.

The water works had been allowed to go entirely to ruin, possibly was available in some houses for a period of from a day. This water system was thoroughly overhauled, and was a sufficient amount of water to meet all the requirements for the immediate purposes of human life.

The streets had not been cleaned for years, and no street made. First the main streets, and then the secondary streets of Cape Haitien were overhauled and put into a good state of repair.

The roads outside of Cape Haitien, and, as a matter of fact, the towns, had been allowed to go utterly to ruin. In the dry season the donkeys, but not for vehicles, and in the wet season the donkeys would be drowned in mud holes. For mile after mile of road if you rode over it, you would have to pull your feet up to keep from getting mud, the mud rising up practically to the horses' belly. A large number of ex-Cacos and farm laborers on these roads, paid for a *gourde* a day, the idea being that they would get money to purchase seed, etc., to start planting, and that the men who would not engage in revolutions. Up to that time the Haitian laborers had practically never been paid, and we made it a rule, of course, that they should be paid not only the full amount of time every week. At first the people did not want to work, they would not be paid, but when they found they were getting paid many more applicants than we had funds to employ.

The road between Cape Haitien and the border was put in a few months after we arrived there, when an automobile road was made and eventually it was made into a well-graded and maintained road.

The national schools hardly existed. There were some in the towns, were so-called schools in a good many different places, but not functioning as schools. The school system was a political one, the teachers were very inadequately paid. They were generally the result of some friend being in power, and they were not paid normally to do any work in regard to teaching school. They lived in these buildings but rented them. I inspected a school in Limbe, on a tour of inspection I was making, and when I went inside I found that it was a wattle and daub building, were no windows, just one door, and a sow with a litter of piglets in the building, and it never could have been occupied in any way as a school building, yet the government was paying for it. An extreme case, but it is a sample of the conditions existing in rural Haiti.

One schoolhouse where there were supposed to be two, probably 12 by 8 feet. It had two rooms, the second room had windows about 3 by 8 feet. The reports of that school showed 100 pupils in daily attendance. I asked the teachers where they were like that number in the school, and they said they could not say. In fact, at the time I arrived there the school was not open and the teacher was not present until the following day. There had been a strike held there, at least for some time, the place being used as an office.

Mr. Howe. What were you able to do about the schools?

Gen. COLE. The only real schools, outside of some in the towns, were church schools, run either by the Catholic priests or by the Protestants. The fairly good schools in Cape Haitien and in nearly all the towns, the communes where there were priests they had schools, and they were good. They were far better than anything else in Haiti.

Mr. Howe. Who were those priests? Were they French?

Gen. COLE. They were Frenchmen, and the sisters were French, almost entirely. There were a few of other nationalities, but they had been for the church schools, in my opinion, Haiti would have been a barbarism. It was the one source, the one ray of light in the whole country. There can be no question about that. In the few of the larger towns, the public schools were absolutely nothing. There might be one here and there. We did find people who were trying to do with the things they had as best they could. We gave assistance to the church schools wherever we could, in making repairs. They were supposed to receive a

and we investigated those as far as we could, and paid them, and the arrears, in order that the work of repair might be carried on. Generally, during my stay in Haiti, I had the utmost support of the priests and from the sisters, because wherever we went, we found that they had done so much, and that they were the points on which we could do something in regard to education, we gave them such assistance as we could, and they were very grateful. The bishop of northern Haiti, by the name of Kerquazan, made two extensive trips on the north of Haiti, in order to preach cooperation with the occupation in Haiti.

One of the experts from the United States has been given advice and assistance in regard to building up the school system. The Archbishop of Port au Prince rather opposed that proposition. The system of national schools, but entirely under the Catholic Church, was a little antagonism on the part of some toward the American. The pressure may have been brought to bear on officials to interfere with the expert we brought down to help build up the national

in all the towns was entirely neglected. Refuse of every description on vacant lots. There were no sewers and no toilets. The town stunk to heaven. The yards were cleaned up, public health, drainage was instituted; areas where mosquitoes had been bred were drained or filled, as we could do it, and generally the place was in a state of good sanitation.

One thing we could do to get the peasant to return to the farm and to cultivating, and with the exception of a few, a very few of the rebels against us during October and November, they were all who came in to go to their farms and go to work. We told them we did not care for anything except their being good, honest citizens. As they behaved themselves we would not interfere with them. We must keep absolutely clear from any robberies or banditry, or any sort.

As we did nothing about, but, as a matter of curiosity, the same thing will which you see in picture books as being in use in ancient Egypt in Haiti at that time, and I presume are generally in use in Haiti, with the oxen tramping around the grinders.

Under orders from Admiral Caperton, the payment of Haitian soldiers by officers personally paid the officials the amounts due them, which had never been done before.

Nothing was done in regard to the postal system at that time. The telegraph and telephone lines were practically down and out of existence, entirely. Here and there there were some single wires. We had the lines in the north of Haiti, extending them into the interior border, very frequently without proper material. For many miles telegraph poles we used beer bottles and other bottles for the support.

There did not exist at the time we landed, and did not function for a long time thereafter. I had no authority over that, except under military rule. There were no judges, and practically nothing was done to that, though after a few months one of the higher courts was organized as soon as we could we had a judge de paix appointed, but the offenses against sanitation were punished in the provost court by a fine or a certain number of days work, and generally the first was taken before the provost court for first offenses. For a second offense after warning they were sometimes fined 2, 3, or 5 times the fine was waived. The military court was functional. Where robbers were captured they were brought before the military court and weighed heavily on any honest citizen in Haiti, and it did not take long enough very frequently on the dishonest citizen, because we had the good will of the people of Haiti in the north, because, in the south good will was absolutely necessary, if we were going to accomplish our mission.

Things were done to a greater or lesser extent in the towns of Cap-Haïtien, Le Trou, Limonade, Grande Riviere, Port de Paix, and other towns.

There were similar undertakings begun and carried on in the other towns and in the south of Haiti?

Gen. COLE. In the larger towns, to the best of my knowledge they were.

Mr. HOWE. And when you became brigade commander down similar undertakings in operation?

Gen. COLE. Yes.

Mr. HOWE. Under your command were these undertakings, schools, hospitals, prisons, etc., continued and maintained?

Gen. COLE. Yes; there was considerable done. You are speaking after I got to Port au Prince?

Mr. HOWE. Yes; in other words, was this general work that year during which you were brigade commander?

Gen. COLE. Yes; and in addition there were a good many in addition to what I have mentioned here.

Mr. HOWE. I would like to get to those, but let me ask counter, as brigade commander, any difficulties in carrying on

Gen. COLE. Yes; some, but the difficulties were hidden to a large extent. For instance, take the school proposition: The president, I think, was in favor of good schools. The minister of public instruction was not a politician; that is, except incidentally, as every ed- ucator is, and he promised to "beat the band" to do things to help the school system. I might preface this a little bit. I had caused a survey to be made of the actual conditions in the schools in Hamilton County, and I found that the children, the size of the schools, the buildings, the teachers, whether they went to the places or not, that conditions were simply intolerable.

As I said, there was no public-school system outside of In conversation with the president, on a number of occasions the school system was taken up, and, eventually, I was required to procure the services of a school expert, and I selected that he was to be a man who could speak French, and, if possible, knowledge of Creole, should be a Catholic, should have a family, should be a man of tact, and one who had handled a school system. We found a man by the name of Bourgeois, formerly had been county superintendent of schools, and spoke Creole. Mr. Bourgeois came to Haiti. Considerable difficulty was experienced in regard to the contract. It was finally agreed that he should receive a salary of \$3,000 a year, and should be employed for a period of one year. I can remember it. They had wanted to employ him for a year, but because conditions were such that in one year the man could not have simply have started. It will take him six months to get familiar with the situation, and at the end of the year, if conditions are such that they are rid of him, he has no contract, and it is not fair to that man to keep him down here for one year with the expense of moving at that time. It was agreed to give him a contract for three years.

Mr. HOWE. Did Mr. Bourgeois run into any difficulties there?

Gen. COLE. Mr. Bourgeois had them all the time.

**Mr. HOWE.** Just in general, describe what kind of difficulties

Gen. COLE. Well, Mr. Bourgeois did not get there very early. He found inertia and objection to a white man working. While I was there he was able to make some headway in his work because he came to me when he had trouble, and I went to the president usually straightened it out.

Mr. HOWE. Who caused the trouble?

Gen. COLE. Subordinates in the office of the minister of and assistants to him. I think he (the minister) did himself. It is possible that the church may have had something to do with

Mr. HOWE. In other undertakings other than schools, like or hospitals, were you hindered in your efforts?

Gen. COLE. No; I can not say we were hindered, because and did the things. Generally they wanted the things done as anything was done they wanted Haitians to take it over in most of these cases was to have, as, say at the hospital which was built up into a really exceptionally good institution or two American surgeons and one or two Hospital Corps of that sort, but they wanted to put the Haitian in charge can work under the American and can do good work, and ceptionally good medical people down there along certain

can take hold of anything that I ever saw in the way of executing an organization together and keeping it in shape, it goes

when you were in the north did you find that you had a freer you were later on in Port au Prince? In other words, I would rather your remoteness from Port au Prince in the center of the country made it easier for you or not to carry on these works of government.

I can not say it did make any difference. In the north of the country fortunate in having, apparently, the confidence of the people of Port au Prince, my recommendations were generally accepted and not interfered with; and in Port au Prince I was in charge of the occupation, as they called it, and I had no other time in which I did have interference was when the conventions were put into effect in regard to the civil engineer and the engineer and when the distribution of funds was placed entirely in the hands of the financial advisor. We had used the gendarmerie officers as advisors throughout the country. They were people that we could rely on; we had a Haitian. That was absolutely out of the question. Occasionally we rely upon one, but he is apt to go off at a tangent without being able to be honest, but we had in the white officers of the gendarmerie who were honest, people who would do what they were told, and we knew that they were doing a big piece of constructive work, putting their heart and soul and everything else into the work they were trying to build a fine system in Haiti, trying to benefit the country. There is no question about it. And they were allowed they were allowed for repairs and improvements do the work three, because they were eternally on the job all of the time day and night. There can be no question but what the subordinate higher officers of the gendarmerie in Haiti performed a great deal of work under exceptionally trying conditions.

General, you mentioned that when you went down to Port au Prince you observed other undertakings in addition to those you designed to be put into effect in the north.

We will take agriculture. We did something in the North to aid the people in anything we could do. In 1917, the United States having declared war on Germany, the campaign being extremely effective, all the French ships in the Caribbean having been sunk to the bottom, the question of foodstuffs in Haiti, became very important. This came up possibly before our eyes, but it was just about—well, the sinking of the three French ships, the *Montreal*, and the other one were sunk just about the time of the war, but the shipping conditions had been growing steadily worse since 1917, and it was early in 1917, though I do not remember the exact date, I had a survey made to find out what I could about agricultural conditions, what had been imported in the way of foodstuffs into Haiti, and what Haiti had been getting somewhere in the neighborhood of 100,000 tons of foodstuffs.

year?

Yes; and that if steps were not taken to provide this, to take the foodstuffs, that we might have serious difficulty in feeding the people of Haiti. Through the assistance of some Haitian societies, the President, the Ministry of Agriculture, and the gendarmerie, we got started a campaign on the part of the idea of not only providing food for the people but also for the army as a reservoir for ourselves and for the Allies. This campaign was successful. In connection with it we established experimental stations in different parts of the country. We established an agricultural station outside of Port au Prince, and the result of this campaign was successful, and the question came up. "What are we going to do after it is raised? How are we going to get all of this foodstuffs to the coast?" And that started the intensive campaign to get the foodstuffs to the coast, because I felt that if these people, at our instigation, had cultivated a large quantity of land and obtained a large crop, and it had to rot, because there was no transportation, or any way of getting it to the towns, and there was nothing to be done with the stuff, that it was a worse condition than before, because they would say, "Here the Americans have promised, and see what they have done to us."

The Panama Canal Zone sent agents to look into the question in buying very heavily.

Mr. HOWE. Food?

Gen. COLE. Food. We were raising food and getting it. Haiti was exporting large quantities of foodstuffs by the summer end of 1917. The Panama Canal Zone along in the summer was bringing over \$10,000 a month for food supplies in Haiti, and we were selling it to our allies and our own country in that way, and by shipping it through the Canal Zone it enabled a full ship to be brought to Port au Prince and this stuff would be put in the place of goods that we were otherwise they could not have gotten the stuff down there. The President was asked to get agricultural experts. This was a very important thing, as the result of conferences. The President was very anxious to do everything he could do to benefit Haiti. I was very anxious of building things up, and I do not know whether I suggested it—probably I did—but he accepted the suggestion that we get agricultural experts from our Department of Agriculture. We went into the question of preventing the importation of goods. We arranged with the Department of Agriculture for certificates and things of that sort in the United States.

Mr. HOWE. How about irrigation, General? Have you mentioned that?

Gen. COLE. I have not mentioned that. There was a dam there had been irrigation in the north, but it had collapsed. The plains of the cul-de-sac had quite an extensive irrigation system of the French, called the Grande Bassin, and that did give water to the entire plains of the cul-de-sac. I made a trip of the place and went over it very carefully, and in order to get of water so far as I could we started the system, under the existing canals open, of preventing the big landowner from closing gates and taking all the water himself, simply because he had the dam and we started plans for the repair of the dam at the Cul-de-sac, in my opinion, in danger of being carried away, and we were working on that project when the orders were received to turn it over to the civil engineer.

Mr. HOWE. One of the treaty officials?

Gen. COLE. Yes; and I thought that was one of the things that had been taken over, but when I left nothing had been done, and I think that has been done since. But the thing had been very thoroughly considered. A comprehensive plan had been drawn up to repair and rehabilitate the irrigation there, and to finish the urgent repairs in a month.

Mr. HOWE. General, did the work undertaken there tend to work generally, instead of making the women do the work before?

Gen. COLE. Yes.

There is one thing I would like to add in regard to Mr. Bourgeois. I stand that Mr. Bourgeois, upon leaving Haiti, made a report in regard to the school condition and the difficulties. I have never seen it, but I believe it will probably contain a great deal of information for the committee, as, in my opinion, it is very valuable. The United States take some active predominating part in the schools in the Republic of Haiti.

Mr. HOWE. Where do you think we could find Mr. Bourgeois?

Gen. COLE. At a guess, the headquarters of the Marine Corps could possibly tell about that.

Maj. McCLELLAN. There are some papers in the papers to that report made by Mr. Bourgeois, and they are certainly in the committee, if they desire them.

Mr. HOWE. Will you be good enough to find out what they know, please?

Maj. McCLELLAN. Yes.

Gen. COLE. There is one thing I would like to bring in in connection with this proposition. I had plans drawn up. Gen. Butler and myself had plans for model schoolhouses for a climate like Haiti, with its particular conditions, sources, and I allotted funds to build four of these model schools. The sites selected being in locations where the largest possible number from all parts of the country would pass by these schools.

instance, one was placed at Croix des Missions. This place because it was at a crossroads outside of Port au Prince, over entering Port au Prince from the major part of the plains of and from the Artibonite district and Laguna district passed by Port au Prince. When we landed in Port au Prince no market going in. On the big market day before I left there anywhere at thousand donkeys loaded with produce would be brought in and.

and then all hands passing there saw the schoolhouse?

and hands passing there saw that schoolhouse.

Gen. Butler, as I recollect it, told us that the people in the immediate were much interested in the construction of these school-

houses; and then I had minor plans drawn up for very extensions, and through the gendarmerie had the information sent out to provide the plans, some one to supervise the work, and such could not be obtained locally to any commune that would do the work themselves.

What offer taken up?

That offer was taken up, and Gen. Butler told me that approximately had accepted that proposition. My recollection was that some 36 or 38 started before I left.

Do the peasants down there want education for their children? I believe they do. You would have difficulty in enforcing attendance at the time, but I do believe that the peasant does want education.

It may be because they want to go to the "patent-leather" schools. I believe they want the education.

Is there any other feature of your time of command in the north that the committee should hear about?

I do not know of anything; I do not remember anything.

Gen. Butler, what was the date again, please, of your going to Port au Prince and becoming brigade commander?

I think it was the 22d of November is my recollection of it. 1916?

Yes. Now, of course, this latter discussion has gone a good deal further, you remember.

Yes; the latter part of it especially.

What of that latter part.

After you became brigade commander, what was the first event that came up?

The question of elections.

Let me ask you on that, the elections for what offices?

For the Chamber of Deputies.

And those elections were conducted under the supervision of the French? That correct?

Under the supervision of the gendarmerie and of the Haitian police. The plans had been worked out to a considerable extent—almost matter of fact—by Gen. Waller, in connection with, presumably, the Government; and immediately after Gen. Waller left I was asked to make the arrangements and they wanted to make some changes.

What the arrangements?

The arrangements.

What do you have that, will you, please?

I do not remember the details. They wanted to make arrangements, and it was a succession of desires to make different arrangements, apparently with the idea of having the Government able to carry on former activities in connection with the results of the election. In fact, on a number of occasions afterwards the President said to them to have a fair election and that we could handle the matter ourselves; that the President formerly would have been in charge of the expended money, but we would not allow that, and consequently the national assembly was gone. As a matter of fact, the conditions in Haiti prior to the occupation had been absolutely different from the person who was in power, who held the power. These changes which they suggested. General, did you agree to them?

Generally not.

Mr. HOWE. Why not?

Gen. COLE. Because I was using my best judgment in trying to get a fair, honest election as it was possible to get.

Mr. HOWE. And these suggested changes would, in your opinion, make that more difficult?

Gen. COLE. Yes. I do not say there were many of those frequent requests, probably for local conditions, in regard to the election that had been issued. There was constant calling on me for changes in one way or another, or reports of interference or of noninterference with that sort. We had to look after the registration to see that the election was conducted, and they tried to put over all sorts of things, but we tried to do them so far as they could. Sometimes they made mistakes, but we made them were rectified. Where they were not made, they were perfectly correct. We actually tried, to the best of our knowledge and belief—I know it, as far as I am concerned and as far as the country was concerned—we were working under my immediate control were concerned. Of course, answer for every man who was in the Republic of Haiti. As far as those people were concerned, we were trying to have as fair an election as we could possibly have, and I think that I can say that the attitude in every other activity that the Americans had in Haiti in 1915, 1916, and 1917, and I presume since.

Mr. HOWE. The election, then, took place?

Gen. COLE. The election then took place.

Mr. HOWE. Did it pass off quietly?

Gen. COLE. It passed off quietly, without any disorders.

Mr. HOWE. How soon after that did the assembly meet—the legislature, would it not—that you were electing?

Gen. COLE. The Chamber of Deputies.

Mr. HOWE. About how long? What date did the assembly meet?

Gen. COLE. The Chamber of Deputies met on April 2, and the Senate on April 10. Of the committee I will state that the Senators were elected by the Chamber of Deputies from certain lists of candidates, and that consequently the National Assembly was not formed until after the election of the Senate, and then the organization of the National Assembly into two chambers, and that took place on April 10.

Mr. HOWE. Between the election and the organization of the National Assembly were more than two months?

Gen. COLE. Yes; it was three months: February, March, and April.

Mr. HOWE. Now, in those three months what was the next step? What was that came up after the election?

Gen. COLE. The question of the cabinet came up in February. The cabinet was organized at the same time as the extension of the terms of the treaty for five years, the terms of the convention.

Mr. HOWE. Will you give us a descriptive outline of what was the connection with the selection of the cabinet and with the extension of the treaty?

Gen. COLE. As the result of the elections, I recommended to the President that it would be well to have a cabinet that would be in accord with the different chambers and the National Assembly along the same political lines as the National Assembly was. What later, in particular, that Dr. Herraux, the minister of the interior, was the main in any cabinet formed. Herraux had been a strong supporter of American occupation, and was known as probably the only minister in Haiti in favor of American intervention and American management. He had married a Cuban, and their only son had been killed in the revolution, and she was probably the stronger member of the cabinet. He was bitter against the revolutionary idea in Haiti. In addition to that, he was a constant supporter of the American occupation. He also, as minister of finance, was the one Haitian who was familiar with the financial situation being done to carry out the investigation of Haitian financial affairs, counting affairs of the Haitians, and to have him removed from the midst of this work going on would have resulted, without a doubt, in a decided hindrance to the work that was being undertaken. The President of Haiti, I saw Gen. Legitime, probably the best type of Haitian that I met in my sojourn in Haiti, and I think he might be able to form a cabinet of a more or less nonpolitical type of the best men in the country that would serve with the President.

difficulties. People distrusted the President, but the main thing Herraux had to remain as a member of the cabinet.

Do I understand you to mean that that made Legitime's task in cabinet difficult?

Very difficult. He said he had no objection to Herraux personally; and that he was honest, but that Herraux had the antagonism of the element of Haiti, and that he did not think that any cabinet that could be formed, of the type that had been suggested between the myself, or suggested to him. The antagonism to Dr. Herraux part of the politicians stronger and stronger, until he became, as the storm center, and with their vicious attacks on Dr. Herraux, desecrated in his being thrown aside, it would have destroyed, in my deal of the influence that we had there, in that we would have get anyone to work with us openly, because they would say, case of Dr. Herraux. He worked with the occupation, and then he stood in their way, and they calmly threw him aside." And reason, in addition to the other ones, that Dr. Herraux would as secretary of finance, and that the department also agreed to. me the question of the extension of the terms of the treaty from came up, and there was a good deal of discussion back and forth. secretary of State for foreign affairs in particular, Mr. Borno, the dominating member of the cabinet, tried to use it as a lever ons toward the appointment of Haitians in the customshouses, as agreed to there was constant delay, and the terms they made up to when they were put in writing, and the correspondence forth, and Mr. Borno, Dr. Herraux, and one other man, as I ere in favor of it. The President was in favor of it, and three of the cabinet were opposed to it.

Do the extension of the treaty for 20 years?

Do the extension of the treaty; and while it was passed on his President having voted in case of a tie, that, among other things, caused the resignation of the cabinet. Vincent left the cabinet the other five remained, and my recollection is that Dr. Herraux, carried on the duties of two departments during the time when did not been filled. The whole cabinet resigned but continued to the request of the President, until the new cabinet was formed, that the National Assembly met, or just before.

Understand, then, that the treaty was extended?

The terms of the convention were extended to 20 years. The all the discussion in regard to the cabinet was to try to get who would work with us and with the Haitian Government to rnement, and a proper government, in that Republic.

General, would you say that in this work you acted primarily as President in the formation of his cabinet?

Considered I had two masters, as it were, or, at least, I had two I had to serve the United States and I had to serve Haiti—and I did to serve the interests of those two I did.

And did you work in cooperation with the President of Haiti?

Did.

Close cooperation?

Close, very close.

General, you spoke of having two objects; that is, the interests of the United States and the interests of Haiti. Did those interests coincide or

In my opinion, they coincided absolutely.

What was the object of both of those interests?

The object of both of those interests was to establish peace and proper government in the Republic of Haiti in order that there be no use by irresponsible people for foreign complications to arise. I was building up the Republic of Haiti and improving the conditions in the Republic of Haiti it was working for the benefit of the people.

And your conception, then, of the interests of the United States and the interests of Haiti—

Were absolutely coincident.

They coincided for that purpose?

Gen. COLE. Yes. I told the President from time to time. I also told him on one or two occasions, when there were discussions between us, or something arising between us, that I considered primarily the point of view of the United States, but that the United States needed a proper government in the Philippines, whatever we were after.

**Mr. HOWE.** Why did the United States need a proper gov-

Gen. COLE. Well, in the first place, it is at our front door. The Sea is the entrance; that is, the islands of the Carribean Sea are to a considerable part of the United States and the Panamanian Republic. We can not afford to have any foreign country obtain an undue influence in that part of the world. Our policy is, and I think it should be, to do not interfere with the status quo, but that we do not permit European powers to gain any further influence in that part of the world.

Mr. HOWE. Well, was there danger of that?

Gen. COLE. I think there was danger of that. We can not have conditions to exist, or to grow, and say "Hands off" to everybody. They strew in their own juice indefinitely. France had \$100,000,000 francs invested in Haiti in the loans, and she had other sums invested in Haiti, and she had large sums invested in Haiti, and, as I have said yesterday, I believed that the European situation was the one that was active operations in Haiti by either one or two European nations.

Mr. Howe. Now, besides the United States policy, which as its following of the Monroe Doctrine down in Haiti, what the United States have?

Gen. COLE. Well, my own opinion is that its objects or objects is to bring about a state of chaos, and replace it by a condition wherein there is no chaos. Haiti could continue to exist as an independent State and perform the functions of government. In other words, I believe it has the capacity to clean that place up and establish decency down there, because it has. You have no idea of the conditions, if you have not been there, and when we landed in Haiti. The Aegean states were Paradise.

Mr. HOWE. It would sound as if you believed that one of the United States going down there was to save Haiti?

Gen. COLE. I think it was. I think that we were compelled of 1915, and having landed and found the conditions there was not anything else to be done but to say there and save. I say to everybody that I talked to that, to the very best of my belief, the United States had no design whatsoever against Haiti, but on the contrary, it had every design to maintain

Mr. HOWE. And you were closely in touch, as brigade commander, with the policies of our country?

Gen. COLE. I know that is the policy of our country; I white, to maintain it and establish a proper government. I was no idea of taking away the independence of Haiti. I Establishing an influence; yes.

Mr. Howe. And you have already told us as to what mission to be in establishing good material conditions down part of the whole task?

Gen. COLE. Yes; by task, particularly after the national solved was to do everything I possibly could to aid—not to doing it before, but that became almost the sole task—to building up a proper government. It was difficult and required. I do not know how much of an impression I even made.

Mr. HOWE: What was the next matter that came up? Was it the declaration of war against Germany?

Gen. COLE. The question of the declaration of war against Germany that was made the object of the wrath of the national as United States.

Mr. HOWE. Was it desirable or even considered necessary to declare war against Germany? That was in the spring of 1917, was it not?

(Gen. COLE. He was considered desirable. The President of desirable, though they wanted certain guaranties. When I it desirable, I mean that he said he considered it desirable. ent nation occupying a neutral country in an area where ene being conducted.

refer to the submarine operations?

As to the submarine proposition. I do not believe the stories were true, but Haiti might very well have become a base for submarines. If German ships had been able to put to sea, Haiti would have been a place where they would have tried to base. An American ship had large material interests in Haiti, a neutral ship, a belligerent, were occupying, and it was thought best to have it ally. There were good reasons for it. For instance, Haitian ships through the sinking of French ships which plied between Haiti and the United States; numerous Haitians were in the French Army as volunteers; they came back to Haiti they were received as heroes; the French was entirely French; their names were French; their French; the educated Haitian who could go to Paris to live was French, and he had every sympathy with the French; and yet, in the United States, they voted absolutely against war with Germany. What assembly?

There can be no question about it that that was the case. That declaration of war was killed in the assembly? I recommended the severance of diplomatic relations, and they went to Haiti to make claim for indemnity and so on. The question of the declaration of war came up later? In September I had a very long letter from the President, in which he took that position.

What did he propose at that time—that the assembly be asked to declare war?

I proposed that the cabinet and the council of state should draw up a declaration of war, and then it should be submitted to a plebiscite, and then everything else; and I replied to it, or advised in regard to opinion, it was entirely undesirable; that it was not necessary that if Haiti had done it in the beginning it would have had a loan. She needed financing, and I was very much in favor of it because I felt it would have assisted Haiti in that line at that time. I have a long correspondence here about it.

Must have considered, then, the conditions to be very radical between April and September?

Considered they had changed. I think the United States policy of any countries declare war against the Central Empire as possible of morale, as a matter of showing that the world was in the Central Empires. It was the desire of the United States, that as many American States as possible join in this line in. Of course, San Domingo was under our occupation. Countries took a stand, but Haiti wanted to swat us.

Was that condition had changed by September?

Considered it had changed, and that there would be no moral in the United States in the war with Germany, and I did not see how we could get any benefit from it. She was coming in with the idea of this declaration of war she could get a loan, and I did not think the conditions warranted her in that belief. I believed she needed the loan if she had gone in at the start, but when she apparently with the idea of simply getting something out of it, not good form for her to do it. As I say, I have a long correspondence about it, if you care to have me read it.

Was the military situation changed by September? It is so, is the military situation required caution on the part of the United States?

In September of 1917 the conditions were pretty well drawn at Haiti, as I remember it, occurred about the 1st of December, made the assault and were so badly broken up.

What was the result?

In December, 1917, was it not? That was the time the British made an assault, got caught there, and they were not prepared for an open assault and got smashed back.

They got pretty well pushed back by a counter attack?

I will give you my résumé, if you wish, in a few words.

Thank you would, please.

Gen. COLE. My opinion is that the motives were: (a) L the United States a loan on the ground that the country (b) desire to be placed in a favorable position, so that she the needed merchandise from the United States; (c) a m or, at least, to gain favorable consideration from France of gaining prestige and of getting an indemnity for the de armed vessels by the Germans on December 6, 1897, and : bitrary acts of Germany, including the loss of Haitian lives the present war.

Mr. HOWE. That 1897 is the correct date?

Gen. COLE. Eighteen hundred and ninety-seven. With t tion that they will be represented on the council when pe started at the end of the war. I also hear they are talk to take charge of German sequestered property, if such state of war is made, but in that I can see absolutely no from the proposed move, but, on the other hand, I see som the United States. If the declaration is made, they will e things for them, and if we do not do them as they expe the present Government will be made less satisfactory; th no aid commensurate with the expenditures that would be

It is also said that we are using our influence to press general, it would be one more thing to distract the people f ful pursuits, and would be a source of or cause for agitatio is no real excuse for such a step on the part of Haiti, an be considered as the result of pressure by us—if in the f are lost through submarine activity, then there may be re but at present, in my opinion, emphatically no.

Mr. HOWE. Did the fact that the declaration of war ha have anything to do with your determination in September

Gen. COLE. I think it had something to do with it; yes.

Mr. HOWE. Was the next important event the revision revise the Haitian constitution?

Gen. COLE. That was one of the outstanding features of t

Mr. HOWE. Then, General, can you indicate in what resp needed change, and what was done about it, or what was another narrative outline, please.

Gen. COLE. My recollection is that the thing was practi the convention, necessary in order for the United States to it was to undertake under its terms—as the constitution be very difficult, if not impossible, to get financial interes Haiti, at least without our guarantee and we could not w changes in the fundamental law of Haiti—a revision of the least, implied by the terms of the convention of August, 1 indicated by the fact that there had apparently been two sent from the United States to take up formally and Haitian Government the question of a convention between which would contain features that would require a modifie tion. Under the constitution of Haiti, as then existing, a own land. Through subterfuge, through marrying with subjects had become possessed of a good deal of land in H not intermarry with the Haitians, and the English did not Haitians. As a matter of fact, the only people who did w the French. So, under the constitution as it existed ther for a foreigner legally to own real estate in Haiti, and things that the United States Government desired to hav want to go into the exact details?

Mr. HOWE. On this land tenure?

Gen. COLE. Yes; compare the two constitutions. You ha have you not?

Mr. HOWE. We have not got those in the record, have w Mr. ANGELL. Yes; at least the article of the old constitut I read it one time in the hearings.

Gen. COLE. I can take up the comparison of the two later

Mr. HOWE. Yes; I think now, if you will go ahead and changes, besides the land-tenure one, it would be well; cha mean.

4. We desired that foreigners should have the same protection as Haitians, without exception, the difference in the preceding that foreigners were granted the protection accorded by law, the right of diplomatic intervention or discussion in case of property. It was desired that the condition of five years' residence. The intention to engage in business and to reside in the country added to the list of enterprises for which the right to hold property was required, the exception concerning diplomatic intervention to

other words, did you favor a clause in the new constitution by which a foreign landowner would, after a certain time, lose his right

does not concern what I was talking to you about over here, in the new constitution. These were made by the American minister. I had said that, this thing I am giving you. I am quoting this correction to show what the United States desired the Haitian Government to do with this change in the constitution.

provided that secretaries of state should receive fees in salary. Our country desired that cut out, our Department of State to do away with the council of state, as it did not consider it being an additional expense and, as a matter of fact, an anachronism in the country. It desired that provision should be made of judges of the court of cassation and the judges of the supreme court. This had been made for the prosecution of the secretaries of state, a procedure whereby the judiciary could be held to answer in office. It desired that article 131 should read: "and the liquidation of the accounts and of the general administrative officers responsible to the public treasury should be determined in the place of having it in the constitution, 'On confirmation of accounts,' which was the prior constitutional provision." The three articles—132, 133, and 134—that it desired to be

added to justices of the peace being named by the President of the Republic under certain conditions.

desired judges also, judges of the court of cassation, the removal of judges and the fact that they could not be removed from office by legal forfeiture, a judgment, or suspended only by an act of Congress. They could not be retired.

Article 135, provided that the appointment of judges of the peace should be by the President.

These were apparently not considered proper in there, and the government eliminated.

He desired that foreigners should enjoy the same protection as Haitians, without exception, and besides that the right shall not be claimed for indemnities for wrongs or losses sustained by them.

He did not get that quite clearly. The proposed change was to allow them to claim indemnities?

The proposed change to the article followed substantially the same as inserted in the constitution an article similar to the one in the Cuban constitution, ratifying the acts of the United States in military occupation—a very important provision.

Protecting property rights and everything else vitally?

Protecting everything. Practically everything that had been done in Cuba by military forces in Cuba could be set aside.

There were not—

There were not—

Such a provision in the constitution?

Such a provision in the constitution, an absolutely essential one as was made in the case of the Republic of Cuba.

Not that essentially for the good of Haiti?

Essentially for the good of everybody—Haiti and the United States should know where he stood.

You find more objection to some of these proposed changes

but I did not have anything to do with them other than to say that I did not think I did very much in that, as a matter of fact,

the revision of the constitution, so far as that was concerned with the President and in discussions with the different members of the cabinet and the Chamber of Deputies, I gave very careful consideration to the wishes of the United States and I take any particular part in that particular feature of it. between the State Department and the Haitian Government.

Mr. HOWE. Now, let me just ask you this question. What was the attitude of the Assembly toward these changes?

Gen. COLE. The attitude of the Assembly was very hostile.

Mr. HOWE. To the United States?

Gen. COLE. To the changes and to the United States. I was particularly hostile, and this, I think, was something that they had in the question of land tenure they were afraid of; there was a fear. The question of ratifying the acts of the occupation, the military forces, martial law, the decisions of the military courts—

Mr. HOWE. They were very reluctant on—

Gen. COLE. They would not do it. They did not want to have that set aside, and it was absolutely essential.

Mr. HOWE. For the best interests of Haiti?

Gen. COLE. I think for the best interests of Haiti.

Mr. HOWE. How about foreign land tenure? Was that a question of Haiti?

Gen. COLE. I think so, with certain reservations to the United States.

Mr. HOWE. You mean for the protection of the rights of the United States?

Gen. COLE. For the protection of Haiti. That was a question that was carefully considered by Admiral Knapp, Mr. Myer, and the committee. The question of the form in which the constitution was finally passed.

Mr. HOWE. Of what we might say was the new constitution?

Gen. COLE. Of the new constitution.

Mr. HOWE. As distinguished from this attempt to revise the constitution?

Gen. COLE. As distinguished from this attempt to revise the constitution.

Mr. HOWE. Now, General, some little time after that the constitution was proposed, or dissolved?

Gen. COLE. I think if I gave a short résumé of the constitution it would be well. The council of state prepared a constitution. That project was presented to the national assembly. It was presented to the American minister, who also took it up with the American government. The American minister, after having the constitution of the United States, I presume, communicated with the Haitian government. There was considerable correspondence with the Haitian government. The Haitian government, I always thought, deliberately spilled the beans. They took this constitution and sent it, without comment, practically, to the national assembly, saying, "Here is not our recommendation, but here is the result of the American government. It amounts to dictation from the United States. Now, see if you can do better." There is not any question in my mind but what that was a malice aforethought, and it certainly did raise a rumpus. The Haitian government naturally got angry, because it was inexcusable to do that. They just simply shot this thing over to the national assembly. They really made them all the madder.

Mr. HOWE. That result is easily understood?

Gen. COLE. I think so. They just simply would not pass the constitution considered necessary. The United States had things had to be done to carry on the work it had set it. It was their wish that a constitution which was absolutely a expressed wish of the United States should not be put in.

(Whereupon, at 1 o'clock p. m., a recess was taken until 2 o'clock p. m.)

#### AFTER RECESS.

The committee reassembled at 2.30 o'clock p. m., pursuant to adjournment.

Mr. HOWE. Mr. Chairman, I will present certain testimony in written form, in the shape of a continuation of

understanding, I believe, when he was last here as a witness. This is the understanding that later on, if cross-examination is deemed examination, Admiral Caperton will be recalled. This is a new 75 typewritten pages.

referred to was printed as a part of Admiral Caperton's original

general, I think at the end of the morning session we had arrived here you were going to describe the prorogation or dissolution of the assembly. Will you give us an outline of that?

There were a number of conferences with the President. The conferences with the leaders of the national assembly, the Senate and the endeavor to come to some amicable arrangement, but apparently failed. The President had from time to time intimated or stated that it would be necessary to dissolve the national assembly sooner or later. He had asked me what attitude we would take, and I told him that on what developed; that at the times he had spoken before, in the time was not yet ripe for any such action.

I have a comment on that question which I wrote at the time, probably express my opinion better about the thing than I could

Will you read that? Is that your idea?

Yes; I thought I might do that, if it is agreeable.

On the 17th, the President asked me to come and see him at 10.30 a. m. I went to see Dr. Herraux. He stated that the national assembly did not seem to be in accordance with the desire of the United States in regard to the constitution, and that the opponents to the Government of the United States are apparently endeavoring to prevent, by means of a session of opinion of those favorable to the Government, and to prevent a free discussion; that while he was trying, he did not seem to get very much done, and wanted to know what attitude the Government would take in the matter of the national assembly falling to the wishes of the United States. I told him that I was keeping the Government informed as to the conditions here; as to the national assembly, and as to the various happenings; that I was making a long and fairly detailed report as to the general condition of the country, and particularly as to the present situation, and that the report must now be in the hands of the State Department, I also told him that my Government felt that Haiti should have every opportunity for capacity for self-government, and to actually govern herself; that it considered that the national assembly should be given an opportunity to show that it was capable of relieving the actual state of the country or incapable of performing its duties in such a way as to aid in the proper Government in this country; that there were a number of agreements which required the approval of the national assembly, and that the assembly showed that it actually was not going to approve them, it would not be wise to have recourse to drastic action, perhaps there would be no assurance that another body would be any more successful, and in the meantime things most necessary for the development of the country would be held up.

The interference of which he spoke, I suggested that he endeavor to stop playing politics and come out in the open in favor of the things he was supporting, and to demand their rights to be heard; that if power had apparently been in his hands, and that if they had been heard they could force the opposition to act in a reasonable manner. I told him that when disorder was feared before, the presiding officer had ordered for gendarmes to preserve order and that as soon as additional troops were asked for they would be furnished, and in sufficient number for the chambers of spectators if necessary.

In regard to that.

That conversation which you have just spoken of took place about the actual time of the dissolution of the assembly?

Fourteen days, two weeks.

What then developed?

The report of the committee to the national assembly to prepare the constitution provided that only Haitians could be landed proprietors or citizens. They stuck to their safeguard that foreigners could enjoy no rights provided by law, etc.

Mr. HOWE. They stuck to that—continued it?

Gen. COLE. Yes; they stuck to that.

Mr. HOWE. Just what was that you referred to; they stuck to that foreigners—

Gen. COLE. Should have the protection accorded them. States' demand was that foreigners should have the same protection to Haitians, and they stuck to the provision that they should have the same protection provided by law.

Mr. HOWE. What was the difference there?

Gen. COLE. What was the difference?

Mr. HOWE. Yes; between the two classes of protection?

Gen. COLE. Well, the one class of protection to foreigners gave them the same rights and the same protection under Haitian law as the law gave the Haitians, while under the provisions of the constitution it gave them such rights only as the national assembly in making might see fit to grant them.

Mr. HOWE. As a matter of fact, was there a different protection provided by law?

Gen. COLE. There was. It was practically impossible to get justice in the Haitian courts.

Mr. HOWE. That word "protection" applied to more than their lives?

Gen. COLE. I mean in litigation and things of that sort. There was no chance in a Haitian court unless he was able to buy it.

Mr. HOWE. Was he discriminated against in the constitution?

Gen. COLE. Offhand I would say yes; decidedly.

Mr. HOWE. So there was more than a distinction in language of protection?

Gen. COLE. Oh, yes; it was considered very vital, and it was vital myself.

Mr. HOWE. And the assembly stood by the existing protection?

Gen. COLE. Yes.

Mr. HOWE. And would not change it?

Gen. COLE. And would not change it; and they would not have the notion of ratifying the acts of the occupation and the military law. I had reported the final project that the national assembly proposed to put through and I received instructions to execute and prevent the passage of such a project.

Mr. HOWE. You have given us an outline of that project?

Gen. COLE. Yes. Now, here is a report that I made on the subject. "Antagonism national assembly to foreign ownership law. I can influence such that no endeavor I can make short of that will prevent passage constitution along lines reported on. I discussed matters fully with minister and Gen. Butler. Support of Haitian Government that, in opinion our Government, constitution of national assembly will make impossible to bring about results of articles 1 and 14 of treaty, and consequently our Government will not support such constitution. If national assembly refuses heed such constitution necessary to dissolve assembly to prevent passage. The Haitian Government should be increased by at least eight full companies of troops that may follow dissolution assembly. See paragraph 16 of memorandum." Mr. HOWE. Did you anticipate trouble when you were at the assembly?

Gen. COLE. I did not anticipate it, but I was prepared for it. It would create trouble. I did believe this: That it would be more than the dissolution of the entire Haitian Government and the establishment of a military government there, because, on account of the fact that the two elements, if both were suppressed each would be the fall of the other, but if one went down, one would be sore.

Mr. HOWE. For surviving?

Gen. COLE. For surviving.

Mr. HOWE. You refer to the executive and the legislative?

Gen. COLE. Yes. The President had sent me a memorandum and I went to see him in regard to this memorandum, and he made in connection with the constitution. I went to see him in regard to his memorandum and discussed matters with him.

of the conversation I learned a number of interesting things. In this memorandum I told him that it was necessary, before it was further considered, to follow out its results to an ultimate conclusion. I admitted that if the people decided, in the election proposed by the constitution prepared by the national assembly that the United States were willing to accept such a constitution and was Haiti should remain in its present primitive and disorganized condition it would be necessary to suppress the national assembly. He also stated that if the result of the elections was to reject the constitution of the national assembly the fact that the national assembly would have that attitude and that it would still, in his opinion, stick to its position, and that if his suggestion that other representatives be allowed the consequence would be either two assemblies, each legally elected or that the present national assembly would be dissolved.

He stated that he could do nothing without the complete support of the United States and that his real belief was and is that the national assembly should be suppressed. As I have reported on a number of occasions I have no doubt in my mind but what the President has consistently held that end. He stated that, in his opinion, the dissolution of the national assembly was absolutely the only method that could be followed, and that he had the approval of the United States before he could take any action. He also stated that at no time, as he believed, has this country been able to elect a proper national assembly, that the elections were controlled by a few politicians, and that the vast majority of the voters had voted for what they were voting for, but were simply brought in and manipulated by their friends, having received money for such votes. In his opinion the only government by Haitians that would be acceptable would be one of a President, with a council of cabinet ministers and a council of state with legislative powers; that such government would be a constitution in accordance with the ideas of the United States, and that he would like to see the country and carry on the government under such conditions as the country had gotten out some of the influence of the politicians and had been able to realize by actual experience the benefits of the various changes in the constitution that were suggested by the United States. He stated that such a government had been carried on in Haiti and that if the experience with the last and the present government was a criterion of the capacity of a Haitian national government, he quite agreed with him as to the undesirability of such an

government. He stated to him that while the present system seemed to be demonstrably a failure, that for a year the system proposed by him had been in operation and had not been a success; that if such system were continued, in order to reach a conclusion it would be absolutely necessary that the political element be discarded and a cabinet and council of state formed of people of ability who had not been active politicians, and, above all, men of the reputation of being thoroughly honest, so that the educated country would realize that the Government was composed of men working to benefit the country and not to fill their own pockets at the expense of the country. I stated that the council of state had been composed of all politicians, and that they had not been able to control the country, and further, that if such experiments were continued and found lacking there could be but one result, the administration of Haiti by Americans until such time as the younger generation was able to take over in public affairs. He stated that he realized this fully and that the United States Government were permitted that he would make no appointments of state or to the cabinet without the express sanction of the United States Government, and that, in his opinion, such a government would be successful. He further stated that he would emphasize the importance of the various departments, particularly of agriculture and education, as would be necessary to place these departments on

He stated that since he had become President many people who were his friends, became his enemies; but that outside of the political element, numerous friends of high standing in all parts of the country, were now his friends and he could get good citizens to work with him. As to this

I am somewhat uncertain, as the President has been in p years, and I do not think he is particularly well or favo other parts of the country than Port au Prince and his hor

In discussing politicians he stated that the reason why the United States influence was so bitterly hated by the they were prevented from getting their livelihood from th ing that in former days all of the principal politica enough money out of the public funds to enable them to t their families to Paris each year.

In discussing article 6 I stated that from the instruct I had no doubt whatever but what my Government woul or to accept a constitution similar to the one now bei national assembly, and I referred to the fact that his brothe the right of foreigners to own land, and the President expl Prior to the first meeting of the national assembly to vot tion he had had a meeting of his friends and that one-ha and one-half had been opposed to the right of foreigners t had information that payment was being made by those o to have people in the chambers to howl down any attempt of the ownership of land by foreigners, and, consequen keep his supporters lined up, he had suggested or stated as they pleased, and consequently his brother, among o favor of denying foreigners the right to own land. I remi gession, when he had referred to paid people being pre assembly chamber while voting was going on to intimid was a game at which two could play; that we would p force to maintain order in the chambers, and that aggr part of government supporters would have resulted in a cerned.

I think, possibly, it would be well to explain what t means. On one or two occasions, when they had feared di of the chambers had asked for additional gendarmes to and we had furnished them, and that was what was in ticular case, and if they asked for additional protection disorder or asked for protection, that we would furnish it.

Mr. HOWE. Was that request made in this case by Vinc Gen. COLE. Certainly not. If it was, they were provide This was something the President was stating. I further trouble lay in the fact that most of the Government support in an aggressive manner; that they were all afraid of t Port au Prince and that they would do nothing to oppose antagonistic both to our Government and to their govern that when the convention was passed he had adopted the claimed had been recently adopted by the opposition, but money to practice, he was unable to follow that practice.

This is one of my reports.

Mr. HOWE. On that situation?

Gen. COLE. Do you want that?

Mr. HOWE. Yes.

Gen. COLE. I had an interview with the President.

Mr. HOWE. Dated?

Gen. COLE. The 16th.

Mr. HOWE. June 16?

Gen. COLE. June 16.

"Had interview, President, who stated his suggestion, to people reported my 16014 Marcorps would only result in dissolution national assembly, as it will not grant foreig He stated Government supporters in assembly were even foreign ownership and feeling certain of defeat, and to a demonstration, meeting assembly, his brother and others v ownership lands, this apparently with his consent. He assembly and Government by cabinet, with council of S powers, the latter to prepare and Government to promulg meet our views, such form government to continue until cou and ready for self-government. He will promise anyth ditions as stated, paragraph 16, my report May 17. Asse through constitution."

at developed after that?

June 18 I notified Washington, "Unless contrary instructions necessary to prevent passage proposed constitution, I intend dis-assembly, through President, if possible; otherwise direct."

s that proposal of yours approved?

was approved and it was disapproved.

plain that, will you please?

ate Department is dispatching a message to Hatian Govern- to this matter, which also refers to the changed aspect of the he break in diplomatic relations with Germany."

at is the date of that?

t is the 16th of June.

m the State Department?

m the Navy Department. "The department vests you with power. Endeavor to accomplish end desired without the use

whole of that message:

essage received evidently intended for Port au Prince. Brigade's partment is dispatching a message to Haitian Government in atter, which also refers to the changed aspect of the question, in diplomatic relations with Germany." (Haiti had broken her ons with Germany.) "The department vest you with full dis- Endeavor to accomplish end desired without the use of mili- knowledge."

had been concluded that the assembly would have to be dis- have been on the 17th—and the President was to draw up and decree dissolving the national assembly. He was to give me a mine. I did not get it. I got it on the morning of the 19th, m or having gone to him, I do not remember which, personally s informed that it had been signed, the original, or was being the meantime drawn up a proclamation of my own, which I nto effect in case the President did not exercise his powers as not want to use our military force, as it was contrary to the ted States, but it was ready to use in case it became necessary. was a proclamation to dissolve the assembly?

dissolve the assembly.

at you had prepared?

at I had prepared myself. That was prepared and in my pos- use in case it became necessary.

it is to say, in case the President did not dissolve it?

case the President absolutely refused to do it. Suppose I read e 19.

ink that is very important.

une 19, 1917. Early this morning the President sent a message posed to go to the national assembly and, in a secret session,

It was absolutely essential that they pass a constitution which e recommendations made by the Government of the United proposed to make this visit about 10.30, after he had received nister and Capt. Anderson, commanding the patrol force. I r no objection to his endeavoring to get the assembly to change I would communicate with him later.

iser and discussed matters with him, and then went to the he President. I informed him that some time ago he had re- consider the question of dissolving the national assembly, but ed him that, in my opinion, the time was not quite ripe. Yes- rmed him the time had come to dissolve the national assembly agreed and informed me that he would furnish me, either last rning, with copies of the decree for my consideration. Prior ulgated he immediately gave me the decree; copy appended."

seem to be particularly good sense.

resident what he expected to gain by seeing the chambers, and had hopes that all the suggestions of the United States would be national assembly with the possible exception of the one of the occupation. I told him that the constitution of 1839, in ph of its one hundred and ninety-second article, had provided es and acts made by revolutionary committees were ratified,

and that I considered that the new constitution of Haiti ratification of his decrees and of the acts of the occupation that the end desired could be accomplished by agreement tries formally ratified by the national assembly. I informed him, in my opinion, no constitution could possibly be accepted which was not in accordance with the one prepared by the council of state and which I had sent to the State Department for consideration, with modifications in accordance with suggestions of our State Department. In the meantime, that, fearing he might be insulted, he decided to send for assistants of the two chambers in place of going to the meeting himself. I informed him that the decree should be in readiness for delivery, so that in case any tricks were tried by the nation it could be met by an immediate delivery of the notice of dissolution. The American minister, with Capt. Anderson, was entering the hall when the son was received with honors of a vice admiral.

"Immediately after the American minister had left the hall I saw the bureaus of the national assembly, after which I went to the meeting place of the national assembly, when the national assembly held a secret session on the second floor of the building, the session lasting one-half hour. After this they came downstairs and resumed the session, starting in at article 104, where they had left off. Gen. Zamor then attempted to speak, starting his speech by saying that while he could not divulge what had taken place in the secret session, he considered that people should know what the situation was, and that for the national assembly to attempt to pass a constitution which could not possibly be accepted or put into effect. At this point several various members interposed to such an extent that he refused to continue. Afterwards it became apparent that the chambers were endeavoring to pass a constitution through. I sent Gen. Butler to the palace to see the president after his arrival there he reported that it had not been possible to find the cabinet members could not be found, but that he had directed a search for him. I had told Gen. Butler that, in case he could not find the decree, he was to be informed, as coming from me, that the national assembly myself and would recommend the election of a new temporary government. The President then signed the decree of dissolution. Afterwards it was reported to me that the national assembly was endeavoring to pass the whole constitution by skipping articles, so I sent immediately a gendarme officer at the meeting place of the national assembly to prevent by force if necessary, any further proceedings. The president then signed various articles and endeavored to declare that the constitution was passed. I directed that the doors be closed with the members on one side. The missing secretary of state was found; he was brought in. I directed Gen. Butler to proceed immediately to the national assembly to deliver the decree to the President of the assembly.

"The president of the assembly refused to accept the decree. I directed it to the assembly as it was not delivered to him by the president. He then thereof, announcing that he had a message from the president, but did not know what it contained. Gen. Butler then took the decree to the national assembly, and directed, in accordance with the instructions, the chambers be cleared and members and spectators be released. The chambers had been placed at the entrances to the chamber, and no further proceedings. The deputies or senators will be recognized nor, if practically possible, the event they stand dissolved and no meeting of any consequence. The decree was taken place and then only in some private place."

Just prior, I think a couple of hours prior, to the dissolution of the assembly I was at the legation with the American minister and his assistants and patrol forces, and just about that time, after we had decided that the dissolution was necessary and must be done at once, a messenger came to the legation and stated: "Take no action until arrival of State Department. We have no knowledge." There was nothing else to be done but to wait. The assembly dissolved and it was done.

Mr. HOWE. Did Gen. Butler clear the hall, the legislators, did he strike any difficulty in that; do you know?

Gen. COLE. As far as I know there was no clash whatsoever.

Mr. HOWE. This report which you have just read was given by the American minister, did he see Gen. Butler, after the dissolution was accomplished?

Gen. COLE. Yes.

Do you know whether or not Gen. Butler was personally armed down there?

I do not know; I would presume that he probably was.

What do you know?

I do not know. He may or he may not have been.

Do you know whether there were gendarmes inside there?

I think there were.

Do you know why they were there?

To preserve order.

Do you know if they had been requested by the presiding officer?

My recollection is that they were invariably there.

Do you know whether they had been requested?

On that specific occasion I do not remember.

Had they been on previous occasions requested by the presiding

officer to keep order?

There had been requests made on previous occasions for extra men to preserve order.

Was a request made by the presiding officer?

I think, as a matter of fact, there was probably a request made that there be extra men there to preserve order.

Well, then, General, to sum this up, the assembly was dissolved? The assembly was dissolved?

By the President?

By the President.

Were you were prepared, in case the President did not take that the assembly dissolved on your own orders, and in that you had the approval of the department, with the exception, perhaps, of that last dispatch and do I understand that that was received so late in the day that it not be changed?

It was received so late that we could not change our plans. If our usefulness there would have ended then and there.

Was that received before or after the President signed his

proclamation? I would say it was received after he had signed his proclamation.

Was it after it had been decided that the dissolution was to take place? It was received just a few minutes before the assembly

actually took place in the chambers. If I had gone to the telephone, or messenger, or automobile, I could have stopped it.

Could you have stopped Gen. Butler?

Could you have stopped Gen. Butler.

From delivering the President's proclamation?

Yes.

But you could not have done that unless you had acted quickly?

It was not a case that could be done. I had to take the responsibility of carrying out what I considered the best thing to do, being on

the scene. Were there attempts after that, on the part of the assembly, to

do anything; it passed off as quietly as you please.

Did they did not gather in other places and attempt to function?

No.

From that time on until the end of your tour there were there any serious crises?

No; no more. That ended it.

Then how would you characterize the remaining months of your tour? Were they tranquil?

Yes; very tranquil.

And how was the time used?

The time was used in building up, to the best of our ability, the government, and improving conditions?

During all your tour there did you hear of any Haitian prisoners of gendarmes or marines?

No.

And, to the best of your belief, during your tour were there any serious

occurrences, to the best of my knowledge and belief, was there a prisoner who escaped at Fort Liberte, or at Ouanaminthe.

sometime in 1916, and a considerable number of prisoners escape was discovered, and I am of the opinion that on the time of that escape, by a guard who saw him getting a

Mr. HOWE. He was in the act of escaping?

Gen. COLE. He was in the act of escaping, one of a cons had broken jail. They had started to tunnel and gotten the prison, without being seen, but some were seen just and my recollection is that one may have been killed at would not state for certain.

Mr. HOWE. General, during your time down there were the American occupation and its forces, and the people country, happy?

Gen. COLE. They were all given to understand that it v make themselves so persona grata to the Haitians and ment, that they were on their toes to do it, and they did the country, and they made their influence throughout the

Mr. HOWE. Now, in addition to this influence of the people of the country, in addition to the steps taken to pr and to internally upbuild the country, could you say tha resulted in the increase of the wealth of the country in t sense?

Gen. COLE. Taking the end of 1917, when I left there; ye not believe, had been as prosperous as it was in the fall of The country people, the peasantry, were far ahead of a ever had before. However, that did not apply so much to nor did it apply to the political class, for the reason on the class that they did not have the pickings, and on the pe class that the war and the suspension of water transport affected their business, and they could not get material, siderable difficulty in regard to that. But we had absol confidence, I will venture to say, of 95 per cent of the cou On a number of occasions it was reported to me by priests had seen country women kneeling down beside the ways God that the Americans were in Haiti.

Gen. Butler and I took the President and a number of cabinet out to a place called Morne a Cabrit, 20 miles outsi on the top of a mountain on the road to Mirebalais, to that was going on, and while we were there a number o women with their produce came by, and I said to the Pre and your minister of public works go off there by yours of those women and talk to them about what they think o American occupation, and the work they are doing." And that they all thanked God that we were there.

That was the attitude of the country people almost enti There is one phase of the work that was done that I thin bringing up, and that is the improvement of the communes found from time to time that probably one-tenth of the collected by the communes were being accounted for; that t being collected still, but that there were never any such been collected accounted for by the communal books, and sions, owing to the absence, the enforced absence or long t rate of a commune, we had placed officers of the gend affairs of the communes, upon the request of the President occasions it developed that, under the law, collecting hin the magistrate was supposed to collect, approximately was collected, sometimes at least 1.500 per cent more, ticularly good case came up, the matter was taken up and he eventually signed a decree making the gendarme of the finances of the communes, each district commander, and represented the central government in the commun funds were collected, etc.

Mr. HOWE. Did that work well?

Gen. COLE. It worked splendidly.

Mr. HOWE. Did it cause any friction?

Gen. COLE. It caused the resignation of the magistr Audehemar Auguste, but generally no friction. There were out it straightened out, and the funds were properly accom

communes was simply beyond belief. It was not accepted in one people. They found that the President stuck to it in one took it up with M. Menos, who was the Haitian minister, and he made complaints to the State Department, and the Government took it up with us, and I took it up with the President. M. Menos had acted entirely without his authority; and on his own initiative entirely, without any authority from the Government was thoroughly satisfied with the way the question was working. There were one or two complaints from the cases, it being shown to the President, to his entire satisfaction of the minister of the interior, that the reports that were misleading reports, and not correct.

Is there anything else down there that you think we should mention, that you have not covered in your testimony?

There is that question of martial law that has not been spoken of very little.

Will you make comment on that, please?

In my opinion, until the Haitian courts have been entirely replaced by an entirely improved government exists in the Republic martial law must continue. It certainly must continue so long as there are there under anything like the present conditions. It has been very heavy on the innocent; it has not weighed heavily on the poor; it has weighed heavily on anybody, except on their fears. There were several provost courts were resorted to. There was one occasion when in a purely Haitian case.

Will you describe that?

A man died, leaving two sons, and also leaving some property. A dispute between the two sons as to a division of the property, not friends. One brother sent to the other brother and said try to settle up, so the other brother went to him, and he was with the other and the brother's son, and then his wife and child were they came, and for a period of approximately 12 hours, in the presence of the child, the man was gradually tortured to death by beatings and bleedings, and ligatures—tied to a tree. It was a very atrocious, deliberate killing of a brother. The matter was referred to the local judicial authorities, and the man was released. The gendarme officer took it up with the next authority, and was informed that nothing could be done in the case was ended, he having been released by order of the chief. The matter was reported to the chief of the gendarmerie, and to my attention, and I took it up with the minister of justice. I said that a condition of that sort could not be done, and they took it up with the commissary of the Government. He I directed that the man be arrested. They said that there could be done. I said, "Very well, then, this is a case I refer to before a military court," and the man was tried before a court and sentenced to confinement. After that was done, a short time the minister for justice said he thought they could deal with the case they had made a mistake; they said they could not deal with the case after some discussion between the minister, the President, and the minister asked for jurisdiction of the man, I told them that I would have the man serve under the sentence of the Haitian court for the sentence of a military court; that it was a Haitian case, but I did not propose to allow the man to escape if they would prepare the proper legal papers in his case for him to trial before the proper Haitian tribunal, that in case it was proved in accordance with the evidence, the man would then be a Haitian prisoner, but, so long as I remained in Haiti, and in my opinion, as the American military authorities remained in Haiti, he would have to remain in jail for the length of his sentence; he could not, having become a Haitian prisoner, be immedi-

Was there anything that they feared, but it was something that did not happen very often; very, very seldom. The newspapers generally believe pretty well. The only case in which I remember of having a trial before the provost court was immediately after the

dissolution of the National Assembly. The same day the assembly was dissolved I gave Gen. Butler a notice to deliver papers that there should be no comment on this particular public opinion, and all the newspapers carried out those instructions.

Some two or three days later a Government newspaper made a vicious attack on the National Assembly, and I had the editor brought before the provost court, and he was tried and placed under a bond for his offense. Incidentally, it looked very much as though it was written by Dr. Heraux.

Mr. HOWE. What was the attitude of the Haitian courts toward this action?

Gen. COLE. They were opposed to it; they did not want to do it.

Mr. HOWE. Do you know about the case which has been made for the presentation of a check for gourdes?

Gen. COLE. Well, I know something about it.

Mr. HOWE. It was testified here, General, that a Haitian called for the payment of gourdes at the bank, and he was refused payment, whereupon he brought suit for the amount of his check in gourdes and punitive damages. The plea of the bank was that it was forced to take that action—because of the occupation—and thereafter the court of cassation took that plea and upheld the action of the lower court in finding against the bank. Do you know who of the American officers ordered the bank to do this?

Gen. COLE. I think Admiral Caperton. My note states that he was the one who acted in this case; that acting under an order of Admiral Caperton, with a view to preventing speculation in gold and gourdes, and the correction in the rate of exchange, the bank made payment in gourdes for five for one for a check drawn in gold. This was a check drawn for \$100,000.

Mr. HOWE. Drawn in gold means in dollars?

Gen. COLE. Yes. Mr. Francis—his name is Francois—brought the case against the bank and attempted to execute the judgment. I issued an order that judgment could not be executed and that no interference with the bank on account of this case would be permitted.

Mr. HOWE. Then I got my question hind part before the bank was for.

Gen. COLE. Mr. Francois made decidedly objectionable suggestions to this, against the occupation; and I was very much inclined to go against him, but finally decided I would not, as he was an American of reputation of being quite irascible and was apparently trying to make a martyr, and I thought the best thing was simply to let him be taken to put into effect the decrees. I took it up with the bank and he could not do anything, of course; it was beyond his power. The order of justice said it was beyond his power; but as it was done under a direct, positive order of Admiral Caperton, as far as I could see, I could do but protect the bank. I have considerable papers about this case. I can give my instructions, if you would care to have them.

Mr. HOWE. Let us have those.

Gen. COLE. This is to the financial adviser, dated April 28, 1917.

"Referring to your letter of April 26, 1917, with inclosure, I am informed that one J. B. W. Francis has caused a summons to be issued against the 'National Banque de la Republique d'Haiti' through the 'National Tribunal' to appear before the tribunal civile of Port au Prince, to produce the original or copies thereof, and to show cause why certain fines or damages should not be imposed against the said banque, you are informed that the action on which this complaint is based was performed by the agent of Admiral Caperton (in whose name the account was opened) whose orders the funds concerned were disbursed) and his orders, this case does not fall within the jurisdiction of the civil courts and consequently that no judgment of the civil courts against the banque can be permitted to be executed, nor will any interference of the banque on account of this case be tolerated. I have accordingly instructed the banque accordingly and instruct it to inform this office that it will not attempt to interfere in any way with its operations on account of this case. Also instruct the banque to keep the plaintiff in this case. Also instruct the banque to keep the plaintiff informed of the further actions of the plaintiff and to report to this office."

think that probably is all that is really necessary about the facts

the court withdrew a part of its decision against the occupant of the fines against the bank, but they stuck to something else, put into effect.

In other words, the effect of that direction of yours was to disregard and decree of the court?

To set aside the decree in the civil court. That would be an abuse where it was necessary to have ratified the acts of the occupation of Haiti by the constitution before we could withdraw. That is a case in point.

Mr. Chairman, I understand that Mr. Angell would like to suggest some witnesses to the committee. I told him that I hoped they would be called by the committee at its own instance will probably be examined by the end of Tuesday morning's session of the committee—that is to say, on the 15th of the month—and he, I think, will submit to the committee the names and addresses of some witnesses that he would like to have called.

All of these names, I believe, have been already given by me in a letter to Mr. McCormick, at his request, as far back as August, the time I came down here from New York to go over with me the names of the witnesses and the general procedure, and these were the names that I submitted at that time.

Q. Do you think that he had better give a list of them for the committee?

A. That is the point. You will probably not have time in the two days before we start down to Haiti to examine all of these witnesses.

I suggest, in view of the limited time at the disposal of the committee, that only two or three or possibly four of those be heard, and that the committee be particularly anxious to have the testimony of H. R. Pilkington, whose address is care P. W. Chapman & Co., New York City, or, if he happens to be away from New York, that he can be reached in care of P. W. Chapman & Co., Chicago.

I would like very much to have the committee hear the testimony of one Mr. Johnson, at 110 Crawford Street, Roxbury, Mass., care E. Levy, and also of Charles A. Burrows, 253 Belgrade Avenue, Roslyn, N. Y., and Mr. Johnson, 70 Fifth Avenue, New York.

Mr. Johnson and Mr. Johnson would come simply on any informal request to the committee or its counsel, Mr. Howe. Zurckerman is a young man, and he told me he could not get away without serious preparation with his employer unless he had some kind of semi-official position with the committee.

I would suggest a telegram from the Sergeant at Arms.

Yes; some such form in his case. I do not think that will be the case of Mr. Pilkington and I am sure it would not be necessary of Johnson, but I would suggest that a similar telegram be sent to the Sergeant at Arms to Burrows.

Which would you rather have, Johnson or Burrows?

I can tell that better when I get back to New York to-morrow. Johnson has to say, in substance, but I do not know what Burrows, although he has promised to write me and give me an outline of his testimony will be.

Q. You take that up with Capt. Angell, Mr. Howe?

A. Yes; I will take that up.

If in the meantime I may have Pilkington and Zurckerman with me, when I get back to New York to-morrow morning I will be able to tell you whether I would prefer to have Johnson or Burrows, as the case may be.

The committee adjourned until Monday, November 14, 1921, at 10 a. m.)

STILL LIFE

## ON OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

MONDAY, NOVEMBER 14, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO.  
*Washington, D. C.*

met at 10.30 o'clock a. m., pursuant to adjournment, Senator  
presiding.

Mr. Oddie.

Mr. Walter Bruce Howe, Mr. Ernest Angell, and Maj. Edwin N.  
in their respective representative capacities as hereinbefore indicated.

**OF BRIG. GEN. ELI K. COLE, UNITED STATES MARINE  
CORPS.—Resumed.**

You spoke in the early part of your direct testimony, General,  
statements relative to Cape Hatien and the Cacos of the north, and  
the Cacos. What was the distinction in your mind in using that

the good Caco was by force of circumstances a member of the,  
the revolutionary forces, and between times was engaged in his  
usually that of small farmer, while the bad Caco was intended to  
people who, from one cause or another, had become objectors to  
when not engaged in revolutionary activities prefer living on the  
to work performed by themselves; and in general it included  
by armed robbery.

Were the Cacos who refused to surrender their arms and accept  
in the fall of 1915 thereafter regarded as bandits by virtue of the  
usual?

Only during the period when they remained under arms. After  
Fort Riviere was finished we did what we could to get people  
their homes and reestablish their farms; and it was our general  
policy to action against other than a few of the higher leaders, except  
people who still continued in bands under arms and were scouring  
the country, in particular market women, their best prey.

Well, up to the time of the capture of Fort Riviere were those  
who remained under arms regarded as ipso facto bandits and  
occupation?

They were. They were regarded as bandits, because their leaders  
at a formal convention for the delivery of arms and the return to  
their followers; and these people had disobeyed not only the  
leaders, up to and including the very highest, but they had taken  
in the announced determination of carrying on a war to drive us  
subordinate must in civilized warfare follow the instructions of  
him in the military hierarchy.

Were those operations—I am speaking now of the operations in  
which concluded with the capture of Fort Riviere—regarded by  
us as practically warfare being conducted by our troops against the

us; absolutely.

You spoke in considerable detail of the conditions at Cape  
summer and early fall of 1915 and of the work that was under-  
military forces under your direction, such as cleaning up hospitals,  
sanitation, and public utilities generally. From what sources were  
in those works derived?

Gen. COLE. Almost entirely from funds allotted me by the senior naval officer present, through Col. Waller, the senior military officer on shore, although some small sums in the treasury of the commune were used to make payments for communal purposes and to make payments, as I remember it, for communal building or buildings. But the amount involved was very small, the funds being turned back as soon as the administration was formed at the Cape.

Mr. ANGELL. Were those communal funds seized by you or others under his direction or your direction? In other words, were they made available for expenditures by the military forces?

Gen. COLE. There was no Haitian official of any authority found that there were funds belonging to the commune in a very precarious position, and—

Mr. ANGELL (interposing). Were those funds on deposit?

Gen. COLE. No; they were not.

Mr. ANGELL. They were in specie?

Gen. COLE. They were in specie, in a very insecure safe building, and in charge of a man of whom I was somewhat doubtful. Those funds were placed in the bank at Cape Haitien, and for them, and an account was kept of all funds that were received from the communal administration and were turned back.

Mr. ANGELL. Were the funds in question deposited by your orders and in your name?

Gen. COLE. They were, as I remember it, deposited by me in my name, as representing the commune of Cape Haitien.

Mr. ANGELL. Do you remember the approximate amount?

Gen. COLE. I do not. And I have not got the data; I could find it. I have it somewhere, but I do not know where.

Mr. ANGELL. Was it a few hundred gourdes, or several hundred?

Gen. COLE. As I remember it, it was some hundreds of gourdes. Now, the time approached—or the time had arrived—when I had to make up the tax list for the commune for the coming year. I had of this until very near the time to have the thing completed from, I believe, the former mayor, Mr. Auguste, who had left papers before, and the same people were employed to draw up the list for the ensuing year. And my recollection is that funds were turned back from those taxes during my administration. They may have been like a good many other things, and I had placed an officer in charge of that work, carrying that on under my general direction. I am quite certain, absolutely secure without my signature, that the funds of the Commune of Cape Haitien were deposited in the Caisse Nationale de la Republique d'Haiti in the name of Col. Eli L. L. de la Commune de Cap Haitien, as follows:

19 Oct., 1915.....

28 Oct., 1915.....

22 Nov., 1915.....

23 Nov., 1915.....

Total.....

The above total was turned over to and receipted for by the communal administration of Cape Haitien on December 4, 1915.

Mr. ANGELL. The funds were secure without your signature?

Gen. COLE. They were absolutely secure—unless I put my signature on something ordering them to be taken out of the bank.

Mr. ANGELL. Oh, they could not be disbursed except by your order?

Gen. COLE. They could not be disbursed without my signature.

Mr. ANGELL. In the name of the commune?

Gen. COLE. I really do not remember, but I have no recollection of it being in the name of the commune. It was a separate account lumped with anything else; but as to the exact amount that was carried I do not know, though I did have a number of checks in the bank from time to time, though never a personal check.

who was responsible for determining the purposes for which expended in and around Cape Haitien?

military governor himself.

Do you know the sources from which the funds turned over to Caperton were derived?

Always understood they were derived from the customs revenues, as martial law in effect in Cape Haitien in the fall of 1915?

Yes.

formal proclamation?

Yes, that made substantially at the same time as the proclamation in Port au Prince?

Immediately following, or at the same time.

You spoke of the agricultural stations, experimental farms, and conducted. Do you remember how many of those stations there they were located?

One school was located outside of Port au Prince, beyond a place

and when was that begun—that school—approximately, if you

as some time prior to the end of June, 1917.

Was that established and run by the marine forces of the military occupation?

Yes, as run by the military occupation, and my recollection is that officers of the gendarmerie. Now, there was an experimental place; there was a farm started at Furcy, and there was a recollection is, in the vicinity of the gendarmerie station near number, or practically a large proportion, I think, of the had been directed to start small farms with as up-to-date tion as the officer concerned was capable of putting into

one of having a model cabin or farm buildings put up, but it

of this work that you are just speaking of—this agricultural taken upon the initiative of the military occupation?

Other than upon a suggestion from Washington?

Yes. Washington never made any suggestions. All of this we had a certain mission to perform, to do the best we could country; to build up a stable government; to preserve peace and ing prosperity to the people; and we were all trying our best anything that we could put our hands to that would help toward ed to put over.

As far as you know, were agricultural experts ever sent down ?

Yes.

When was that? Was that during your time in Haiti?

I find this under date of July 13—

17?

On the arrival of the agricultural experts from the United States it was hoped through their advice to be able to secure a quantity of nonperishable foodstuffs for export to the United

States.

Were up against the proposition there of lack of transportation States, and consequently we had to provide food in Haiti, not

but we wanted to go beyond that if we could and provide food would be to our benefit and to the benefit of the Haitians.

What was the source of the funds that supported these little s?

Haitian funds; presumably collected, as I said, from the customs.

Have you any idea, General, of the attendance at the agri-How widely did the idea spread? How much was it taken up

Gen. COLE. It was an idea that grew. At first we think—

Mr. ANGELL (interposing). During attendance?

Gen. COLE. During attendance; I think 10 gourdes a man with their food, such food as they could not raise—that was withdrawn—that is, the 10 gourdes—and my men were required to pay small fees. But it was a thing increased. I have somewhere among these papers—I make an account of the visit of the President there, if you care.

Mr. ANGELL. You might put it in afterwards if you think.

Gen. COLE. Well, I would have to hunt for it. I may.

Mr. ANGELL. Did the numbers in attendance at the scores or the hundreds or—

Gen. COLE. No; my recollection is that there may have been. But unless I had something in my records to show I cannot answer that question very satisfactorily.

Mr. ANGELL. Did that school continue to exist so long as you were there?

Gen. COLE. Yes.

Mr. ANGELL. Do you know if it was continued after that?

Gen. COLE. I understand that it is still in existence, though I am not in regard to it.

Mr. ANGELL. Referring to irrigation and the cul de sac at Prince, I understood you to say that nothing had been done pointed out under the treaty prior to the time when you left Haiti.

Gen. COLE. Nothing had been done by him. We had to repair the dam, I being afraid that in the winter freshets I believed then that we would have completed the work in six weeks; but as I had orders to turn over the engineering of Haiti, and as I believed that the irrigation systems came under the jurisdiction as a treaty official, I turned it over and said, "you can go at it."

Mr. ANGELL. Do you remember about when it was that you turned it over to him?

Gen. COLE. I think it was probably in September or October.

Mr. ANGELL. Of 1917?

Gen. COLE. Of 1917.

Mr. ANGELL. These plans were drawn up by you, or under your initiative?

Gen. COLE. Yes.

Mr. ANGELL. Rather than by direction from Washington?

Gen. COLE. Yes; all of these things. I do not remember any sort that we ever got from Washington.

Mr. ANGELL. Did you make recommendations along with you to Washington—that is, recommendations for irrigation, or for such matters—to Washington?

Gen. COLE. I kept a diary, and copies of that diary I gave to Admiral Knapp in San Domingo, to the Navy Department, to the State Department, and to headquarters of the Marine Corps; and I took up everything that came up that was of any importance. In that diary I had gotten the President to ask for agricultural experts, postal experts, or whatever it might be. So Washington during the year 1917 as to what was actually being done in Haiti.

Mr. ANGELL. Did your diary also contain general notes that would set forth clearly conditions in Haiti as you have them in direct examination here?

Gen. COLE. I think so, without any question; because my testimony here has been refreshed by going over this material.

Mr. ANGELL. Did you keep such a diary during the year 1916?

Gen. COLE. No.

Mr. ANGELL. Or 1916?

Gen. COLE. No.

Mr. ANGELL. In addition to this diary, copies of which you have just said, did you make specific recommendations to Admiral Knapp, the State Department, the marine head-

ch aspects of the whole situation as education, public works, government administration, and the like?

; but not extensively. The only way to get things done is to And the United States was pretty busy, with probably more for its Government than the administration of an experimental g of that sort, though they did send the agricultural experts; their postal experts. I got the expert for the schools. They sent lists; the Smithsonian Institution sent down some people. And ings that they were asked to do they did. But I did not ask that it was our business to do, or that it was the business of als to do. I made comment from time to time in regard to one, or as to what was not being done, by other treaty officials. e those comments contained in this file?

generally. Of course, there were brief, more or less daily, or, radio reports made, and impotant things were handled that very frequently.

hy did the people of Haiti disapprove of President Dartigue-

agine because he was a politician, had been in political life at is, most of his life. And there are very few men in Haiti prominence in political life and retain their integrity. You e was well educated—quite polished; and I must say, in my inmate politician. I have a great deal of respect for Mr. d a great deal of personal liking for him. And he had the a difficult position, when apparently very few others would. e him the credit of being a man of considerable moral and

hen you say "to accept a difficult situation," do you mean American intervention as a fait accompli, as a necessary step t of Haiti?

I think that would be a correct way of putting it. The term escribes the condition of affairs in Haiti; our troops had been ; the President had been assassinated, murdered; revolutionary ge throughout the extent of the Republic; generally the courts w state of morale, if any existed at all; a foreign government in Haiti; and the Haitians had had no reason to think that t that is, white powers, were particularly anxious to regard any man that accepted and worked with a white occupation t that he would be a very decided object of suspicion and of there is no question that they were jealous of their independ- xious to preserve their independence, but they did not realize he idea that were were going in there, for instance, as the e in there, and were going to swat the deuce out of them.

as the President's acceptance of the American intervention among the people?

I think so, without any question.

l the knowledge of that acceptance of such intervention have judgment, in the distrust in which he was held by the people? do not go too far in regard to that, because Mr. Dartiguenave distrust of all the people, by any manner of means. Mr. the distrust and the dislike of a considerable part of the s, the Haitian political classes, but Mr. Dartiguenave did osity of the people of Haiti. Mr. Dartiguenave went through Haiti; and he went at times almost unattended, and he did mosity; he had their liking, to a great extent.

d he have the general support of the population?

ink Mr. Dartiguenave had as much of the support of the opulation like that of Haiti was able to give anybody; as a e population of Haiti are like so many sheep in the hands of ders; a few educated people, possibly 2 per cent of the total he people who handle the affairs of Haiti, and who have affairs of Haiti for the purpose of lining their pockets and own standards.

d the population of Haiti generally know, in your judgment, acts leading up to our intervention and the signing of the ification and the subsequent steps?

Gen. COLE. No; only a comparatively small part of the population was based on the fact that they were getting better treatment than they ever gotten before; that their life and property were more secure than they had much more consideration shown them; that they were not arbitrarily led off in droves to form part of a revolution against the Government. They had rights, and their rights were respected; they were given a chance to enjoy the benefits of their own government which they had never had before.

Mr. ANGELL. What was the general attitude of the Haitians toward the United States and the military occupation at the end of the year 1917?

Gen. COLE. Fine. They used to kneel down by their altars and thank God that we were there. I have told about the attitude of Butler and I, as well as the cabinet, going up the mountain to comfort the people.

Mr. ANGELL. You remember the report which you made to the Navy, in an official letter dated September 23, 1920, regarding the peaceful conditions in Haiti at the time you relieved General Butler in November, 1916, you went on to say: "I will venture to say that the situation in Haiti (that is, while you were in command) "life and property were as secure as in the United States, if not more secure."

Gen. COLE. Yes. You take the little State of Georgia, where there were murders, or more killings in a day, or in an average of a week, than there were in a month in the Republic of Haiti at the time you mentioned Georgia because I read the Savannah News and the Savannah Daily on American civilization.

Mr. ANGELL. Did they ever have to use the marines in the mails? [Laughter.]

Gen. COLE. No. But in order to prevent rifling of the mails, a system whereby a gendarmerie noncommissioned officer was assigned to the post office and seal sacks of mail and deliver those to the other part of the Republic, getting the receipts therefor. The system of having gendarmerie messengers responsible for the delivery of the mail. And we shortened the delivery of the mail very materially. We made time mail that was intrusted to the charge of the gendarmerie, and it invariably.

Mr. ANGELL. Will you tell us briefly, General, what you thought of Dr. Heraux, the pro-American leader in the assembly?

Gen. COLE. Well, I gave you my reasons for the support of Dr. Heraux acting for the President in regard to getting together people in his cabinet, I invariably made the statement that it was Dr. Heraux to remain as a member of the cabinet, giving me the impression that is about the extent of my discussions in regard to the cabinet. Many of them, but they were along that same line. Dr. Heraux, a Haitian who had consistently endeavored to aid us in the formation of a national government in Haiti, and he was the one Haitian who was in touch with the financial investigation and revision of the system of the government going on. The President, without any question, wanted Dr. Heraux. As a matter of fact, I felt quite certain at the time that against Dr. Heraux was traceable directly to the root of the excellency.

We felt that in order to carry out our work in Haiti we needed the cooperation of Haitians; unless we had the cooperation of the Haitians, there be no Haitians to occupy Government positions of Haiti. We felt that we hoped they would get from an honest administration. We had calmly thrown Dr. Heraux aside, because he was a firm supporter of the United States, desiring to improve the country. We never would have been able to get anybody to stand up for him. We would have said: "You use him, and when it seems he is no longer for our own purposes you cast him aside." And I would not do it.

Mr. ANGELL. Was the treaty of September, 1915, extending the period of 10 years upon the request of the United States?

Gen. COLE. Upon the request of Haiti, but presumably a treaty between the representatives. The United States had bound the Haitians by convention to do certain things. Among other things, was to maintain the finances; the procurement of a loan.

United States, or the fiscal agent nominated by the United States  
 adviser, had, I think, without any question, tried to get a loan  
 on the terms of the old convention. It was absolutely essential  
 that a loan be procured if the work was to be initiated that we wanted  
 to do and the country built up. And the United States, I believe,  
 Haitian Government that such loan could not be obtained from  
 the interests of the United States under the 10-year tenure in Haiti;  
 the Government then took up the question of asking the extension  
 and it was passed by a divided cabinet.

The request, then, came from the Haitian Government, rather  
 than the United States Government, in the first instance?

The official request came from the Haitian Government. Now,  
 was it not the United States or the Haitian Government first started  
 the work, because I had nothing to do with that particular feature,  
 it was handled between the representatives of the State Depart-  
 ment and the secretary of state for foreign affairs of Haiti.

Do you know the period from which the treaty was extended for  
 10 years?

Nineteen hundred and seventeen. The school system and every  
 thing we wanted to get built up in Haiti required financing, and to  
 do that we had to do we had to have the funds, and we could not get  
 them on the then existing conditions. In my opinion, if the Haitians  
 had not actually aided us as we were trying to aid them, the funds  
 could not have been obtained long ago, and the affairs of Haiti could have been  
 in a better state than they are to-day. And I lay the blame, to a  
 large extent, on the Haitian people's or the Haitian Government's, or the  
 country's inability to do anything that seemed to aid in this particular

You say the funds might have been obtained if it had not been  
 for the intervention. What do you mean by saying the funds might have been  
 obtained if you refer to a loan?

Yes. I think that if the Haitian Government, its representatives,  
 the assembly, and so on, had acted as honestly toward us as we were  
 toward them, or as fairly as we were trying to act toward them, they  
 could have obtained a great deal better for themselves; they would have retained  
 the United States and they would have caused, through showing  
 that they would cooperate with the United States, such an attitude as would have  
 enabled the Government at home to put over a loan to the Republic of Haiti  
 on better terms, and to give it sufficient funds to enable the work that was  
 to be started, at least.

And you feel that the fact that no loan was made is due in large  
 measure to the financial conditions in Haiti?

I think it was absolutely due to that. If, for instance, Haiti at  
 that time had cooperated with us; if they had displayed a desire to cooperate,  
 that in my own mind but that in 1916, or the spring of 1917 at  
 that time, a Haitian loan could have been floated in the United States. But  
 they had no funds just simply would not advance funds, on the lack  
 of funds to what was going to be done in the Republic of Haiti. Then,  
 because of the war financing; loans to countries who were to become  
 enemies. But largely, the thing is due to the attitude of the Haitian

Speaking of the United States interests in Haiti, you referred to  
 the fact that the French had 150,000,000 francs—

(interposing). In round numbers.

Yes; invested in Haiti. That was largely the sum invested in  
 the foreign loan, was it not?

Yes.  
 And on that loan the interest had been paid regularly during  
 the time up to the time of the intervention, had it not.

Up to the time of the intervention.

And for five years following the intervention the interest was  
 paid?

I am not able to answer as to five years. I can say it was not  
 paid for five years and a half. But as an explanation, I think that you will  
 understand, after it is investigated, that the payments of the interest would not  
 have been made by Haiti any longer. I think that she had reached the  
 limit of her borrowing capacity.

I was very anxious to have the finances of the country very particularly anxious to have the internal debt, particularly by the people of Haiti, put in the course of settlement at once therefrom could be paid. These bonds had been taken frequently forcibly, by the middle and upper middle class by some politicians as provision for their families when that if those bonds could be settled, or if the interest on them was paid, it would relieve a very pressing necessity. Because those bonds were generally the people that we were unable to help the countryman, the farmer, and so on; we could not. But with the war going on, with steamers not running, to secure, the commercial class, the city dweller who was not saved in one way or another before—we had no particular financial benefit to those people.

Now, I said and reported that if the interest on these bonds we were at least going to get away from the antagonism among the people; and that that antagonism and animosity must go away, we were unable to get their interest with which to purchase them. I wanted that paid, and I wanted it paid badly, because I wanted to help those people; and I believe that if we had gone ahead and paid the interest to pay the interest on the internal loans in particular, it would have given us a great many more friends. We had, and among a class of people who were able to influence the Government.

Mr. ANGELL. Was the interest paid on the so-called internal loans the first two and one-half years of occupation?

Gen. COLE. No; it was not paid at all.

Mr. ANGELL. The question as to whether or not interest on these bonds was paid depended ultimately on Washington?

Gen. COLE. Possibly. There was the financial adviser, Mr. Cole, with those things; but I observed those things only as they came before me, which was to build up a Government in Haiti to work themselves.

Mr. ANGELL. You made an investigation and report?

Gen. COLE. I did, a number of times.

Mr. ANGELL. You made reports to Admiral Knapp and to the Government?

Gen. COLE. Yes; I think that was in a long report that I made.

Mr. ANGELL. You said a moment ago that in your opinion the Government was unable to continue to pay the interest on the foreign loans based upon the feeling by you that the national funds were not sufficient to meet these obligations.

Gen. COLE. Yes; for, as I understand it, the national funds disappeared, interest on the loans would become due with time, there was nothing on hand or in sight sufficient to pay that interest.

Mr. ANGELL. After our intervention in July, 1915, and the restoration of the customs by us, were there, to your knowledge, funds that actually would have been sufficient to meet the foreign-loan obligations?

Gen. COLE. I really do not know, but I rather doubt it.

Mr. ANGELL. Do you mean when you say you doubt it that the funds plus above and beyond the expenditures actually made for constabulary, road building, etc., would have been insufficient?

Gen. COLE. Yes.

Mr. ANGELL. Or that the total receipts before any such expenditures would have been insufficient?

Gen. COLE. I do not know whether or not the total receipts were sufficient to pay the interest to be paid. I presume they would, but government was reestablished; much starvation had to be warded off; the expenses of the government had to be met. And as the Haitian Government upon his stipend for his daily bread, had not been paid for months, it was necessary to provide these people with some means of existing of meeting their obligations and of reestablishing the Government. I think those are the things that must have been considered in place ahead of the payment of the interest on the loan.

Mr. ANGELL. You had no hand yourself in the determination as to whether or not to pay the interest on the loan?

Gen. COLE. I had nothing to do with it at any time.

do you think that the declaration of war on Germany by Haiti in 1915 would have been beneficial to Haiti?

I think it would have been very beneficial to Haiti. It would have saved her in her expenditures; and it would have brought about, I think, in the United States—that is, in the Government at Washington—Haiti was willing to work with us. They were informed that of calling upon them for assistance. All the arguments that I heard of Haiti entering the war with the President and members of Congress were based on what, in my mind, were the best interests of the United States; so far as the United States was concerned, we did not need it; it would have been much more expensive to arm her people themselves, and we would not have made good soldiers out of them. Absolutely given, I repeat, with the idea that it was to improve in the Republic of Haiti, and incidentally it would have improved our relationship with Haiti.

When you say it would have improved the conditions in Haiti, the virtue of the—

(interposing). I believe that they would have gotten their loan; it had something to do with it.

That it would have established a psychological rapprochement with the United States?

Rapprochement, yes; but they just could not do it.

At the very beginning of your testimony the other day, in giving your tour of duty in Haiti, you said that you left there late in 1917 to Washington, where you had conferences at the State Department for the new constitution. With whom did you hold such conferences? You tell us briefly about that?

Stabler, as I remember it.

Mr. Stabler was chief of the Latin-American Division of the State Department?

Yes, sir. My interviews with him were brief and far apart. I left in December, and the business was finished up by the end of the year. I thought that it would have been finished up long before. As I say, was probably a small part of the large whole that was concerned.

Were your interviews at the State Department with Mr. Stabler with other officials?

With other officials. I think there was a Mr. Glen Stewart; there were others there most of the time. I had interviews alone with him.

Did you acquaint the State Department through these gentlemen with the general state of affairs in Haiti?

As much as was necessary. I think the State Department had a pretty fair idea of the conditions there.

Did you have a pretty fair idea of the conditions there?

Yes, and of what was needed and what the occupation had been doing.

Do you know who drafted or was in the main responsible for the changes desired by the United States in the then existing constitution?

I had nothing to do with the projects of the constitution until after 1917, and I presumed the questions as to what changes had been discussed between representatives of the State Department in the United States and the Department of Foreign Affairs of the Haitian Government.

Of those preliminary discussions and projects you have no personal knowledge.

I know that there was correspondence; that the correspondence went to the Department of Foreign Affairs of the Haitian Government—I have always felt with an idea of sending the correspondence direct to the bureau of the State Department without comment, or with other than little comment.

What was the act which you referred to the other day as a

Gen. COLE. I do not know that that act on the part of his cabinet, really had any actual effect on what took place that the members of the National Assembly were so antagonistic in every way, shape, and form, reasonable or unreasonable, were any reasons for it—that they would not have acceded to the request of the United States Government in regard to the constitution, although, through the convention, such changes had been suggested as contemplated, as necessary, and as agreed to by the Haitian nation.

Mr. ANGELL. Agreed to in so far as they were implied in the fact of the execution of the convention of 1915?

You referred to different articles which the United States modified in the old constitution, such as the land-holding articles which you named. Is it your understanding of the suggested changes initiated with the United States and the Haitian Government?

Gen. COLE. I can not say. It was probably as the result of the discussions between the two departments of state, or discussions between the United States and the Haitian Government, but I have no doubt that the Council of State drew up the projet de constitution. That was the preliminary discussions. After the assembly had through the constitution recommended by the Council of State and prepared which they were trying to put into effect, they were dissolved and the Council of State prepared another project.

And my first real connection with the constitution was from immediately after the dissolution of the National Assembly. The President asked me to come to the palace and discuss the question of a constitution which would meet the object of the United States to the ones that had already been prepared. I made full report to our Government, and that I could not do it in a friendly way with him in discussing the matter; and I did not want to bind myself or the Government in any way without reference to this sort to the United States. And we had considerable discussion and made certain suggestions.

The thing, with my suggestions, as I remember it, did not come as a matter of fact, I think I took them there; became a matter between the President direct and the legation, and cut out the State for the time being. I think that I was simply trying to give each instance which stood a reasonably good chance of meeting the needs of everybody concerned.

There was after that, to my knowledge, considerable discussion in the department sent back a project of constitution; and the chargé and myself thought we probably were better qualified to understand the needs of Haiti than anyone else; and we decided to go forward and to take everything bearing on the constitution that we could get, and consider it from every point of view, and possibly find a constitution which we hoped would be a satisfactory one and at the same time conserve the interests of the Republic. I spent, as I remember it, some three weeks on it. We reached Haiti with various things—

Mr. ANGELL (interposing). This was in the fall of 1917?

Gen. COLE. This was in the fall of 1917.

Mr. ANGELL. After the dissolution of the assembly?

Gen. COLE. After the dissolution of the assembly; some time in November. We felt that there were certain things which Haiti had a right to feel disquiet, and we tried to fix it so that the Haitians would be safeguarded just as much as it was possible to be safeguarded.

Mr. ANGELL. In what particular did you feel that the Haitians ought to feel disquiet?

Gen. COLE. I felt that there was in Haiti the idea that they ought to be given the right to own land. That was one thing.

Mr. ANGELL. Was that idea widespread and intensely felt?

Gen. COLE. I do not think that it was widespread or felt by all among the political classes, and to a certain extent among the people. The better they were informed, of course, the more they felt it. And I really believe that they had an honest fear

interposing). Economic exploitation?

Economic exploitation, yes; that is a very good term for it. I have a real, honest fear: and we tried our best to give at least that fear could not materialize.

In what other particulars, if any, did the Haitians feel dis-

I think this is about the only one that they really had disquiet was the question of so-called diplomatic intervention. Under of Haiti, carried to its logical conclusion, no Haitian official consider a question raised by a foreign government through its tentative concerning an indemnity for damages done in the ti to the foreigner or to his property. In other words, their solutely prohibited any such diplomatic representation or and I think that that was one of the things that they had in

Was that provision finally done away with in the new consti- member?

That provision was done away with, yes. Our Government con- foreigner doing business in Haiti should have the same legal as accorded a Haitian. A Haitian comes to the United States same legal protection that our people have. In addition, he ion due to diplomatic representations, which would without made. And you can not expect the country of Haiti to be funds and without security for property. And I know per- I would not put a cent, if I had a million dollars, into Haiti ions that existed there.

You have referred several times recently to the council of y was appointed exclusively by the President of Haiti, was it

was not elective?

was not elective.

and since the dissolution of the national assembly in 1917, no meeting of any legislative body in Haiti?

; the only legislative body is the council of state, which, under provisions of the constitution which was adopted, exercises all the legislative branch of the Government of the Republic

t frames and passes laws?

o use the inaccurate word "passes"?

s; as a matter of fact, I believe it would elect a President, ed.

o you know whether, under the constitution of 1889, which was to the adoption of the new constitution in 1918, there was any council of state which has functioned as you have just de-

can not answer that directly. I will examine the book. It

"The council of state is dissolved," under "Transitory dis- constitution of 1889. That seems to settle that; there was te.

o that, under your understanding of the constitution of 1889, constitutional provision for the existence or functions of such a

the best of my knowledge I believe there was not; though it did exist in 1917—though it was very quiet, and I do not ing any pay; it very likely was an unofficial body.

hat was the body presumably existing under the President's 1916?

And I guess that must have been the time when they were s by presidential decree, to take the place of the legislative ly in an advisory capacity. I was not in Port au Prince at cidentally neither one of those dissolutions made the slightest n affairs.

What instructions did you get, and from whom, and what was ate, so far as you can remember, approving the adoption adverse to the wishes of the United States? Were those

instructions, in other words, that came from the Navy Department?

Gen. COLE. The Navy Department. I read them all into

Mr. ANGELL. All right, if those instructions are in the report, us, in your direct testimony, the date of your cable showing short of dissolution by force would prevent the adoption of adverse to what was desired by the United States?

Gen. COLE. I think so, but I can very easily give it to you. That was the 15th of June.

Mr. ANGELL. June 15, 1917?

Gen. COLE. Yes.

Mr. ANGELL. Were you, as brigade commander of the United States in Haiti at that time, prepared for the eventuality of the military government for the then Haitian Government?

Gen. COLE. No, and yes. I had stated in the first report that I had made that I believed the results desired could be accomplished through a military government, and more economically and than in any other way. I had given four different methods of opinion, could be followed by the United States Government.

Mr. ANGELL. In those suggestions of the method of accomplishing the United States, did you specifically recommend the out-and-out military government for the Haitian Government?

Gen. COLE. I stated that, in my opinion, that was decided to do. We could not get cooperation from them; the military off of them they were off doing something that was a waste of time, or a grain of sand or two in the bearings.

Mr. ANGELL. Did you make actual preparations for a military government for the Haitian Government?

Gen. COLE. No; not at all. I had been told by members of the military that they thought that the only way in which the matter was settled out in Haiti was through the exercise of the military. I believed it myself.

Mr. ANGELL. General. I do not want to put to you a question of its legal and constitutional implications seems unfair. In my familiarity with conditions in Haiti, I would like to ask you to your understanding of the constitution of Haiti, that the dissolution in 1917 was constitutional or was provided for.

Mr. HOWE. It seems to me, Mr. Chairman—Mr. Angell is talking about it—that perhaps it would be just as well not to ask those questions of Haitian constitutional law here—merely to get the understanding of that law on which he was acting at the time.

Senator ODDIE. Yes; I approve of that point. I think that is all.

Mr. ANGELL. I think it is an intricate question of constitutional law. The practical question is, we have this constitution here, but it consists of some two hundred and odd articles. Now, if you are not familiar with it to go through with it and pick out the parts that bears or does not bear on a particular question is a difficult task.

Gen. COLE. I can do it, but it will take some time, because I am not where a thing is stuck in that constitution.

Mr. HOWE. I want to say, Mr. Chairman, however, that the question asked by Mr. Angell is one of some importance and interest.

Senator ODDIE. Yes.

Mr. HOWE. But we are starting down to Haiti at the end of our time is very limited. I know that Gen. Cole has a mass of documents of which may be of importance—I mean documents and cables that he mentioned this morning. The committee is going to take up its return from Haiti, as I understand it. Gen. Cole was there during a most important period. And it may very well be that we will need to have the general's knowledge put at its disposal by having him here as a witness, or by having him give the benefit of this collection of memoranda and papers of his. It is taken up on our return on account of the shortness of our time.

Senator ODDIE. Yes; I agree with you about that.

Mr. HOWE. And I believe that an arrangement can be made by which we can inform ourselves more at leisure as to what we got there, and if necessary we can have him as a witness and let him furnish us with copies of these papers for our information.

Yes.

would like to make that statement at this time, because I think fortunate to have the impression go out that the committee was with Gen. Cole's testimony.

Yes. I think unquestionably we must have it understood that we have time to give us the material facts, and that Capt. Angell on these matters, so that none of us will be unduly hurried. To the best of my knowledge and belief I am entirely at the disposition of the committee, and I have nothing to hide that I know of.

When would you make an answer to that question which I put to you the question which started this last discussion, the answer that you intended to answer the question specifically at this time, or words

; that will serve my purpose very well. I can add to it if it is necessary.

You said in connection with martial law, General, if my recollection is that it is and will be necessary in Haiti so long as American troops are there. Why do you think it is and will be necessary?

From the attitude of the Haitian politicians and from the condition of the judiciary.

Do you think that the raising of martial law while American troops are here would result in an outbreak of crime, or rather in what the Haitians might regard as undue liberties or excesses on the part of the troops?

We have never worried much about the press—never did myself while I was here. I could not tolerate the things that appeared in the press subsequently there—absolutely. But I had no particular trouble with the press. I think they would slop over a bit and maybe be cautioned to be

What, then, is your belief, is the actual practical function of martial law in Haiti?

A military force occupying another country has got to have a discipline. It can not get along without it, particularly under the conditions here. It is a venal judiciary system, and one that is absolutely, in my opinion, no white man can get justice before a Haitian court, in my

Under martial law, then, in Haiti enables a white man to obtain justice before the military or military provost courts?

Martial law in Haiti is more of a moral force than it is a physical force. It is a physical force standing back of the shadow of the

the moral force being exerted—

(interposing). Through the belief that, in case of necessity, the moral force would be exercised.

To the end that the white man may obtain justice in Haitian courts?

We have never interfered in the Haitian courts to amount to anything. We have prevented, on one or two occasions, through the power of the Haitian courts from putting into effect judgments against the institutions were acting as agents of the occupying forces. For example, the bank case?

The bank case. But if martial law were lifted. Tom, Dick, or Harry could go out and shoot at a white man, or at a member of the occupation, or a member of the occupation took the law into his own hands there would be no punishment for the Haitian. In other words, I believe that martial law is necessary, under the conditions existing in Haiti, to enable peace to be maintained throughout that country.

Martial law operates, then, as a protection to the white man?

I believe that it operates as a protection to the white man and the black man. The black man knows that, under the pains and penalties of martial law, if he may invoke, he is being protected from his own people, in his own country. It is just as important for the black man as it is for the white man. The moral force which makes people behave themselves, a blessed thing, is the Haitian law. If there were no martial law, it would be a man that wanted to start in and raise trouble, to do so, and nothing for us to do but to go after them with military force. We could not deal with them under martial law, unless we put it

back; and in the meantime, if we had raised it, some of our people might be shot and killed, and white people killed. I do not think that it is really an important duty to consider eventualities and possibilities, whenever you take a step, and particularly when you take any step to destroy a thing that has been in existence. And if you had your martial law raised for 24 hours, you would really have no right to act or force, even if it was 24 hours later, on anything that had been in existence.

Mr. ANGELL. Except as to offenses by the military.

Gen. COLE. Offenses by the military are not tried by the military.

Mr. ANGELL. By those—you mean the provost courts?

Gen. COLE. Yes; the provost courts. Our own courts function along, and would function.

Mr. HOWE. The military is taken care of by the military.

Gen. COLE. The military is taken care of by the military. The provost courts are different, though they are military courts. The two cases of murder or killing by our men, in cases of crime; that is, in one case a man got drunk in Port au Prince, and killed somebody; I had him tried and charged with court-martial, not by a provost court.

Mr. ANGELL. Killed by a Haitian?

Gen. COLE. No; he killed a Haitian.

Mr. ANGELL. I mean the man that got drunk?

Gen. COLE. The man that got drunk was a sergeant of the military, and he was tried by court-martial and got 10 years at hard labor.

Mr. HOWE. Before a general court-martial?

Gen. COLE. Yes. Another case came up at Cape Haitien, and he was tried by general court-martial.

Mr. ANGELL. And not by the provost court?

Gen. COLE. Not by the provost court. Now, a man was killed. If I had gotten that man, he would probably have been tried by the provost court, but because it was cold-blooded murder, the influence of liquor, or anything of the sort, but just a cold-blooded murder, the man that killed Lieut. McNab would have been tried by a general court-martial, and not by a naval general court.

Mr. HOWE. Let me straighten that out: The members of the military are always subject to the military courts?

Gen. COLE. Are always subject to the military courts.

Mr. HOWE. But it takes the operation of martial law to bring the population to a military court?

Gen. COLE. Yes.

Mr. HOWE. That is, under the control of our forces?

Gen. COLE. Yes.

Mr. HOWE. And they are subject to the jurisdiction of the military tribunals, the provost courts?

Gen. COLE. Yes; and the military commission.

Mr. HOWE. And the military commission, for more serious offenses?

Gen. COLE. All offenses between members of the military are tried before the naval or military court, pure and simple.

Mr. HOWE. That is so in this country?

Gen. COLE. That is true everywhere; wherever the force is used. It is the right to use the military or naval courts. Now, when you are in the law in the United States, a civilian would be tried by the civil courts, a military man would be tried in the military courts or the provost courts, depending on which had taken jurisdiction first. Formerly the provost courts were the courts for a man in the military service who had committed an offense. The law was amenable to trial not only by the military courts, but by the provost courts as well; and he might get one sentence by the military courts and have to take another trial by the civil courts in the country, where the crimes are between members of the military. In the provost courts, there is the provost court-martial, the military commission, and under certain conditions the provost court-martial can exercise jurisdiction over people who are civilians.

Mr. HOWE. Who are exclusively civilians?

Gen. COLE. Yes; it does not necessarily limit its authority to civilians in conflict with the military forces; they may be in conflict with the military commission or with the promulgated decrees of the military.

ank you; that is all.

general, would you care to make any comment upon the degree of the United States, particularly through its civilian treaty obligations assumed by the United States under the convention

II, I have made a considerable number of comments already in which I think that the financial situation could have been bettered; it has been done, possibly, than has been done. But I also believe I have to go back to the fact that there were always difficulties, put in the way of the financial adviser in carrying out his work, in endeavoring to get the finances straightened out, the cooperation of the Haitians, and of the legislative branch of the government.

Referring particularly to article I of this convention of 1915, from your understanding of the facts, that the United States Haitian Government in the proper and efficient development of the mineral and commercial resources?

Yes, without any question, done a great deal; it has not done what it could have done had there been sufficient funds available. As a country which was on the verge of starvation in 1915, for the people were absolutely undernourished, inside of two years, or two and a half, had been developed into a country where the country people were as well off as they had ever been before, and were not only producing enough to support themselves but were exporting food. I say it did a good deal to help the country. It did not do all it might have done had funds been available. I say this, that without funds—and considering that it was a mistake to create an engineering organization which would require for overhead practically all of the funds that could be used—consequently that funds that had been theretofore actually available for other conditions were going to get up here (in "overhead").

Rejection.

To the overhead?

Yes, the engineers going in at that time. I wanted to use the engineers to put them in a position where they could handle the work themselves, and where they could have gotten something done. But they would not have their organization. Each man naturally, I suppose, is in his own position; he fights for his own position. And, under the circumstances, they are independent branches, independent of the military, and they are independent. It did not matter to me whether they were doing anything else. What I wanted was to get the results; and they would get the results—and they did not. And they will be available and they get a different system. I do not know how they depend on in the way of Haitian assistance under the present

Do you believe that the unification of the responsibility and the American administration, civil and military, in Haiti would better accomplish the United States in the island?

No. I think there is no question but what that is true. I would like to see the Americans in positions where they could be responsible for what they are doing, and I would put with them just as many Haitians as have the same attitude and by their work that they were the kind of men for that particular kind of work. In other words, I would start in with American forces as were necessary to direct the work, supplemented by Haitian forces as could be used to perform such details as could be done by them; and I would gradually increase the number of Haitians and gradually reduce the number of Americans employed.

Do you think the responsibility and direction of the Americans in all the different branches, military and civil, such as military command, financial adviser, receiver general of customs, engineer, and the like, would be against the effectiveness of the aid which the United States has rendered Haiti?

I think so. Now, I do not know what has been done in Haiti in the years beyond casual hearsay.

You have not been back to the island since 1917?

I have not been back to the island since the end of 1917. But I have been back to the island—just before leaving—over the sanitary engineering, or at least when my control over them was re-

duced, the efficiency began to go straight down; and the force had been put into actual work in improving condition of part of them went up here—considerable number of engineers.

Mr. HOWE. Went up to overhead?

Gen. COLE. Went up to overhead. They brought down things here, and there was not anything to be done with them; to go out into the country with them. I wanted the chief engineer and make a comprehensive survey in the country.

Mr. ANGELL. When you say "the chief engineer," to whom?

Gen. COLE. I am referring to the civil engineer, who was with me. I fought it just as hard as I could.

Mr. ANGELL. As a matter of fact, the civil engineer and the military engineer were not responsible to the chief of the military occupation.

Gen. COLE. They were only responsible to the military commander. That I was the senior officer on the spot, and they had to go up to a certain point. But instead of my having the final say in the details of their work, in regard to the policy, etc., that was taken out, that was practically taken away from me. That was so far as their not being under my control is concerned, I was not in control; but I had lost my power of saying: "This is what must be done" or "this is what must be done." I could advise them, but I could not control them or not.

Mr. ANGELL. The determination of questions was not under your control.

Gen. COLE. It had passed from my control.

Mr. ANGELL. I want to read article 5 of the convention of 1900.

"All sums collected and received by the general receiver shall be first, to the payment of the salaries and allowances of the assistants, and employees, and expenses of the receiver; second, to the salary and expenses of the financial adviser, which salaries and expenses shall be paid by previous agreement; third, to the interest and sinking fund of the Republic of Haiti; and, fourth, to the maintenance of the public works referred to in Article X, and then the remainder shall be set apart for the purposes of current expenses.

"In making these applications the general receiver will submit monthly and expenses as they arise, and at the end of each calendar month, will set aside in a separate fund the quantities of receipts of the previous month."

I want to ask you whether it is your belief that the first article of the convention, which I have just read, giving the order of the disbursement of the general receiver, has been carried out?

Gen. COLE. I will say that that is a question that should be asked of the people who have to do with it, because I did not know the answer. I had nothing to do with that at all, absolutely nothing to do with to make it undesirable for me to do it or not.

Mr. ANGELL. I think we understand that you had no direct control over the disbursement of money.

Gen. COLE. Absolutely nothing in regard to that particular question. I had no direction for a long time in regard to the expenditure of the military occupation of Haiti; that is, which were allotted to the Government of Haiti; that is, which were for the military occupation of Haiti; all of that I allotted. There was a certain sum which I could employ for the maintenance of the Republic of Haiti; and reports were coming in all the time of things that were needed, and I made up every month a budget of funds for different purposes, roads, repair of hospitals, or whatever it might be; and that budget, signed by me, was sent to the financial adviser and he paid that. Now, that sum was not a sum for the military occupation, simply a sum which I was authorized to expend, and I never had anything to do with it.

Mr. ANGELL. Well, upon the understanding that you had that the disbursement of funds, except such as were specifically authorized in the manner you have just described, is it your understanding that the treaty was carried out?

Gen. COLE. Well, I would have to make my answer to that question in my mind whether it has been carried out, but I cannot say for my own personal knowledge.

Mr. ANGELL. All right; that is all.

referred to those funds which were allotted to you. From where there any funds available for the necessary upkeep and public works?

; except that in—

(interposing). Except for the communal funds which you have had?

; that is correct.

t beyond the communal funds and the allotment there was no?

money available.

United States was not supplying funds for those purposes treasury?

; nor was the Haitian Government, as reported, making any ever to the support of the United States occupation.

other words, the sustenance and the pay and the equipment of were in Haiti was borne solely by the United States?

ely by the United States, except in so far as those people who to the gendarmerie of Haiti received the additional compensation—and the sanitary engineers, etc. They got their compen-

(interposing). To what extent was agriculture down there de- rivation? Were there lands down there which could be culti- vation?

s; there were two or three irrigating systems; there were two ns, I think, that were in existence when I was there, one at Cul-de-Sac and the other one down near Mommance.

those regions was irrigation necessary?

igation was necessary for the raising of sugar cane; irrigation merly in quite a number of the plains.

re is what I want to get at: The repair of these irrigation sys- have spoken of—would the tendency of that be to put more- ivation?

s; much more land. The work that was done in fixing up tem in the Plain of the Cul-de-Sac increased materially the t were under cultivation.

w, was it necessary to increase the acreage at that time, or gh land susceptible of cultivation available without repair of stems?

e people own the land, and they had their homes on this land. try like Haiti, which is thickly populated, and where all the aken up, you do not want to make the people go out and move- of the country if you can avoid it—if, by repairing the irriga- use people can grow their produce in the vicinity of the market. en, I take it that these irrigation systems which were repaired ed comparatively recently?

ere was only one that we did anything to, so far as I know, e one in the Plain of the Cul-de-Sac.

hich had fallen recently into disrepair?

was in a very bad state of repair. And the large landowner, had simply taken all the water, so that the people who were nd who were generally the small landowners, did not get any. that, and we opened up the ditches.

u made a comparison, for the purpose of illustration, between Georgia and safety of life in Haiti. Did you mean that com- was somewhat to the disadvantage of the Georgian, to apply to n the Cacos occupied Fort Reviere?

; I did not.

nd excluded food from the towns and robbed the market women? ; I meant that during the major part of the year 1917.

s.

ow, I do not want to make any disparaging remarks about se I simply read the Savannah News—

(interposing). Excuse me. I just want to say, Mr. Chairman, g this question, of course, as the question was asked the general y him, and the time to which he meant it to apply was not and it might be construed as meaning that at the time of our

Gen. COLE (interposing). No.

Mr. HOWE (continuing). Conditions as to peace and quietness favorably with those of enlightened communities in our own country.

Gen. COLE. Oh, this was in 1917.

Mr. HOWE. After the suppression of the Cacos?

Gen. COLE. Yes, absolutely; and after we had been four years and a half.

Mr. HOWE. I think that clears that up, Mr. Chairman.

Senator ODDIE. Yes.

Mr. HOWE. Now, as to the interest on these different loans, external and internal, do you know whether Haiti could have obtained her foreign loans and maintained the necessary current government at the time of our occupation?

Gen. COLE. I do not believe so. I do not know from a personal knowledge. I do not believe so. She could not have paid, in my opinion, her loans at any time subsequent to the 30th of June, 1917.

Mr. HOWE. Let me ask you this question for the record: At the time the treasury was practically empty at the time of our occupation, do you count for the fact that up to that time Haiti had met her foreign loans?

Gen. COLE. I understood that it had been through bonds or forced loans from its own people.

Mr. HOWE. Which practices were not continued during our occupation?

Gen. COLE. Which practices were absolutely discontinued?

Mr. HOWE. Do you know why no interest was paid during the last half years with which you were familiar?

Gen. COLE. I think they were trying to get the thing done. An agreement reached between the parties, trying to find a way to actually represented, and trying to get a loan to refund the principal. It was not my business; but that was my understanding of it.

Mr. HOWE. I understand. But was it your recommendation that interest on the internal loan should be paid by funds furnished by the United States?

Gen. COLE. I did not recommend how it should be done. I did not recommend the political effect, or the social effect, that the nonpayment of interest would have, and why, in my opinion, the people who were in charge of the finances should, as soon as possible, make some arrangement by which these things could be paid.

Mr. HOWE. If you had been in charge of those matters, would you have had been money enough, then you would have done it; but why it was not done?

Gen. COLE. That I can not say, because no man in my position could say what would be done until he knew all the facts surrounding that thing.

Now, I picked out, as a person who was not materially interested, I picked out a certain salient point which could be improved. If certain action was taken, would cause good results to follow in the long place than that particular point. But I can not say that I was in charge of that particular thing could have done what appeared to be the thing to do; for instance, I could not say that if they had paid the interest, would not have been such a howl from the other creditors that they would not have paid, that it would not have been wise to do that. It would have been a good will of one at the expense of the antagonism of many.

Mr. HOWE. Did you see any rise in the revenues, and any material internal improvements on which you expended the allotment?

Gen. COLE. Oh, yes; materially. The exports for a time were very large. And they were just as large as the transportation up to the time I left, though at one time the bottom dropped out of the wood market.

Mr. HOWE. Did you see any connection between the change in the constitution and the possibility of commercial development and rehabilitation?

Gen. COLE. The changes, as I have said, were, in my opinion, necessary; nobody is going to go into a country like Haiti and change the constitution which says that he shall not have even the same

that he must have a safeguard which is whatever they may and never equal to that of their own citizens. He is not can not get land; the land tenure is uncertain. The courts the man who went in there and put a sugar mill on land leased the Lord only knows whether he would ever be in a position anything out of it. All the provisions in the proposed constitution of my knowledge, were as much to the interest of Haiti as to the United States and were such that the terms of the convention went out. I believe those terms were in such shape that proper given to the Republic of Haiti and to its people. I have spoken of certain difficulties put in the way of improving the Haitians, and to distinct opposition to changes in this constitution of the assembly. It must follow, then, that those who regarded difficult did not look on them in the same way as you do, Haiti?

I am not going to give them that much credit, because I think yes, they were so obsessed with the idea that if they could get out they could get back to their old system of graft, and their handling all the Government funds between the pockets of those who went to the Government and their own pockets, that they would do rid of us, and that they lost all sense of proportion in that

when do you mean to say that you had the interest of the Haitians in the members of the Haitian Assembly?

questionably; there is no question about it at all; it is unquestionable I had.

Let me ask you this: Do you think you understood better than the distinction between these steps proposed by the United States and those of their country?

I think probably I did, though I also believe that many of them were of the things that we asked them were for the best interests; but they did not think they were for the best interests of their own individual and political life.

And this: In Haiti politics was a profession—almost a professional politician was largely a class by itself; people came into it out of it; but it was a class which had its own morals, its own public morals. Its public morals were absolutely different from some people who were all right. Legitime, I believe, was he was a politician; he had had the executive power; he had himself, and would not enrich himself at the expense of the country—politics was a very fine man. And there were some others who were political class. But, generally, the class of political parasite I cannot describe them.

Now, do you think the peasant—the country people, by and large—of the effect of these proposed changes?

I do not think so. The peasant was fed up, I believe, with the fact that the Americans were trying to enslave them and trying to take their lands, and that if the changes were made, Americans would take their lands. But, as a matter of fact, we never believed the people were against us in any way, after, I will say, the mid-

way, as to martial law, on cross-examination you used some examples—remember it, to the general effect that martial law there is necessary to the white man?

Order and justice.

Order and justice to white men?

White military men.

White military men. Now, does the martial law which we are talking about do with what we call in this country civil cases, as in civil cases?

The biggest fine I ever had given in a provost court in Haiti was to a white American who occupied the position of general manager of

It was analogous to a criminal case?

Yes; a case of disorder and of defiance; he got drunk.

Mr. HOWE. Now, the provost courts do not undertake between private plaintiff and defendant?

Gen. COLE. No; it deals entirely with public order.

Mr. HOWE. Yes. While martial law is in effect there of the provost courts, is there any room there for the a inal justice affecting natives or whites or anybody? Do impose fines? Do they still sentence a person?

Gen. COLE. Yes.

Mr. HOWE. What classes of cases, then, do they handle?

Gen. COLE. The provost courts?

Mr. HOWE. No; the native courts.

Gen. COLE. The native courts handle all cases between

Mr. HOWE. Criminal cases?

Gen. COLE. Criminal cases; practically every criminal

Mr. HOWE. Excepting the ones which are before the pr

Gen. COLE. Yes.

Mr. HOWE. Now, where is the line drawn?

Gen. COLE. The line is drawn that the provost court those things which directly affect the armed forces in the occupation; they do not ordinarily concern the gendarme would ordinarily put up cases before the provost courts a unless it were in connection with the maintenance of p country.

As I have said, the martial law is a moral force a gre a physical force; but it is a very potent moral force on a force that stands behind and casts its shadow on the mor

Mr. HOWE. You say it is necessary for the safety of ou

Gen. COLE. Yes. It is necessary for Haiti, in order th may not be flouted.

Mr. HOWE. Are there any more questions, Mr. Chairm

Senator ODDIE. I have none.

Mr. ANGELL. I have one question, based upon your's. martial law did not operate to interfere in cases between

Gen. COLE. Yes.

Mr. ANGELL. There was the bank case?

Gen. COLE. Yes.

Mr. ANGELL. Martial law did in effect there operate the carrying out of the decree of the court of cassation, a

Gen. COLE. The military commandant—not martial l manding the military forces in Haiti said to the Haiti president of the bank, "The actions of the bank in th done under direct orders and under duress of the naval quently I, as military commander, can not permit the cou not my superiors, to interfere and prevent something mander has ordered done."

Mr. HOWE. The justification of the act, or of the failu as the case may be, would be in the existence of martial

Gen. COLE. Would be found in the facts that the ban military or naval commander in supreme control, had that as it had to do those acts it could not be held respo the Haitian courts.

Senator ODDIE. Is that all?

Gen. COLE. I think so.

Mr. ANGELL. There is a practical arrangement for go of the general's data as are not personal and private to reports, etc.

Mr. HOWE. It was my suggestion that on our return f tee authorize me to take up with the general the consi of his files should be available for the further consider The time at our disposal has not permitted us to learn those records are.

Senator ODDIE. I think that can be done after we get

Mr. HOWE. These are part of the records of the Navy available to the committee; but it would be in the natur a favor and assistance in guiding us through those repor in them.

Gen. COLE. I make this suggestion: That through you you make record of such things as you feel I could pos

the time I was there, and inform me as to those things and to refresh my memory in regard to the particular things that, because there is a whole mass of that in there, and it stands can not remember everything that is in there.

these your own private papers?

These are private papers, kept for my own personal gratification in case any such question as this ever did come up.

I feel a delicacy in asking the general to send those papers up to look through them, but I am sure we can between us cut where that we think would be useful to the committee. My feeling is much valuable material there that the committee ought to

will turn over that material to you as counsel for the committee at the time that you remain here, and I am not certain but that we have them to take with you, but it will have to be on the understanding that we think would be useful to the committee unless to say in regard to them.

Because conditions might come up that you might find conditions might have to take what was said here and there, and all through in order to give proper answers and to have proper interpretations. You can take almost any bald statement and cut out certain things to make a man out a liar, or anything else; and I do not want to do that sort. But my understanding is that headquarters of the Marine Corps to make available everything that I have. Is that true, Maj.

Yes; but with regard to most of these papers that Gen. Cole has the originals are either in the Navy Department records, or the headquarters records; and Gen. Lejeune and the Secretary of War have already stated that everything in those records is available; and there are tons of such material. I merely want to make sure that the committee will know that all these papers and many more are available if the committee desire them. But the general feeling is that he has been instructed to give the committee everything with reference to books and papers.

These papers there are generally arranged in chronological order; they are not, but generally they are. And in addition to that, I have certain things there that headquarters do not have.

Is my intention to get in touch with you on the return of the committee out to what further extent you can add to the very valuable material I have already given.

I do not know what I can do, unless you want certain definite

At 1 o'clock p. m., the committee took a recess until 2.30 o'clock

#### AFTER RECESS.

The committee reassembled at 2.30 o'clock p. m., pursuant to the taking of the roll by the chairman.

**OF MAJ. JESSE F. DYER, UNITED STATES MARINE CORPS, HEADQUARTERS MARINE CORPS, WASHINGTON, D. C.**

Chairman, will you give your name, rank, and present station,

Jesse F. Dyer, major, United States Marine Corps, attached to headquarters, Marine Corps, Washington.

Chairman, the purpose of calling Maj. Dyer as a witness is to get the committee an idea as to the scope and methods of the investigation conducted by him as judge advocate for the so-called Mayo court inquiry.

By the record of the Mayo court of inquiry here that the first inquiry was held on October 19, 1920. You had been appointed judge advocate of the inquiry, had you not?

Yes. Some of the meetings of the court were in this country, and

Maj. DYER. Yes.

Mr. HOWE. And there is already in the record the preliminary inquiry. I gather from reading the proceedings of the court that the idea, as judge advocate, that the investigation and duties prescribed in the precept?

Maj. DYER. That is correct. That was not only my idea, but the authority of inquiry has to act, the precept.

Mr. HOWE. Therefore within the authority of the precept, judge advocate, was it not, to assist the court to bring in the materials for an investigation?

Maj. DYER. Yes.

Mr. HOWE. Now, may I, for the sake of brevity, ask you to go to this extent: The record shows that some investigation was made of the cases in Haiti which involved the names of Lieut. Lang, Lieut. Doras Williams, and an officer named [unclear], one whose name was mentioned by the witness [unclear]. I am correct in saying that the cases where these officers were in testimony, were the only specific cases which you came upon in your investigation. Am I correct in that, that these are all the cases of Haitians that came within the scope of the precept?

Maj. DYER. No; there were a number of other cases mentioned otherwise, which I attempted to run down. In the case of [unclear] accused of offenses and tried by court-martial, I got the record from the Advocate General's office and introduced them in evidence in my inquiry. In numerous other cases I spent considerable time in getting some testimony to present to the court, but was unable to do so.

Mr. HOWE. The record itself speaks of the cases of [unclear] and others whose names I mentioned, and of these court-martials. I stand from your last answer that there were a number of cases that came to you in the course of the investigation, no mention in the record, and that you undertook to run those down, so that you could get the testimony?

Maj. DYER. Yes.

Mr. HOWE. What I want you to do now, Major, is to tell me, in such investigations which you were unable to run down, what cases they involved, to what extent there was correspondence with the court, and to what extent you traveled around the country.

Maj. DYER. While I was in Haiti I interviewed scores of people who related what they had heard. I corresponded with scores of people who traveled up into the interior somewhat to try to run to the bottom of the rumors which I had heard. I found a number of people who, from their personal knowledge of alleged misconduct, but many of them had already been tried by general court-martial; or, I found a number of places where the witnesses related that the interpretation could be construed as offenses, since they related acts, for instance, the case of Haitians who had been arrested, and in one particular I recall there were five or six cases where they told me, or who wrote to me, about such a killing, and where they themselves that they had no charges to bring of illegal acts, but to tell about the case as they knew it. In most instances where they came to me or who came to see me had no personal knowledge of the case, but they talked. I tried to get them to give me the names of the persons as to run the thing back to the original relator, but they gave me their information from general rumor, or that the thing was true. In a few cases I was given the names of people from whom I got the stories, and on communication with those people I found that they were based upon hearsay. Of course, I did not bring people in on hearsay, but wherever any person claimed to have personal knowledge of any acts that could be construed as coming within the precept, I brought such a person before the court as a witness, and the court could judge and weigh the testimony, which I never did.

Mr. HOWE. I want to ask you also if you traced all such cases as far as possible, so that you could determine whether you could get the testimony, or could speak of his own knowledge or not?

Maj. DYER. I did the best I could in that respect, and I was convinced that I could get no further testimony to add to the record in relation to the matters mentioned in the precept.

y, as to these cases of Brokaw, Lavoie, Lang, Williams and  
at the case of Rogoski you had some reports on them as the  
investigation, did you not?

; there were possible witnesses mentioned in those cases.  
at efforts did you make to extend the scope of the previous  
relation to those men?

ent to the same source of information as the previous investi-  
endeavored to get further information. Also, I made inquiries  
mentioned as witnesses, and those people were brought before  
er they could be obtained. In order to make one thing clear,  
that a court of inquiry is purely a creature of statute, and has  
nted to it by statute. It is empowered to subpoena witnesses,  
e advocate is, provided such witnesses be situated within the  
ritory or District as that in which the court is sitting. There  
who came before the Senate Committee that I tried to get  
of inquiry. The court was then sitting in the District of  
e witness was, I think, in Kansas City. I wrote to him, as  
and requested his appearance, but we were unable to sub-  
e did not appear before the court.

you refer to Lieut. Spear?

other words, the Senate committee had the power to subpoena  
nderstand the Senate committee can subpoena anywhere within

it was not within your power to subpoena him unless he was  
within which the law allowed your subpoenas to operate?

you make any efforts to find Capt. Lavoie?

; but I was unable to find out where he was located. Just  
rote to him at his last known address, but the letter was re-  
not known."

at did you ascertain as to Lieut. Brokaw?

ut. Brokaw was at the time insane and was not competent to  
ess. In connection with the allegations against him, it was not  
ete an investigation, due to his insanity and to his inability to  
r explain the circumstances as far as he was concerned.

ave here a letter from the Secretary of the Navy to Senator  
d October 29, in reply to an inquiry from this committee con-  
y or insanity of Lieut. Brokaw, and also replying to a question  
tee as to whether or not charges had been brought against  
Wells; and if so, why the charges had been dropped. The  
retary of the Navy carries with it inclosures in explanation of  
ed, and, in the case of Lieut. Brokaw, shows reports by medical  
insanity of Lieut. Brokaw. I offer in evidence the letter of  
d its inclosures. I think they should go in this record.

If there is no objection, they will be admitted.

d inclosures referred to are here printed in full, as follows:)

THE SECRETARY OF THE NAVY,  
Washington, October 29, 1921.

ATOR: In compliance with the requests contained in your two  
th instant I inclose herewith the following papers concerning  
ferred against Maj. Clarke H. Wells, United States Marine

Major General Commandant to Secretary of the Navy, No. 53086,  
ember 1, 1920.

dge Advocate General of Navy to Major General Commandant,  
ember 5, 1920.

ecretary of Navy to Major General Commandant, No. 5526-321,  
0.

Major General Commandant to Secretary of Navy, No. 53086,  
0.

Major General Commandant to Secretary of Navy, No. 53086,  
ember 29, 1920.

(F) Letter Secretary of Navy to Major General Commandant, 3725: 4, January 7, 1921.

(G) Letter Secretary of Navy to Judge Advocate General, R-50, January 7, 1921.

(K) Charge and specification against Maj. Clarke H. Wells on November 1, 1920.

These inclosures will show that one charge was presented against Maj. Wells and that it was withdrawn before trial. Inclosure 1 shows that Maj. Wells was first temporarily released from arrest in order that he not be unduly prejudiced before the court of inquiry "on the charge of neglect of duty in Haiti," while inclosure (G) revoked the court of inquiry in view of the fact "that the exhaustive report of the said court of inquiry fails to contain evidence upon which proceedings could be held in the case of Maj. Wells."

The questions regarding the mental condition of Lou's private, United States Marine Corps, and Lieutenant, General, were fully answered in the following inclosed papers marked.

(H) Report of Board of Medical survey, Naval Hospital, Port au Prince, October 17, 1919.

(I) Report of Board of Medical Survey, Naval Hospital, Port au Prince, September 15, 1919.

(J.) Report of Board of Medical Survey, Port au Prince, Haiti. The last address of Mr. Brokaw, as given by him on April 1, 1920, in communication to the office of the Major General Commandant, was "Route No. 1, Fairview, Fulton County, Ill."

The following records requested in your letters have already been forwarded to the committee.

1. The record of testimony taken by Lieut. Col. Lay and Maj. Wells.
2. The record of proceedings of the court of inquiry of which Maj. Wells was president.
3. The record of proceedings of the general court-martial of which Maj. Johnson and McQuilkin and Capt. Hamilton.

Trusting that I have furnished you with the desired information, I am,

Very sincerely, yours,

HON. MEDILL MCCORMICK,  
United States Senate, Washington, D. C.

(A)

HEADQUARTERS UNITED STATES MARINE CORPS,  
Washington, D. C.

From: The major general commandant.

To: The Secretary of the Navy.

Subject: Investigation of affairs in Haiti.

Inclosures: 22.

1. In September, 1919, the record of the proceedings of a court-martial at Port au Prince, Haiti, in the cases of Privates John J. McQuilkin, jr., United States Marine Corps, were presented and were found to contain references by counsel to a private Haitian prisoner without trial. The Major General Commandant referred the matter to the brigade commander in Haiti for his consideration with the object of bringing such practice, if it existed, to the attention of all persons found to be guilty of such practice to punishment.

2. On December 9, 1919, the brigade commander, Col. John H. Johnson, United States Marine Corps, forwarded the record of investigation of the assistant adjutant and inspector attached to brigade headquarters. He recommended that the statements of officers and men in the report be obtained. This was accomplished and all papers were received on January 12, 1920, with instructions that the investigation be completed as practicable and the full report, together with recommendations of the brigade commander, submitted to these headquarters.

0, 1920, the brigade commander mailed the complete report, received, being apparently lost in the mail. The fact that it had not been received was not discovered until August last, and on the return last months of Gens. Lejeune and Butler from a tour in Haiti and Santo Domingo that all of the report was at the headquarters.

Enclosed herewith copies of the first report of Maj. Thomas O. Butler, November 3, 1919; of the forwarding letter from the commander, Col. John H. Russell, December 7, 1919; statements taken from Maj. R. Lay, A. A. & I., and submitted by letter of January 12, 1920, to Maj. Gen. Commandant Barnett to Secretary of the Navy Jan- uary 12, 1920, stating that partial investigation had been made and that report submitted to Haiti for completion of investigation and submission of recommendations (original); approval of action reported by Sec- retary in own handwriting on above-mentioned letter (original); report of investigation, February 28, 1920, Lieut. Col. J. S. Hooker in Maj. Turner in conduct of investigation; letter February 28, 1920, brigade commander directing Lieut. Col. R. S. Hooker in Maj. Turner in conduct of investigation; letter February 28, 1920, brigade commander directing Lieut. Col. Hooker to expedite report of investigation, February 28, 1920, Lieut. Col. J. S. Hooker; indorsement, brigade commander, Col. Russell, forwarding report of investigation; résumé of testimony taken from Maj. R. Lay, A. A. & I., and Butler in Haiti, including 12 statements of gendarmes, Bertol, Gendarmerie d'Haiti; and report of investigation made by Maj. R. Lay, A. A. & I., and Butler.

On August 25, 1918, the commandant of the gendarmerie issued an order instituting the system of *corvée* (enforced labor) on the public roads. By another order, October 18, 1918, to include the Hinche- Maissade districts, which had been interpreted as being outside of the limits of the system. The system was continued in those districts notwithstanding and caused a great deal of unrest and disturbance. The continu- ance of the system was repeatedly denied by Maj. Clarke H. Wells, the com- mandant of the Gendarmerie in the Department of the North, Haiti. Finally the commander personally investigated the matter and found the *corvée* at Hinche and Maissade.

Alexander S. Williams was chief of the Gendarmerie d'Haiti, and from the evidence available it does not appear that he kept himself suf- ficiently informed of conditions. Moreover, it appears from the statement of Maj. R. Lay, A. A. & I., formerly an enlisted man in the Marine Corps and a lieutenant in the Gendarmerie d'Haiti, that Lieut. Col. Williams, on November 1, 1918, advised the commander, that no provost prisoners were wanted; and that any of the prisoners were "Cacos" and actually had no objection to do away with them. These statements, if made, would indicate that the chief of the gendarmerie approved of the unlawful treatment of the prisoners, and such approval would have had a baleful effect in the minds of his subordinates. There appears, however, to be insufficient evidence to bring Lieut. Col. Williams to trial at this time, and it is recom- mended that his case be deferred until after receipt of the record of the court of inquiry now in session.

From the evidence that Maj. Clarke H. Wells had knowledge of the continu- ance of the *corvée* in the Hinche-Maissade districts during the period from October 1, 1918, to March 31, 1919, in the department under his command, and that he knew that the order of the chief of the Gendarmerie d'Haiti, dated October 25, 1918, and October 18, 1918, prohibited *corvée*; that on or about February 2, 1918, he gave orders over the telephone from Cape Haitien to Major Baker, at that time a private in the Marine Corps and a captain in the Gendarmerie d'Haiti, to "bump off," meaning to kill, prisoners; that on or about February 19, 1919, he gave Capt. George D. Hamilton orders to kill any prisoners; that Hamilton thought to be a caco and not to bring him to prison; and that during the period November 1, 1918, to March 31, 1919, he ordered his juniors to suppress reports of any unfavorable conditions and to maintain the state of peace in the Department of the North, of which he was commander.

In view of the foregoing I recommend that Maj. Clarke H. Wells be brought to trial by general court-martial for the offenses charged, and for such other offenses as may be warranted by the

8. From the statements in the attached papers it would appear that L. Williams, now a sergeant in the Marine Corps at Quantico, a lieutenant in the Gendarmerie d'Haiti, beat to death with a club Jean during the month of March, 1919, in the town of M... three prisoners, names unknown, shot to death during... 1919, at the same place; that during the period November... 1919, he permitted work under the corvee system on the... district in violation of the orders of the commandant... It is recommended that he be brought to trial for these... others as may in the opinion of the Judge Advocate General... the evidence.

9. From the statements available it appears that former... formerly a captain in the Gendarmerie d'Haiti, was guilty... He was discharged on July 30, 1919, upon expiration of... present address is not known. In case it is possible to... jurisdiction of a naval court-martial, it is recommended... to trial. While his present whereabouts are unknown... located in case of necessity.

10. From the statements of certain native gendarmes it... Sergt. Freeman Lang, while a lieutenant in the Gendarmerie... certain alleged offenses. He was discharged in January, 191... in Haiti. In case it is possible to bring him within the ju... court-martial, his trial is recommended.

(B)

DEPARTMENT OF  
OFFICE OF THE JUDGE ADVOCATE  
Washington

From: The Judge Advocate General.

To: The Major General Commandant.

Subject: Investigation of conditions in Haiti and the trial... certain officers of the Marine Corps.

Reference: Your letter of November 1, 1920, and inclosure.

1. Referring to the subject matter of above-mentioned... informed that one charge and specification of a charge w... Maj. Clarke H. Wells, United States Marine Corps, and... trial of said officer on November 1, 1920. This action was... the statute of limitations from preventing the prosecut... the offense upon which the charge and specification were... have been committed on November 1, 1918. The two-year... by article 61, A. G. N., expired November 1, 1920, and w... prosecution had not orders been issued for trial before t... years from the date of the offense.

2. In view, however, of the fact that a court of inquir... by order of the Secretary of the Navy to investigate ce... larities in Haiti, among which matters to be investigated... in the above-mentioned reference, the Secretary of the Na... the trial of Maj. Wells be deferred until after the court... now in session, has completed its work and rendered its re... has also directed that no further charge and specifications... persons in the Marine Corps based upon the irregular... above-mentioned reference until after the court of inqu... report.

The Secretary of the Navy has directed that the cha... prepared against Maj. Wells on November 1, 1920, be re... ment, where they will be held pending further developmen...

4. With reference to the case of Doras L. Williams, U... Corps, you are informed that unless arrest is considered... escape he need not be placed under arrest until after th... investigation now being conducted by the court of inqu... ordered by the Secretary of the Navy.

(C).

DEPARTMENT OF THE NAVY,  
Washington, November 5, 1920.

Secretary of the Navy.  
General Commandant.  
Statement of conditions in Haiti and the trial by court-martial of  
of the Marine Corps.  
Your letter November 1, 1920.  
Letter of Judge Advocate General to the Major General Com-  
mandant, dated November 5, 1920.  
and specification preferred by the department against Maj.  
United States Marine Corps, on November 1, 1920, have been  
drawn from the court and ordered returned to the depart-  
completion of the investigation of other charges against said  
alleged irregularities in Haiti by the court of inquiry of which  
Henry T. Mayo is president. The charge and specification are  
ed as having been quashed or abandoned by the department  
ed in temporary abeyance.  
and that Maj. Clarke H. Wells, United States Marine Corps, be  
ased from arrest and restored to duty pursuant to section 52.  
d Boards. The order temporarily releasing him from arrest  
ting and should inform of the reasons for his release; also  
ry release from arrest and restoration to duty will not be a  
equent investigation or trial of the case that the Secretary  
y think proper to order on the charge already preferred or  
w being investigated.  
for the temporary release from arrest of Maj. Wells are that  
duly prejudiced before the court of inquiry convened by order  
t to investigate conditions in Haiti; that he may have every  
efend himself as an interested party before said court; that  
ay have opportunity to investigate other charges against him;  
t he may not be held an unreasonable length of time under  
rial by court-martial.

JOSEPHUS DANIELS.

(D)

HEADQUARTERS UNITED STATES MARINE CORPS,  
Washington, November 8, 1920.

General Commandant.  
Secretary of the Navy.  
Temporary withdrawal of charge and specifications against Major  
s, United States Marine Corps.  
Letter of Secretary of the Navy to Major General Commandant,  
arge and specifications, of date November 1, 1920. (b) Letter  
Commandant to Maj. Clarke H. Wells, United States Marine  
e November 6, 1920, placing him under arrest. (c) Letter  
the Navy to Major General Commandant, No. 5526-321, of date  
1920, directing temporary withdrawal of charge and specifica-  
l by the department against Maj. Clarke H. Wells, United  
Corps, on November 5, 1920, and release from arrest.  
ce with reference (c), Maj. Clarke H. Wells, United States  
as this date been released from arrest and restored to duty,  
on of the investigations of the court of inquiry, of which Rear  
T. Mayo, United States Navy, is president.  
has been informed that his temporary release from arrest and  
ty is not a bar to subsequent investigation of, or trial upon, the  
fications preferred against him by the department under date  
1912, or upon any other charges and specifications that may  
erred against him in connection with the case.  
for the court, of which Brig. Gen. Eli K. Cole, United States  
president, bearing date of November 1, 1920, is returned here-  
s has been allowed to retain the copy of the charge and speci-  
d him at the time of his arrest.

JOHN A. LEJEUNE.

(E)

HEADQUARTERS UNITED STATES MARINE CORPS  
Washington, D. C.

From: The Major General Commandant.

To: The Secretary of the Navy.

Subject: Investigation of affairs in Haiti.

References: (a) Major General Commandant's letter November 1920, subject. (b) Record of proceedings of court inquiry.

1. The court of inquiry convened October 19, 1920, to inquire into the conduct of the personnel of the naval service that has served in Haiti since July 22, 1915, of which Rear Admiral H. T. Mayo, U. S. Navy, was president, included in its findings of facts a paragraph as follows:

"4. In view of the fact that the only unjustifiable acts to have been committed are those wherein disciplinary action was taken, and where no further proceedings could be had in that the court has not deemed it necessary to report further upon the question of the ability."

The court had before it all of the reports and evidence upon which the recommendations, contained in reference (a), were based. It is the opinion of the court that the court considered all charges and found them, except in the case of Lieut. Col. Alexander S. Williams, to be unsupported by sufficient evidence to justify disciplinary action, to be unsupported by sufficient evidence to justify disciplinary action. The court did not recommend any further action.

2. In view of the finding of the court after an exhaustive investigation that the recommendation for trials of officers as contained in paragraphs 6, 7, 8, 9, and 10 of my letter of reference (a), in respect to Lieut. Col. Alexander S. Williams, Maj. Clarke H. Wells, Sergt. Dorcas L. Williams, former Pvt. Ernest Lavoie, and Freeman Lang, and to recommend that no further action be

(F)

DEPARTMENT OF THE NAVY

From: The Secretary of the Navy.

To: The Major General Commandant.

Subject: Investigation of affairs in Haiti.

References: (a) Your letter December 29, 1920, 53086 AQ-1000, from the Secretary of the Navy to the Judge Advocate General, dated December 29, 1920, 26251-26072.

1. A court of inquiry, of which Rear Admiral H. T. Mayo, U. S. Navy, was president, and consisting of high ranking officers of the Marine Corps, was specially convened for the purpose of conducting an inquiry into the conduct of the personnel of the naval service that has served in Haiti since July 22, 1915. In view of the finding of the court that the unjustifiable acts committed were those wherein disciplinary action was taken, and that further fact that the exhaustive evidence submitted to the court of inquiry fails to contain evidence upon which further proceedings could be held in the cases of Lieut. Col. Alexander S. Williams, Maj. Clarke H. Wells, Sergt. Dorcas L. Williams, former Pvt. Ernest Lavoie, and former Sergt. Freeman Lang, United States Marine Corps, the court considers that no further action is warranted in their cases.

2. The department, on November 1, 1920, directed the trial of the case of Lieut. Col. Alexander S. Williams, United States Marine Corps, on charges of desertion and of being absent without leave, and of being guilty of the offenses charged in the indictment. The trial, however, was directed in order that, if the offenses charged in the indictment were not proved, the statute of limitations would not bar subsequent trial. On November 5, 1920, directed the delay of Maj. Wells's trial until after the trial of Lieut. Col. Williams. The order directing that Maj. Wells be brought to trial has been revoked, under date of December 1, 1921, for the reasons set forth in paragraph 1 of this letter.

J

(G)

DEPARTMENT OF THE NAVY,  
Washington, January 7, 1921.

Secretary of the Navy.  
Advocate General.

Order for trial of Maj. Clarke H. Wells, United States Marine  
Court-martial.

Letter from Major General Commandant to Secretary of the  
r 29, 1920, 26283-3725: 4.

Inquiry, of which Rear Admiral H. T. Mayo, United States Navy,  
and consisting of high ranking officers of the Navy and Marine  
was convened for the purpose of inquiring into the conduct of  
the naval service that has served in the Republic of Haiti since  
in view of the finding of the court that the only unjustifiable  
were those wherein disciplinary action has already been taken  
whether proceedings could be had in the matter, and the further  
adductive evidence adduced by the said court of inquiry fails to  
upon which court-martial proceedings could be held in the  
Haiti, the department considers that no further action is war-  
ranted. The previous order of the department dated November 1,  
Clarke H. Wells, United States Marine Corps, be brought to  
court-martial is therefore hereby revoked.

JOSEPHUS DANIELS.

(H)

#### DISABILITY UNDER 10 PER CENT.

Medical Survey.

at navy yard, Washington, D. C., for transmission to the Bureau  
of Surgery.

of medical survey.

States Naval Hospital, Washington, D. C. Date, October 17,

Louis Abraham. Grade or rate, private, United States Marine

United States Naval Hospital, Washington, D. C. How long at  
even days.

naval hospital, Charleston, S. C. Date, October 1, 1919.

ultion County, Ill. Date, December 21, 1889.

e, Marine Barracks, Port Royal, S. C. Date, October 4, 1916.

#### Copy of abstract of health record.

covering present enlistment and subsequent to any prior survey.]

Place or station.	Date of trans- fer.	Disease or injury.	Days on sick list.
Royal.....	Dec. 27, 1916	None.....	0
.....	Jan. 14, 1917	.....do.....	0
au Prince.....	Sept. 17, 1917	Poisoning by alcohol.....	0
au Prince.....	Sept. 21, 1917	.....do.....	4
au Prince, Haiti.....	Apr. 4, 1918	None.....	0
.....	May 29, 1919	.....do.....	0
ort au Prince, Haiti.....	July 30, 1919	Dementia precox.....	0
.....	Aug. 14, 1919	.....do.....	0
ospital, Charleston.....	Sept. 30, 1919	.....do.....	47

#### PRESENT HISTORY OF CASE.

dementia precox.

the line of duty. Disability is not the result of his own mis-

follows: Predisposition existed prior to enlistment. Article  
ulations, complied with. No statement.

Upon admission to this hospital patient was somewhat t  
physical examination showed tremor of eyelids and vasome  
the hands. However, he was oriented and in touch with  
Stated that he thought he had been poisoned while on duty  
admits having been a heavy drinker, which was probably  
condition at this time. All symptoms have now disappea  
parently reacting on his normal mental level.

Present condition: Unfit for service.

Probable future duration: Permanent.

Recommendation: That he be discharged from the Un  
Corps. No menace.

[SEAL.]

DALLAS  
*Lieutenant Commander, Marine Corps, Un*

[SEAL.]

V. E. F  
*Lieutenant, Marine Corps, Un*

[SEAL.]

ALAN C  
*Lieutenant, Marine Corps, Un*

[First indorsement.]

From: Commanding officer.

To: Commandant navy yard, Washington, D. C.

Forwarded.

PH  
*Captain, Marine Corps, Un*

[Second indorsement.]

From: Commandant navy yard, Washington, D. C.

To: Bureau of Medicine and Surgery.

Forwarded. Approved.

A. W  
*Rear Admiral, United States Navy, C  
and Superintendent Na*

[Third indorsement.]

From: Bureau of Medicine and Surgery.

To: Major General, Commandant, United States Marine Cor

Forwarded: Recommendation of board approved.

(I)

From: Board of Medical Survey.

To: Commandant sixth naval district. For transmsion  
Medicine and Surgery.

Subject: Report of medical survey.

Place, United States naval hospital, Charleston, S. C. I  
1919.

Name, Brokaw, Louis Abraham. Grade or rate, private, U  
Corps.

Attached to naval hospital. How long at this place? One

Admitted from U. S. S. *Kittery*. Date, August 14, 1919.

Born: Place, Fulton County, Ill. Date, December 21, 1889.

Enlisted: Place, MB Port Royal, S. C. Date, October 4, 19

*Copy of abstract of health record.*

During present enlistment and subsequent to any prior survey.]

Ship or station.	Date of transfer.	Disease or injury.	Days on sick list.
at au Prince .....	Sept. 21, 1917	Poisoning by alcohol .....	4
at au Prince .....	July 30, 1919	Dementia praecox .....	62
Charleston, S. C. ....	Aug. 14, 1919	Dementia praecox .....	15
		Dementia praecox .....	

PRESENT HISTORY OF CASE.

Dementia praecox (217).  
in the line of duty. Disability is not the result of his own mis-

follows: Article 2902, United States Navy Regulations, complied with has systematized delusions. He says that while on duty in Haiti unconscious, and when he regained consciousness he found himself in says that he was poisoned by the natives in the highlands of seems to be normal otherwise, excepting that he is nervous; more es, and while talking shows lack of concentration of thought on ions. It is recommended that he be transferred to United States Washington, D. C., for further observation and treatment. Sero- blood, negative. Patient refused to have spinal puncture made.

dition: Unfit for service.

Duration: Indefinite.

Recommendation: That he be transferred to United States naval hospital, S. C., for further observation and treatment, in care of medical officer guard.

S. M. TAYLOR, *Lieutenant Commander (M. C.).*

L. L. ADAMKIEWICZ, *Lieutenant (M. C.).*

A. D. BURNETT, *Lieutenant (M. C.).*

[First indorsement.]

SEPTEMBER 15, 1919.

officer.  
ant.

GEO. W. CALVER.

[Second indorsement.]

SEPTEMBER 15, 1919.

ndant.

Medicine and Surgery.

E. THOMPSON, *Commander (M. C.), U. S. N.,*  
*Medical Aid, Sixth Naval District, by Direction.*

[Third indorsement.]

SEPTEMBER 19, 1919

of Medicine and Surgery.

General, Commandant, United States Marine Corps.

Recommendation of board approved.

W. C. BRAISTED.

(J)

From: Board of Medical Survey.

To: Brigade commander, First Provisional Brigade, U. S.  
sion to the Bureau of Medicine and Surgery.

Subject: Report of Medical Survey.

Place, Port au Prince, Haiti. Date, July 9, 1919.

Name, Brokaw, Louis Abraham. Grade or rate, priv  
Marine Corps.

Attached to field hospital. How long at this place? One

Admitted from gendarmerie D'Haiti. Date, May 29, 191

Born: Place, Fulton County, Ill. Date, December 21, 18

Enlisted: Place, Port Royal, S. C. Date, October 4, 191

*Copy of abstract of health record.*

Name of ship or station.	Date of transfer.	Disease or
Marine barracks, Port Royal, S. C.....	Dec. 27, 1916	None.....
Navy yard dispensary, Charleston, S. C.....	Jan. 14, 1917	.....do.....
Marine barracks, Port au Prince, Haiti.....	Sept. 17, 1917	Poisoning by ak.....
Field hospital, Port au Prince, Haiti.....	Jan. 21, 1917	.....do.....
Marine barracks, Port au Prince, Haiti.....	Apr. 4, 1918	None.....

## PRESENT HISTORY OF CASE.

Diagnosis, dementia precox (217). Origin in the line is not the result of his own misconduct.

Facts are as follows: Patient was admitted to hospital observation as to his mental condition, having been accused of execution of two natives. Hearsay evidence is to the effect that he was a heavy drinker for some time, and his health record shows poisoning by alcohol. Upon admission, he answered some questions in a hesitating manner, but since then he has not answered questions. Patient is not oriented to his surroundings, and keeps his eyes closed all of the time. When aroused by stimulus he will pick at the bed clothes, look under the bed, and make expressions which would indicate to the onlooker that he is having able hallucinations. Patient is unable to care for himself.

Present condition, unfit for service. Probable future duration, indefinite.  
Recommendation, that he be transferred to a United States Hospital via the first available Government transportation for further treatment.

[SEAL.]

*Lieutenant, Marine Corps, U. S. Navy*

[SEAL.]

*Lieutenant, Marine Corps, U. S. Navy*

[First indorsement.]

From: Brigade surgeon.

To: Brigade commander.

Forwarded.

[Second indorsement.]

HEADQUARTERS FIRST PROVISIONAL BRIGADE, U. S.  
Port au Prince, Republic of Haiti

From: Brigade commander.

To: Bureau of Medicine and Surgery.

Forwarded.

[Third indorsement.]

JULY 28, 1919.

of Medicine and Surgery.  
 eral Commandant, United States Marine Corps.  
 Recommendation of board approved.

W. C. BRAISTED.

(K)

NAVY DEPARTMENT,  
 Washington, November 1, 1920.

in N. McClellan, United States Marine Corps, Judge Advocate,  
 t-Martial, Marine Barracks, Port au Prince, Haiti.  
 ge and specification in case of Clarke H. Wells, major, United  
 e Corps.

named officer will be tried before the general court-martial of  
 judge advocate upon the following charge and specification.  
 y the president of the court accordingly, inform the accused of  
 his trial, and summon all witnesses, both for the prosecution  
 e.

duct to the prejudice of good order and discipline.  
 : In that Clarke H. Wells, then a major in the United States  
 while serving as an officer of the Gendarmerie d'Haiti in com-  
 partment of the north of the Republic of Haiti, did, on Novem-  
 Cape Haitien, Haiti, by telephone to Frederick C. Baker, then  
 ed States Marine Corps, while serving as a captain in the Gen-  
 ti at Gonaives, Haiti, willfully, maliciously, and without proper  
 justification, deliver and cause to be delivered to the said Capt.  
 r to "bump off" any undesirable or useless Haitien prisoners  
 said Baker, might have captured or might capture in the opera-  
 time being conducted by the Gendarmerie d'Haiti against the  
 vicinity of Maissade, Haiti, by the words "bump off," used as  
 ning and intending to kill such aforesaid prisoners; the United  
 ng in a state of war.

*Acting Secretary of the Navy.*

Did the court of inquiry come to any conclusion in the cases of  
 nd Williams?

Yes, sir. I think you have the record. The court found the alle-  
 them not sustained.

nd as to the officer named Rogoski?

I believe the same findings in his case. As a matter of fact. I  
 find that the court did not find any acts such as set forth in the  
 en established.

ow many individuals do you suppose you interviewed or listened  
 a with this inquiry while you were in Haiti?

At a guess, I should say probably between 250 and 300.

What, if any, steps did you or the court take to let it be known  
 the investigation was on and that you were the proper person to  
 tions or reports?

Shortly after we arrived in Port au Prince I drafted a notice,  
 uctions of the court, to be sent to the local newspapers, announc-  
 of the court and the purpose for which it had come. That notice

The fact of the court's coming was also pretty well known in  
 been a matter of discussion there for some weeks at least.  
 holding sessions in Haiti a number of Haitians came to me and  
 people thought they would have to wait until they should be  
 that I might not get in touch with them. I explained to them  
 an erroneous idea, and that not only were they allowed to come  
 nation to the court, but that I would consider it a favor if they

would come to me and let me know what they had to investigation. Some of the Haitian newspaper men asked for a statement to that effect, and I told them that they were free to do so, but I would be very glad to have them do so. However, they refrained from publishing that interview with me. What I have stated, word was transmitted through the occupation person who wished to testify to communicate with the judge at court at Port au Prince.

Mr. HOWE. There was no inquiry into the corvee by the Major?

Maj. DYER. Not into the corvee as such, because the corvee is covered by Haitian law, and corvee, which means public work, is under the Haitian Government. The principal connection with the part of any of the forces of the occupation was through the person who had charge of the actual work going on. I looked into the matter, and tried to find out if in connection with the corvee the American forces had committed any of the alleged acts, but could not find that effect to bring before the court. We were not there to question the operation of the Haitian Government. If Haitian officials may have perpetrated upon their own people, in fact, numerous persons came to me offering to testify that illegal acts had been perpetrated upon them by Haitian officials. I had to tell them that that matter was not being investigated by inquiry.

Mr. HOWE. Could you ascertain whether in those cases there was against Haitian officials there was more or less than hearsay?

Maj. DYER. Well, I can only judge from my experience whether practically none of them know the difference between fact and hearsay.

Mr. HOWE. So from what they told you—

Maj. DYER. They did not recognize the difference in the

Mr. HOWE. So from what they told you, you really gain the extent to which Haitian officials abused the law; is that correct?

Maj. DYER. I never made any attempt to form an idea of

Mr. HOWE. Did you at any time discourage any witnesses from coming or from testifying?

Maj. DYER. No; I did not; although I understand I might have discouraged them, based upon an incident which occurred in the judge advocate. I explained to a number of Haitians the purpose of giving me information that as a preliminary to hear even rumors, which I would try to trace down, but to testifying under oath that a witness should confine himself to his knowledge, and that for any man to take the stand and say that something had been committed, that he knew it had been committed, on personal knowledge, when, as a matter of fact, he was not sure, was perjury, and that I wanted them to understand what the courts: that, as far as the court of inquiry was concerned, the rules as all the Federal courts of the United States, and the testimony as to facts or circumstances within the knowledge of the witness himself. I might say that several people who had come to me as witnesses left after that explanation. If that was discouraged, have discouraged some of them.

Mr. HOWE. Is that the only basis you can think of for a discouragement of witnesses to appear?

Maj. DYER. I can not think of anything else, because my attitude was to dispel any such idea, if it existed. If any such idea did exist, on account of the fact that people were scattered all over the country, and widely scattered, communicated with freedom volunteering to testify. They seemed to have no fear. As a matter of fact, people came to me with complaints and carried on in the Haitian courts and wanted our court of inquiry to take dictation. One woman had a suit over a grocery bill, and she wanted to have a hearing on it and adjust it. They seemed to think that the court of inquiry, and had confidence in it. I believe that there were people there who pretended to believe and tried to create

not wanted, but I think that was confined to a few people for interest. The people at large, I feel sure, felt confident that before the court, and they did.

What action, if any, do you recollect that the court took in the *Wells* case?

The court took no action in his case at all. There was no evidence before the court, none which I could find, to show that any of the precept had been committed, with which he could do as was necessary, of course, before you could bring *Maj. Wells* in, and the act had been committed, and then connect him up with it in the case. There were rumors in regard to him, but we were unable to verify them. In other words, there was no corpus delicti to go on.

Did you, however, investigate such rumors or reports as you did in the *Wells* case?

I traced them down as far as I could, trying to get something to go on, but was unable to get it.

How long have you been in the Marine Corps, Major?

Fourteen years in the Marine Corps and about a year and a half more than that.

As a matter of curiosity, I would like to ask where you were at the time of the *Wells* case?

I was in Vera Cruz, sir.

Major, have you the terms of the notice which you caused to be published in regard to the arrival of the court of inquiry in Haiti, and its mission?

Yes; I have not.

Was that notice published in full, as you remember, in the *Wells* case?

Yes; I know it was. It was translated into French and published in the newspapers. I read it myself.

Was it published anywhere, to your knowledge, except in Port-au-Prince?

Not to my personal knowledge; I do not know.

Were any steps taken, so far as you know, to have it published in Haiti, or give out an official announcement?

I do not know whether there were or not, but the purpose of the court was well known in other places in Haiti, because I had been in various parts of the country, for instance, from up in Cape Haitien, to the south, in several other places.

Was that notice the only public announcement made by the court, concerning the function, purpose, and procedure, method of hearing witnesses, and the like, during its sessions?

Yes; that was the only official notice sent out. That court, the court of inquiry in the United States, did not advertise itself. It was not the Supreme Court of the United States, or any inferior court. They did not give out notices about what their purpose is, or their status, or anything of the kind.

Was any announcement made, in your notice or otherwise, of the place where the court would hold its sessions?

Not in that notice, but it would have been impossible, because we were as we were able to get testimony to bring before it.

Were we to understand, then, that there was no public announcements and places of holding the sessions?

Yes; there was no public announcement. There was no purpose in giving out that I know of. The sessions of the court were open, but if a person wanted to know when he could appear before the court, he would have to find out by himself.

He would have to know where to inquire, to find out when the court was going to sit?

They knew that. It sat in the same place, the barracks, every day. Arrangements were made for the public to have access. I personally gave instructions were given, because I knew there would be charges made for the public, so I know orders were given, and I carried out, that any person who came there to the barracks and inquired of the court was told where the room was and shown how to get in.

get up there and told he could come in, because, as I would be charged made about secret hearings, and all that.

Mr. ANGELL. The sessions were, in fact, then, open to the public?

Maj. DYER. Yes. There were, of course, certain times closed.

Mr. ANGELL. Under the technical rules of procedure of the court?

Maj. DYER. Yes; but not to take testimony.

Mr. ANGELL. Was there any official statement gotten out on its behalf, inviting persons who had complaints to make either to the court or to the judge advocate?

Maj. DYER. No there was no advertisement either there about already. We did not advertise in the newspapers to come or offer them any rewards for coming or any other inducements for them. They were all given them.

Mr. ANGELL. Where did the court hold sessions in Haiti?

Maj. DYER. In the library room in the barracks in Port-au-Prince, as I remember, one or two sessions on board ship, of taking testimony. That was only to consider matters.

Mr. ANGELL. There were no sessions, then, held in any other place besides Port au Prince?

Maj. DYER. No.

Mr. ANGELL. You said you went up into the interior?

Maj. DYER. Yes.

Mr. ANGELL. Where did you go? How many trips did you make? Give us some idea of the extent of the investigation you made or trips into the interior?

Maj. DYER. I made one trip, going to Hinche and St. Louis. At the time at Hinche, endeavoring to obtain some witnesses because that had been the center of rumors of numerous statements of one of the inhabitants of that town prior to the possible occurrence of a number of outrages. I went there and endeavored to obtain from him the names of a number of persons who also got into communication with Mr. Lang on that trip. I was at Cape Hatien, and the court had originally intended to go there, but in view of the fact that it was impossible to obtain any more people up there other than those who were brought down to testify, I never proceeded there. I was gone on that trip for several days.

Mr. ANGELL. Did you go to Cape Haitien?

Maj. DYER. No; I just said I did not.

Mr. ANGELL. Admiral Knapp made a trip to Cape Haitien. Did he not?

Maj. DYER. Yes; he did.

Mr. ANGELL. Did he go officially or unofficially for the court?

Maj. DYER. No; he had nothing to do with the court or its proceedings. Any investigations he may have made were entirely disconnected with the work of the court of inquiry.

Maj. DYER. So far as the court was concerned, he was not, and, as a matter of fact, I know he did give us several interviews, followed up, but he was not connected with the court or its work any more than any other official down there.

Mr. ANGELL. You felt, then, that there was no necessity of going to any other point, in Haiti to hear possible evidence?

Maj. DYER. No; there was no object in the court going to any other point, as we knew they were going to get some testimony there.

Mr. ANGELL. And you felt that your trip or trips had been sufficient?

Maj. DYER. That, and in connection with the correspondence and the interviews. In other words, we could not spend a great deal of time there going from one town to another and putting out a great deal of people to come and testify before this court. We could have done that, hoping that something might occur, or fearing that something might occur, but the court stayed there as long as they thought there was any possibility of getting any testimony in connection with their precept. It is a little more understandable to you if I would state that the preliminary investigation preceding the hearings before the court—followed the same lines that would be

ch had a United States attorney to prepare the cases for the

That is as you conceived your function as judge advocate?

ot only conceived it; I knew it.

n this large volume I have before me, which is or purports to

the Mayo court of inquiry and in evidence as such, I find on

list of the names of witnesses. Glancing that over, can you

ur recollection tell us whether those names include all the wit-  
nared before the court?

o; I can not tell you from recollection. The record will have  
if.

will change the form of the question. This, then, is a com-  
he proceedings of the court, so far as you know?

he proceedings of the court, not of any of my preliminary inves-

The court did not hear as a witness Gen. Catlin, did it?

o; Gen. Catlin never claimed to have any knowledge which

m to testify as to any of the acts mentioned in the precept  
mitted upon any Haitians.

did you interview Gen. Catlin or have any correspondence with

o; I read his reports and his prior statements, and he was not  
occasion when any alleged offense was committed.

Was it for that reason that others of the higher Marine officers

in Haiti did not appear before the court, such as Gen. Cole,  
d Col. Williams?

do not understand what you mean by that. Appear before the  
urpose?

n other words, did you make any attempt, and if so, what at-  
from these other Marine officers what knowledge they had, if

ch would come within the scope of the precept of the court?

ld.

What attempts?

read all the reports and other data on file in the Navy Depart-  
arters of the Marine Corps before taking up the investigation—

ous which had been made—and interviewed some of the people

ou did not conceive or feel that under the precept of the court  
egularities or abuses of the corvée law came within the scope

, yes; if they involved any one of the acts alleged, any unjusti-  
r other serious acts against any of the natives of Haiti or their

did you interpret the precept of the court, then, to apply only  
unlawful acts—on the part of the personnel of the United

Marine Corps?

es; it was confined entirely to their acts, not to the acts of  
eigners.

nd did not involve, under the precept, the question of responsi-  
such acts committed by any persons other than the personnel

Marine Corps?

involved inquiry and finding the responsibility in case any  
vy or Marine Corps was involved, mediately or immediately.

illustrate, if a Haitian committed one of the acts under the  
marine, then the marine would be in part responsible, and we

the responsibility in a case like that, but if it was a case of a  
ot under the directions or orders of an American, we did not

igate all those cases; in other words, the court did not attempt  
lf for the Haitian courts.

ou did not feel that it came within the purview of the court of  
re into the possible question of responsibility of naval or

for the institution, conduct, or a possible general abuse of

; we did as I explained before.

did you hear any stories or rumors of forced labor under the

corvée is forced labor. I heard lots of rumors of it.

Mr. ANGELL. Did you understand from sources of information during your investigation there in Haiti that the since the occupancy, had been in accordance with the H of any case of individual abuses?

Maj. DYER. I can not answer that question as put, but consistent. The corvée was administered illegally, according but the illegality consisted of specific instances of not for

Mr. ANGELL. And the specific instances of illegality were alleged killings, or particular crimes?

Maj. DYER. No. They were not alleged killings or particular as they were the abuse of putting people under the corvée subject to it at that particular time or place.

Mr. ANGELL. Did you make any attempt, then, to find Navy or marine personnel were responsible for such a statement?

Maj. DYER. Yes. And I found it was the Haitians for it, the Haitian officials.

Mr. ANGELL. It was the Haitian officials, and not the personnel?

Maj. DYER. Exactly. I am stating now that that was the termination, but I could find no evidence that the marine personnel that, and my personal opinion was that other people were and they were the people who administered that law.

Mr. ANGELL. Could you find any reliable or satisfactory officers or marines who were officers of the gendarmerie such alleged illegal conditions in their own districts?

Maj. DYER. Yes. They must have, because they issued such abuses. I know that the chief of the gendarmerie issued correct it, and they employed the method of having tickets issued to the men to show that they had performed were not liable to it again, and so I take it from that known there were abuses under it, and were trying to correct

Mr. ANGELL. You say that you could not get ex-Lieut. Satisfactorily before the court?

Maj. DYER. I wrote and asked him to come, as judge, reply, as I recall it, to the letter. I know he did not come.

Mr. ANGELL. Was that just one letter you sent to him up at all?

Maj. DYER. No. It was not followed up at all, because authority to compel him to come.

Mr. ANGELL. Did you make any investigation into the D. Hamilton, who was court-martialed in Haiti?

Maj. DYER. The records of his court was introduced in court of inquiry.

Mr. ANGELL. Was there any attempt to get him as a witness or any persons who testified at that trial?

Maj. DYER. You mean to retry that case?

Mr. ANGELL. No; not to retry the case.

Maj. DYER. For what purpose?

Mr. ANGELL. I am just asking you the question, whether made to get him or any of the witnesses who testified at court?

Maj. DYER. I do not recall as to any of the other witnesses was concerned, I made no attempt to get him.

Mr. ANGELL. What attempt, if any, was made to look in Ryan, who was court-martialed?

Maj. DYER. There was no attempt made to reopen any matter settled by a court-martial. Our court could have had no subject of that kind. The case was closed. We could second time. We accepted the finding of the court. When guilty, we accepted that as evidence of the fact that the man committed and that the man had committed it; and where the man was acquitted, we accepted the finding of the court that he was not

Mr. ANGELL. It was not within the scope of the inquiry to inquire into the general question of the American army in Haiti or the conduct of the occupation, except for specific

Maj. DYER. The court, as you will notice from the proceedings with the policy there and could not call upon the President

adopted any such policy, or the Secretary of State, or the Secretary of War, or any of those people. The precept was not broad enough to cover that subject.

It would not include, for example, the question of the original treaty of July, 1915, apart always from individual cases of specific abuse of power?

No; it had nothing to do with the question of policy or the interference of the United States.

Or the seizure of the customs, or the new constitution, or any other matter?

No. The precept will speak for itself.

I know; but I want to get it in the record, that is all Major, for the purpose of the thing.

Thank French or Creole, Major, at that time?

I do not speak Creole at all, and I do not claim to speak French.

Did you have to converse with your witnesses who spoke French through an interpreter?

I used an interpreter, and used several of them. The majority of the people in Haiti do not speak French, and their dialects are so different that, unless a man can interpret for a native living in Port au Prince, he is really an accurate interpreter for one living 100 miles away. At the time we had four people interpreting before the court, to try to find out what the witnesses really wanted to say. We had one interpreter who was present all the time, who spoke, read, and wrote French excellently, and I had, or one other, who attended all sessions of the court, as a translator. I believe that all the members of the court read, write, and speak French with some fluency—I know that Admiral Oliver is an expert French scholar—so that they were able to follow the witnesses without much difficulty, although everything was interpreted.

Had you served in Haiti before you were appointed judge advocate?

No; I had never been there before.

Had you made any special study of Haitian affairs before being appointed judge advocate?

Not any special study. I had been familiar with the general situation, as I followed it, but not what you would call a special study of the particular.

Is there any further statement that you think you should make, or that the committee may have any information that you have investigated and about your conduct of this court?

No; I have nothing to say, except I believe that a reference to the record of the court will show that it proceeded intelligently and thoroughly, within the scope of its precept.

The record of the court is in evidence before this committee, and I believe, with its appendices and exhibits, speak for itself. We were very much interested in hearing from you the practical methods you were using that record up.

I simply want to state that while I do not claim to anything near the skill of a judge advocate of a court, I have had a good many years' experience of that kind of work, and I have a legal education and I understand the duties of a prosecuting officer before a court, and where dissatisfaction was expressed to our court it was largely through ignorance of the American system. The criticism that was most frequently made was that we did not accept hearsay testimony, and I explained to the people, whether one or two Americans down there, that that was a rule of the United States courts, and that we had exactly the same rules as the courts of the United States follow, and we only accepted hearsay testimony under one of the regular exceptions to the general rule. The committee adjourned until Tuesday, November 15, 1921, at 10 o'clock (A. M.)

CHITPAK LIBRARY

# TO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

**TUESDAY, NOVEMBER 15, 1921.**

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Washington, D. C.*

ee met at 10.30 o'clock a. m., pursuant to adjournment, Senator  
e presiding.

ators McCormick (chairman) and Oddie.

: Mr. Walter Bruce Howe, Mr. Ernest Angell, and Maj. Edwin  
United States Marine Corps.

**MENT OF MR. RICHARD E. FORREST, RYE, N. Y.**

Mr. Forrest, will you give your name and present address to the

Richard E. Forrest, Rye, N. Y.

Mr. Forrest, you are a graduate of Yale, are you not, of the class

Yes.

ou have had experience in the Philippines and Haiti. Before  
Philippines, what was your occupation?

I was in financial work, in what is known as Wall Street, first  
nd house there, and then with my own firm, and from that work  
e financing of a very large company in the Philippines, which  
argest producer of coconut oil under the American flag. We  
ry large industry there, and during the war were practically,  
y, the largest shippers of coconut oil into the United States.

n addition to the financing of that company in the Philippines,  
active hand in the development work there, and in the direction  
the Philippines?

Yes.

id you go to the Philippines?

Yes.

ow long were you in the Philippines; I mean from the time you  
time you came away?

About three months. That was in 1915, after this company had  
ay, and then, after that, I was in charge of certain branches  
s work, as its vice president, in New York.

hen did you cease to be the vice president of that company?

In January, 1918.

hat company is still doing business?

Yes; a very large business.

id you have anything to do with the Philippine Society?

Yes; in 1912 the questions which arose in regard to the political  
Philippines were of considerable moment, and those who were  
interested in the Philippines banded together to endeavor to  
tions which might help their interests in the Philippines, into  
Society. I had talked with Mr. Taft and Gen. Wood, and Mr.  
s, and others who had had to do with the development, politically  
y, and so on, in the Philippines, and under their advice we  
Philippine Society with myself as secretary, and I was the  
a the work of that society for upward of three years.

o it is fair to infer that you made a study of conditions in the  
d the relations between our country and the Philippines?

Mr. FORREST. Yes.

Mr. HOWE. When you left the company in the Philippines were connected, did some of your associates leave at the same time?

Mr. FORREST. Yes.

Mr. HOWE. That is in stock ownership?

Mr. FORREST. Those who had been interested in the company at the same time I did.

Mr. HOWE. Then there was a prompt transition, was it, to Haiti in association with the same people?

Mr. FORREST. Yes; in association with the same people.

Mr. HOWE. What was your project in Haiti?

Mr. FORREST. It started by taking a contract from the United Fruit Company to produce castor beans in Haiti, from which castor oil was produced. We were given a contract which was in the nature of a lease for the production of castor beans, and subsequently we were asked to enlarge our contract, our production, and that we would have the exclusive right for the imports of castor oil from Haiti.

Mr. HOWE. About when was that?

Mr. FORREST. The first contract was taken in February, 1918, and the second was taken in September, 1918.

Mr. HOWE. Will you go ahead now, Mr. Forrest, and give us some of your development experience in Haiti, giving us an idea of what you spent there, whether or not you were interested in the country, or whether you were not actually in Haiti, and, in general, give us an idea as to what your opportunities for observation were?

Mr. FORREST. We organized our company, which was the West Indies Corporation, with myself as president, in March I went to Haiti and spent about two months. We started the production of castor beans and the production of castor oil until December, 1918, about a month after the armistice. I went again to Haiti in January, 1919, and spent about two months in order to develop plans for the production of cotton. Then we devoted ourselves to this cotton industry until March, 1919, which time I spent, I suppose, an average of from four to six months in Haiti.

That is condensing the whole thing. I do not think I can give you the details.

Mr. HOWE. No; it is not. We just want an idea as to what your experience was.

Mr. FORREST. And during all of that time, until May, 1919, I was entirely to the work of the company in Haiti, whether in New York. I did nothing else.

Mr. HOWE. What results came from the long-staple cotton?

Mr. FORREST. We had developed a very large plant on the island of St. Vincent.

Mr. HOWE. About how many acres did you have there?

Mr. FORREST. We had under cultivation there about 2,000 acres. There was cotton there on the 10th of November which looked like it was about to be harvested. On the 20th of November we found that practically the whole crop had been attacked by an infection which apparently is a very serious one. In fact, there has been no record of that infection happening elsewhere except in the island of St. Vincent some years before. It was with in the destruction of that cotton, of course, meant that we had to go to an experimental stage, and our position now is that we are working with sugar and cotton to see what further plans we should make.

Mr. HOWE. Has the company holdings of land outside Haiti?

Mr. FORREST. Yes; we own, altogether—perhaps it would be better to say that in the record.

Mr. HOWE. I do not think that is necessary on the record.

Mr. FORREST. I will simply say that we have large tracts of land in the country besides St. Michel.

Mr. HOWE. You formed the acquaintance of many Haitians?

Mr. FORREST. I have been down there very frequently and have met many in Haiti but also in New York, and I feel that I have a good acquaintance among the Haitian people.

Mr. HOWE. Have you also met our treaty officials and managers?

Yes.

What were your relations with them?

Complete cooperation. I have always been treated by the Haitians as if they looked toward the agricultural development of Haiti, and we have endeavored to help them in giving them the benefit of our experts which we have, and further in actually taking up to our plantation certain agricultural schools to instruct them in the work that we were doing. The course was done without any cost.

You expect to be in the United States for the next few months,

I do.

The committee expects to go to Haiti, Mr. Forrest, starting in the near future and coming back in about a month after that. Its time for hearing is somewhat limited, although the committee wants all the information it can get. You believe that we could have the benefit of your information on the committee's return to this country?

I should be very glad indeed to do anything I can to assist in the important question, either now or when the committee comes back.

Mr. Chairman, Mr. Forrest has had great opportunities for observation here, I learn, and it would be impossible in the time at my disposal to go into these matters in any great detail, but there are a few things which I think he could touch on at the present time, and with your permission to lead him up to those matters and then get his free comment. I am not going into an exhaustive examination.

That can be taken up later.

Is agriculture an easy matter down there in Haiti, or do you have to be on the lookout for plant blights in cotton or in other crops?

The conditions which make for the prospect of agricultural success like Haiti also make for very decided dangers as to crop destruction. You have conditions which favor very rapid growth of plants under conditions which favor the rapid growth of things which will destroy them. If we were ever to have the boll weevil in Haiti, it would be impossible to ever get any cotton out of Haiti, because there would be no time to destroy the boll weevil as there is in this country where it comes along and retard their production. If you have army worms in Haiti, you are going to have a tremendous number of them destroy your crops in a very short time. In agricultural production in Haiti, or in fact in the Tropics, the risks that are taken are not only on account of the presence of destructive influences but also the risks of transportation difficulties of organization on the ground. To sum that up, I think that the profits from agriculture in Haiti would be very large and so very great.

You have had an opportunity since you went to Haiti early in the occupation to see the results or accomplishments of the American occupation. Please compare those results, not with what the conditions were when the American occupation began, because, as I understand it, you have no direct knowledge of them; but compare them, please, with the conditions as they are now, as determined by the United States in its treaty with Haiti, the treaty of 1904.

I have the treaty, what is called the convention, here with me, and I am permitted to just read the first article of that treaty, it says: "The United States will, by its good offices, aid the Haitian government in the proper and efficient development of its agricultural, commercial resources, and in the establishment of the finances of Haiti on a sound and solid basis."

That is the convention which, it seems to me, is the most important consideration in regard to the questions which this committee has to consider. It speaks of the efficient development of agricultural, mineral, and commercial resources, and the establishment of the finances of Haiti on a sound basis. If we look back to the time when we made this convention, we can consider the progress which has been made during four years. We have to admit that the progress has not been at all satisfactory.

To-day the agricultural and commercial resources of the country are somewhat improved on account of the establishment of law and order, but they are not been at all commensurate with what both the Haitians and the American business men who are interested in Haiti had a right to expect from the words of this convention.

Of course, the European war has had to do with the gram, but, nevertheless, it seems to me that the chances a convention was made the people of Haiti had a right to be going to be lifted up into prosperity, and looked to the them in that. I regret to say that, in my opinion, they lived up to that faith which they gave the Haitians. A feeling of disappointment and the indefinite policy on the States, and also on the part of the Haitian Government deal of friction, and has brought about a weakening of sides. I think, if we look at that, as the basic situation of Haiti to-day, we have got the main cause to exist.

Mr. HOWE. You stress what you term the disappointing can occupation in bringing about financial stability. What

Mr. FORREST. First, I should say that there was needed the part of the United States Government as to how the can be established on such a basis that friction between representatives of the United States Government can be with, to the end that the words of this article may be a firm policy of government has been established, capital go into Haiti. We all know that capital is extremely tight that if there are indications of governmental friction itself to become subject to the exigencies of a continuing misunderstandings.

Mr. HOWE. To go back a minute to the material evidence what about the establishment of law and order? Has it or not?

Mr. FORREST. I consider that the work which has been law and order in Haiti has been truly remarkable. The part of the country is such that to the person who sees the passable districts it would seem quite impossible to establish order throughout the country. The efficiency with which handled that is, I think, truly remarkable and very much.

Mr. HOWE. What have you to say, Mr. Forrest, as to roads and communications?

Mr. FORREST. I can not give the details. It is not per committee that I, a layman, would give the details as to and how much had been constructed and what the expense.

Mr. HOWE. Well, we knew from testimony which has that between 400 and 500 miles of roads of various classes or constructed under the supervision of our military or our marines—down in Haiti. How good has that work been, and purposes has it served? Let me ask you a question suggested which the committee already has. In your opinion, were on a plan which would do the most for the commercial country or, in your opinion, does the plan of reconstruction military considerations as being better served by the laid out?

Mr. FORREST. It is very difficult to discriminate between for commercial purposes and for military purposes, except of a road would be such that there would be no economic. The road from Ennery to Limbe is purely a military road for the agricultural products of the Gonaïves Valley and would naturally go to Gonaïves for export, and on the cultural products of the Plain du Nord would naturally of the north coast; therefore the most expensive, you might part, of that road is purely a military road, because it is tains, where there are no agricultural developments which never could be.

Mr. HOWE. Is there on either end of that road a direct economically served to other outlets, to outlets on the sea?

Mr. FORREST. Yes; but the building of the roads across have anything to do with the handling of the economic products because they would not go over the mountains.

Mr. HOWE. They would not go to the sea?

Mr. FORREST. They would not go to the sea, but entirely instead of over the mountains the other way. I speak of because I think that is the most spectacular road in Haiti.

on which I came to the same conclusion is the road from Pontais, which has no economic value whatever, and must have order to allow good access into the heart of the country, where cos were operating.

is the road from Ennery to the St. Michel plain. In the road it must be remembered that the headquarters of the surrection were in the mountains surrounding the plains of the construction of that road into the St. Michel plain was e of the means of eliminating the Charlemagne rebellion, for it could be approached from the south and also from the north. n Miragoane to Jacmel is also purely a military road, for the products of Miragoane are on the shore, and the products of o on the shore, but those three roads are very spectacularly y opinion, are purely military roads.

r to facilitate military operations, it was really necessary to dition of the roads which were already in Haiti. Whether you the improvement of the road to Croix Des Boquets and to the Gonaives district would be due to economic developement is because it must be remembered that the products of Haiti are and oxcart, and can be carried over a road which is not what is omobile road. It is perfectly true that the economic advantages ve been very remarkable in Haiti, and I believe that the market recognize the fact that to-day they can transport their products ar with the same effort as they could before these good roads

et me interrupt there to ask if you think there was any benefit road you mentioned over the mountains, in making it possible f one part of the country to mingle with and meet the people of the country?

I believe that political stability and the progress of the the country people is dependent upon communication, just as ina, or any other country, that you can not have a civilized, e who are separated from each other by impassable conditions

o that might be an incidental good from that piece of road

Absolutely. The communication has been tremendously im- he American occupation.

ad that has brought forth greatly bettered conditions? A great deal better living conditions, and a decided advancement the outlying districts.

other words, you would not call that work wasted work?

No, I should not.

ut if the plan had been purely for the economic development of the earliest possible date, would you have devised a different

Entirely—I do not mean entirely, but I would have supplemented of these important military roads over the mountains, which e the most expensive part of the program.

hat would be the central theory of a system of roads for the pment of the country?

The proper construction of roads in the three large agricultural first, the Cul de Sac; second, the Plaine du Nord; and third; Michel.

ad an outlet from those regions to what point?

To the seacoast.

ad then, after that, I take it you would be ready to link up these but your first avenue of transportation would be to the sea,

Correct.

ow much of that has been done, giving these regions direct ac- over roads?

That is a difficult question to answer, because it involves a of the little roadways that go through those districts.

do not think it is going to be beneficial at this time to have a to that, Mr. Forrest?

I should say there has been considerable improvement in the nsporting products to the markets and to the seacoast.

Mr. HOWE. Would you say that considerable improvement has been done?

Mr. FORREST. A great deal remains yet to be done; yes.

Mr. HOWE. What about sanitary conditions?

Mr. FORREST. Sanitary conditions in the towns have improved. It used to be such that when ships passed by Port-au-Prince, stopping there, they knew that the sanitary conditions were bad, because of the wind, which would carry the odors from the towns, the large towns of Haiti are in an excellent sanitary condition. It has been brought about by the expenditure of comparatively small sums.

Mr. HOWE. By what agency?

Mr. FORREST. By the sanitary engineer of Haiti, assisted by the magistrates and chefs de section, through the old rural police.

Mr. HOWE. Have the gendarmerie or the marine contributed to that improvement?

Mr. FORREST. Yes; where the towns were under the command of the gendarmerie and the marines, the sanitary conditions were better, and they are directly responsible for the improvement taken place in those towns.

Mr. HOWE. Has progress in sanitation, then, been worth the cost?

Mr. FORREST. Not only worth while, but truly remarkable.

Mr. HOWE. I suppose there is still more to be done along that line.

Mr. FORREST. Yes; I should say that there was in a general way, but to-day I consider that Haiti is a very healthy place to live in.

Mr. HOWE. What changes has the occupation brought about in Haiti?

Mr. FORREST. The education has been improved by the introduction of the French system. There are more children in the conditions of law and order. There are more children now than there were when we first went into Haiti, but it cannot be called satisfactory, in my opinion. Whether this is due to the fact that we went into Haiti there was no school organization of any kind, from which to build up, or whether it is due to the lack of funds to carry on a proper organization of an educational system. My own idea is that the prospects for educational improvement would not be bad if funds could be provided and a proper system with funds at its command, established.

Mr. HOWE. How long would it be before you could have a large number of students?

Mr. FORREST. I believe it would be a long time.

Mr. HOWE. Would you have to train your own?

Mr. FORREST. You would.

Mr. HOWE. What, then, is necessary for the carrying on of the system there, would be sufficient funds and sufficient time?

Mr. FORREST. Sufficient time to provide an organization of the details of the number of children that are at school, and really very small compared to the size and population of the country.

Mr. HOWE. What has been effected in the way of agricultural culture?

Mr. FORREST. I feel that the improvement in agriculture has been the work of companies which have started there in the last few years, but that the results, as far as economic progress is concerned, is to-day not of any consideration.

Mr. HOWE. What is needed in order to make progress in agriculture?

Mr. FORREST. The first thing that is needed is the clearing up of the land situation. It is not feasible for people to start farming when they do not know who owns the land, and that is why the committee will probably go into at length.

The second thing is intelligence of management and the third thing is the providing of equipment, and the fourth thing is the market for the products.

The land situation is a very difficult one to solve in Haiti. To-day down there who are in agriculture are comparatively few. It will take a considerable time before Haiti really starts to get on its feet in agriculture unless the finances of the country are improved by the investment of proper capital down there.

Mr. HOWE. Here again is a feature of development requiring attention.

Mr. FORREST. Yes.

so far you have made that comment on education, that it requires roads or transportation, that that requires money and capital. Agriculture. - Would you deem irrigation projects as another matter of capital and which projects themselves are necessary to a betterment in Haiti?

I should say irrigation was a part of the equipment of a plan. Therefore comes under the heading that I spoke of. It is just as important as buildings or anything else which has to do with the improvement of soil conditions. I consider that in any agricultural operation the investment of capital would absolutely require irrigation. The reclamation of land would also require irrigation, is that

Yes.

Is an irrigation system would be an indispensable prerequisite to irrigation projects in Haiti?

Yes.

The development of new lands?

You say new? I should say large agricultural developments are a great many things that are produced that require no irrigation. The important things in Haiti, such as sugar and cotton, should be irrigated. Of course, we deal with coffee and cocoa, and things of that kind. They do not require irrigation, but the important development in Haiti is irrigation is necessary for that, but not for cotton, because there are places in Haiti where cotton could be grown without irrigation.

What has been done toward the restoration of irrigation systems and the development of new irrigation systems by the forces of our occupation?

In 1919 an irrigation expert was employed by the engineer of the occupation to go down there and report on a complete system for the irrigation of the Cul de Sac. He made a full and complete report, which is on file. It is understood that nothing has been done further with regard to that project on account of the lack of funds, but it has been seriously considered in the past. We have been down there that a proper irrigation development

in this connection that there have been plenty of revisions of the situation in Haiti for some time past, and that the difficulties in the matter are very great, due to the uncertainty again of land ownership. It is a very old thing. If a man is not sure as to who owns the land, he is not so much interested in how he is going to put water on the land. There are in a great many instances of irrigation that has been carried out for many years the ownership of the water is established, still, there is a question in Haiti with regard to land titles as it is to-day, the land is linked up with an irrigation system. For instance, if you put a tax on an irrigation system, and then put a tax on the lands which require the irrigation, the question is who is going to pay the tax—land?

and that is a question on which there is uncertainty in Haiti?

On which there is and always has been and will be until some surveys can be put in, and the ownership of land established. The irrigation projects and the land title situation are linked up together, in

in your opinion, what should be the main channels of expenditures of the Haitian Government?

The object of investing any money in Haiti would be to get as possible a return on the investment.

The situation as it is to-day, it is impractical to place a land tax on the land. Therefore I think that the thing that would yield the quickest return for the country, and also clear up all of these other indefinite projects necessary, would be the establishment of a proper system of land titles. Means of course, a Government survey, and, after that, the establishment of titles; in other words, the establishment of a proper bureau of land titles as had in the Philippines. The Torrens system has worked out very well in the Philippines, and I think it might work well in Haiti.

Then you think that the existence of land surveys and Government bureaus and the bureaus for the administration of land titles would be a proper expenditure of Government funds?

I believe so, and not only appropriate, but would tend also to clear up many of the difficulties which have to be met now.

Mr. HOWE. What else would you spend Government money on?

Mr. FORREST. I should say that the second thing would be educational progress of the country. I do not believe the country is progressing as rapidly as it should, without having the educational system improved.

Mr. HOWE. What visible results would you expect from the Haitians?

Mr. FORREST. The whole welfare of the people would be improved. It would result in the development of a middle class in the country which we can not say we have at the present time. It would improve the political situation. I think the benefits of education, of the country, are not as great as they should be.

Mr. HOWE. But it would be a direct and important benefit.

Mr. FORREST. It would be a direct and important benefit.

Mr. HOWE. What else would you spend Government money on?

Mr. FORREST. Haiti is decidedly an agricultural country. Agriculture is an important factor in the development of agriculture is the basis of the products of the country. Wherever you are going to develop a country which deals with things in bulk, the cost of transportation is an important item in the proper conduct of the business. It applies especially to cotton, and I think practically everything Haiti would produce. Therefore, say that the ability to get the products to a market would be the next thing to handle and consider, and then the development of the road system which would go through the districts of Haiti, would be the next most important thing to consider, and also increasing the security of those who are engaged in agriculture and also improving the intelligence of the farmers of Haiti.

Mr. HOWE. Then, from what you say, I would gather that the country is an enterprise but the Government of Haiti now needs capital to develop it, is that correct?

Mr. FORREST. That I consider to be most important.

Mr. HOWE. And if that should be accomplished would you expect progress and would you expect satisfactory progress along the lines of development of the country and the proper development of the industries?

Mr. FORREST. I think it would be the first step in the development of both the Government and economic development.

Mr. HOWE. Would you consider that the negotiation of a loan, with duties and obligations which the United States Government has entered into that treaty?

Mr. FORREST. I think that is implied in this convention. I know that the sentiment in Haiti, or the feeling in Haiti, is that confidence that as soon as this convention was signed the country would be with the funds, because it says here, "The Republic of Haiti, under the present conditions of its revenues and finances."

The CHAIRMAN. Do you think that the American Government is being delayed by reason of its delay in making this loan?

Mr. FORREST. I consider that the American Government is being delayed by the terms of this convention, as generally interpreted by the country.

The CHAIRMAN. Apart from the interpretation of the Convention, in your own judgment, do you think our Government, as a matter of course, postponing until this time the negotiation of a loan?

Mr. FORREST. I think so.

The CHAIRMAN. Let me ask you further: The authorized amount of the loan will take some \$14,000,000, in round numbers, to pay the interest on very advantageous terms, I think, to satisfy the local currency of the internal debt. That will leave somewhere between \$1,000,000 free for expenditure on public work in Haiti. Do you think that is adequate at this time?

Mr. FORREST. I should say it was pitifully inadequate.

The CHAIRMAN. Do you believe that even at the high cost of borrowing the Government would have done better to borrow \$5,000,000 more?

Mr. FORREST. I am confident that it would; yes.

The CHAIRMAN. I ask that because, at 6 per cent. which is the rate of the loan ultimately and permanently, apparently the market rate is around 85, and naturally the conservators of Haitian credit

rowings at this discount. Nevertheless, you believe that, despite would have been better to have borrowed \$5,000,000 more, let us er to carry out energetically the program of public works?

Senator, I feel that anyone who would think that they should rowing of \$5,000,000 at the present time, even if they paid such ou say, could not have the proper confidence as to what that in- in Haiti. In other words, if we consider that this loan means an Haiti for the improvement of Haiti, the more money that is put certain limit will bring back more return, because those of us Haiti—

n. Well, more money put in, and the sooner the better?

The sooner the better, because those of us who believe in the believe that we would not invest capital in Haiti if we would ) per cent out of it. We believe that the prospects for invest- in Haiti are far in excess of 10 per cent, and what applies to of private capital in Haiti would also apply directly to the ublic funds in Haiti.

ve just explained, the most important thing in Haiti at the he settling of the land situation, and until that is done—

n. By that you mean the clarification of titles?

Yes; and until that is done I do not think you can start any e development of Haiti, and that will take a great deal more e Senator has said would be available right there, in my estima-

ell, how about the negotiation of a loan, or the settlement of e the relations of this country in Haiti are, as you have called ? Can you obtain that loan or settle your land titles as long s are indefinite?

I think that capital, ordinarily being extremely timid, would est in a country where the political program or policy, we will way indefinite, and that it would be essential to obtaining the e of the people who have the capital that they should know al conditions are in the country in which that capital is invested. d what they are likely to be?

And what they are likely to be.

ow far can you go in the development of the country by private sisting the Haitian Government along progressive lines, or lines out the confidence of the Haitian people?

I do not believe that any project can succeed in a country which pathy of the people of the country. I think that the sympathy otten myself from friends in Haiti can be easily obtained by es of the United States, once the program of a political policy ined. I believe the Haitians will cooperate. I think that it is agricultural development of a country to have, further, more n, almost a partnership with the people of that country. I ential, and I believe that can be done in Haiti.

other words, the agricultural development of Haiti would ecessarily benefits to the Haitians?

Yes; and I think that the Haitians, who are extremely sensi- ount of what has happened since this convention was made— r confidence could be obtained.

what steps?

First, by a development of policy which would show that their perly safeguarded, and by a general cooperation between those o Haiti to invest their money and those—

s. Has our Government had any policy in Haiti since it went

should say no; I think things have been allowed to drift.

v. Has there been any responsible American official to whom ther in the service of the Haitian Government or in the service nt of the United States, could be held responsible?

No; there has not been, because the authority has been undefined g of treaty officials, and as to their standing in their relations Government. There has been a confusion of authority which se who are in Haiti of confidence as to just what the Govern- s, and where the responsibility lay, a problem that we all know.

The CHAIRMAN. Let me ask you, Mr. Forrest, to consider the problem of a loan. The treaty was proclaimed in March a period of 10 years, and may be extended for a period of 10 years, will expire automatically, unless further renewed, in 1911, when the proposed loan of \$40,000,000 is to be made is 30 years.

Mr. FORREST. So I understood; yes.

The CHAIRMAN. Therefore, the treaty will expire at the end of 10 years, although the loan runs for 30 years. Let me ask you if you are in favor of that article of the protocol, and especially in the following language, for the security for the loan:

"And it is further agreed that the control by an office appointed by the President of Haiti, upon denomination of the United States, for the collection and allocation of the funds, will be provided for during the life of this loan, after the aforesaid treaty, so as to make certain that adequate provision for amortization and interest on the loan."

I ask that question because I am disposed to believe that the burden borne by the loan and the ability of the underwriters to provide largely upon the interpretation of that provision of the protocol.

Mr. FORREST. Well, I think you have answered the question. I believe that if I was one of a syndicate which was going to make that I would try to make the loan as good as possible.

The CHAIRMAN. Well, under that language, is it good enough?

Mr. FORREST. Well, I could not answer that question, because I am not sufficiently in touch with the investment market to know how to proceed in taking that loan, under those conditions.

The CHAIRMAN. Let me ask the question in another way, to imply to you that for the service of the external debt provided by the receivership under control of officers appointed by the United States will continue until the service of the debt under the loan is paid?

Mr. FORREST. I should say that 15 years was too short a period.

The CHAIRMAN. That is not the question I am asking. The question means that the receivership will continue for a subsequent period.

Mr. FORREST. I should say yes.

The CHAIRMAN. After the expiration of the treaty?

Mr. FORREST. Yes; I do not believe that Haiti could maintain the condition in 15 years.

The CHAIRMAN. Do you believe that she is bound by the treaty whether she recovers or not, to agree to the appointment of a President of the United States?

Mr. FORREST. I should say that she was; yes.

Mr. HOWE. How much progress can be made until the loan is paid?

Mr. FORREST. Under the present world conditions, I should say no progress.

Mr. HOWE. Can the loan be a fact until the uncertainty of the country and of Haiti is turned into as great a certainty as possible?

Mr. FORREST. Well, that depends on the conditions, the terms, who are subscribing to the loan are willing to take. It is not a question of saying whether people are going to buy those bonds under those conditions or not, but there is no doubt that there would be no loan.

Mr. HOWE. The greater the certainty, the greater the chance of success.

Mr. FORREST. Yes.

Mr. HOWE. Is there anything more, Mr. Forrest, that you wish to say which you think the committee should hear from you?

Mr. FORREST. No; I think that as the committee is going to perhaps absorb more information, or so much information, that it might say now further would be superfluous, but I would be glad to have myself available for the committee on their return.

Mr. HOWE. Mr. Chairman, I have now called the last witness. The committee has in mind to call before its departure for Haiti, unless materially changed, with the exception perhaps of a few witnesses, Mr. Williams to complete his cross-examination, and I therefore call the committee that Capt. Angell be permitted to call his witnesses for the examination of his own witnesses.

TESTIMONY OF MR. MAX ZUCKERMAN, ROXBURY, MASS.

Will you state your name and residence, Mr. Zuckerman?

AN. Max Zuckerman, 110 Crawford Street, Roxbury, Mass.

Have you served in the United States Marine Corps?

AN. Yes.

Will you give us the dates of your service?

AN. From July 6, 1915, up until, I believe, October, 1919.

In October, 1919, did you receive an honorable discharge from the Corps?

AN. I did.

Did you serve in Haiti while a member of the Marine Corps?

AN. Yes.

Between what dates?

AN. From the 7th of November, 1915, up until the 22d of October, 1919.

Where were you on duty with the Marine Corps between the date of your discharge and the time you went to Haiti?

AN. What is the question?

Where did you serve in the Marine Corps between the time of your discharge and the time you went to Haiti?

AN. I served at Norfolk, and then went to Haiti, Cape Haitien, and Ouanaminthe.

Where were you on duty after your return from Haiti?

AN. Quantico, Philadelphia and Quantico.

Did you go overseas?

AN. I did not.

With what units did you serve in Haiti?

AN. The Fifteenth Company, and then was transferred to the First Battalion, Second Regiment, as acting sergeant major to Col.

What was that what you were during the rest of your time in Haiti?

AN. I left Haiti as sergeant major and came back to Philadelphia and went to Quantico.

And did you serve as sergeant major in the headquarters of the First Battalion during that time?

AN. Yes; I was acting sergeant major up until the time I was transferred to Cape Haitien.

What other officers of the Marine Corps did you serve actively with in Haiti?

AN. Capt. Upshur, Col. Gulich, Col. Hooker, Col. Wadleigh, Col. Catlin—that is all I can remember.

Gen. Catlin, did you serve with?

AN. No, sir.

Where did you go when you first landed in Haiti?

AN. Fort Liberte.

What indications, if any, did you have on going to Fort Liberte as to the attitude of the Marine forces in Haiti toward the natives?

AN. We came down on the *Prairie* and got aboard a motor boat, and in the motor boat there were two or three natives, as I remember, and my impression that these were the men we had to contend with on the island.

What impression were you given?

AN. Well, "these are the sons of bitches that you would have to deal with while you are down here."

Who made that remark, if you can remember?

AN. The man in charge.

Was that an officer?

AN. Yes; he was an officer.

A Marine officer?

AN. Yes.

Did you go to Fort Liberte first?

AN. Yes.

What was the nature of your duties there?

AN. I was private, attached to the Fifteenth Company.

What was the nature of your duties?

Mr. ZUCKERMAN. Hiking details, guard duty, etc.

Mr. ANGELL. How long were you on duty at Fort Liber

Mr. ZUCKERMAN. About five months, I believe; four or

Mr. ANGELL. Then where did you go?

Mr. ZUCKERMAN. Then I was assigned to headquarters minthe as acting sergeant major for Col. Gulich.

Mr. ANGELL. How long were you at Ouanaminthe?

Mr. ZUCKERMAN. I was at Ouanaminthe for about a ye

Mr. ANGELL. Then where were you transferred to?

Mr. ZUCKERMAN. Back to Cape Haitien.

Mr. ANGELL. In what capacity were you there?

Mr. ZUCKERMAN. As acting sergeant major of the regi

Mr. ANGELL. Did you remain at Cape Haitien the rest

Mr. ZUCKERMAN. Until I was ordered back to the Unit

Mr. ANGELL. Did you ever serve in the gendarmerie?

Mr. ZUCKERMAN. I did.

Mr. ANGELL. Where?

Mr. ZUCKERMAN. Ouanaminthe.

Mr. ANGELL. In what capacity?

Mr. ZUCKERMAN. Just detached from the Marine Co gendarmerie.

Mr. ANGELL. Were you an officer in the gendarmerie?

Mr. ZUCKERMAN. No; I was not.

Mr. ANGELL. How long were you at Ouanaminthe in t

Mr. ZUCKERMAN. About seven months.

Mr. ANGELL. Did you come in frequent contact wit around Ouanaminthe?

Mr. ZUCKERMAN. I did.

Mr. ANGELL. While you were serving in the gendar were there native prisoners brought in from time to time

Mr. ZUCKERMAN. There was.

Mr. ANGELL. What was the general attitude of our toward the natives and how were they treated?

Mr. ZUCKERMAN. Well, it was an individual attitude. treated fair, but it was the individual attitude of the d bringing the prisoners in. They were generally grilled degree. We brought them into the gendarmerie headquar would take their prisoners to the gendarmerie headqua would take theirs to the marine headquarters, and they by the captain in charge of the gendarmerie—put thro order to derive answers from them. They had two diffi One was to gain information from them by beating them remember what it was, but it was a long thing fill gendarmerie would stay there, and if he would not an let him have it. Another one was this: They had a stan 6 feet over the ground, and they just strung a rope arc there so that his toes would just touch the ground, and f the question he would pull the rope.

Mr. ANGELL. Who were those prisoners?

Mr. ZUCKERMAN. Brought in by the gendarmeries.

Mr. ANGELL. Why were they brought in? Were the bellion?

Mr. ZUCKERMAN. They were brought in to get inform Cacos were.

Mr. ANGELL. How often did you see these methods of which you just described?

Mr. ZUCKERMAN. About twice a week.

Mr. ANGELL. Over a period of what length of time?

Mr. ZUCKERMAN. During my period of duty with the p not know how long it was. It was five, six, or seven m that.

Mr. ANGELL. Was the information obtained from these perter or through direct questioning by the officers?

Mr. ZUCKERMAN. Through an interpreter.

Mr. ANGELL. Were you yourself actually present to treatment?

Mr. ZUCKERMAN. Yes.

Did you ever see yourself or know of your own personal knowl-  
 istances of shooting of prisoners?

AN. No.

Did you go out on patrol duty or hikes in active operations  
 ives, the Cacos?

AN. I have often gone out on hikes, but was never jumped by

On these hikes did your detachment take active operations  
 ives?

AN. We did.

What was the nature of those operations?

AN. Well, on several hikes out of Ouanaminthe we fired at sev-  
 t in the fields supposed to be Cacos.

What were those parties you refer to doing?

AN. They were out in the fields there a distance of about a  
 , I should say.

And doing what?

AN. And apparently it was a large plantation there. On two  
 ns there was a party of three or four that were fired at, and on  
 n, just coming over the top of Mount Capitan, we fired at a

What were these various parties doing at the time? Were they  
 rations against your detachment?

AN. No.

Were they working on a plantation, or what were they doing?

AN. Well, they were quite a distance away. We could not tell  
 were doing. They appeared to be working on the plantation.

Do you know whether your firing at them resulted in hitting

AN. I really could not say.

You could not tell?

AN. No.

Was there or was there not common talk among the marines of  
 ers, referred to as bumping them off?

AN. There was by a certain gendarme lieutenant.

Who was he?

AN. Lavoie.

Lavoie?

AN. Ernest Lavoie.

Did you know him personally?

AN. I did.

Where have you seen him, under what circumstances?

AN. Well, I used to see him at Cape Haitien quite often. He  
 there. I believe he was stationed at Le Trou, in charge of the  
 rou.

Is Le Trou near Hinche?

AN. It is quite a distance from Hinche. They operated from  
 ough Hinche. That was before they put a gendarme post at

What conversation did you have with Lavoie along those lines?

AN. We were all at the French Club one night, a party of five

This was at Cape Haitien?

AN. This was at Cape Haitien; and he came in and told us  
 off a magistrat, I believe; that he finally caught him and bumped

Did he give any particulars of this incident?

AN. No; he just happened to pass that remark.

Can you fix the approximate date of this statement by Lavoie?

AN. It was either the latter part of 1917 or in 1918; I just can  
 out I remember distinctly his coming down to the French Club  
 He drove in there with his horse and told us this story.

Did you ever see the corvee in operation?

AN. I seen two corvee camps, and I saw them working on the

Where were these camps?

AN. One of the roads was from Cape Haitien to Ouanaminthe  
 oads from Cape Haitien to Port au Prince.

Mr. ANGELL. How far, approximately, from Cape Haitien were the camps?

Mr. ZUCKERMAN. One of them was about 12 or 15 miles, and the other was about 7 or 8 miles. They worked on the roads, and the roads they helped build the road from Cape Haitien to—

Mr. ANGELL. Will you describe these camps as nearly as you can?

Mr. ZUCKERMAN. In one camp on the road to Ouanaminthe, they were quartered in these ordinary Haitian huts, and in the other they were quartered about the length of this building, and barb wired off.

Mr. ANGELL. When you say "barb wired off," how do you mean it? By barbed wire?

Mr. ZUCKERMAN. Just the front of it was barbed wire. The back of it was a wooden background and the front of it was barbed wire.

Mr. ANGELL. Did you see the gangs actually at work on the roads?

Mr. ZUCKERMAN. I believe I did; yes.

Mr. ANGELL. Do you know whether or not you saw the gangs actually at work?

Mr. ZUCKERMAN. I believe they were corvee. I saw them at work there building the road—out on the road to Port au Prince. They were building the road there to transport logwood from the interior to the corvee system built that road coming out to the Plain de la Gonaïve.

Mr. ANGELL. Who were in charge of these men you saw at work on the road?

Mr. ZUCKERMAN. Gendarmes.

Mr. ANGELL. Were they armed or not?

Mr. ZUCKERMAN. They had a gendarme guard there.

Mr. ANGELL. Were they armed?

Mr. ZUCKERMAN. Yes.

Mr. ANGELL. How many were in these gangs?

Mr. ZUCKERMAN. I believe 30 or 40; something like that.

Mr. ANGELL. Each gang?

Mr. ZUCKERMAN. No; that is the crowd that I saw at the camp.

Mr. ANGELL. What was the general attitude of the enlisted men and officers of the Marine Corps toward the Haitians?

Mr. ZUCKERMAN. Well, among the enlisted men, the attitude was indifferent. Some of them had no use for the natives and some of them were friendly with them.

Mr. ANGELL. What was the attitude of the natives toward the occupation?

Mr. ZUCKERMAN. It varied. When they first went down to the coast, they were all right, but kind of went after we were there a while.

Mr. ANGELL. What did it become after you were there a while?

Mr. ZUCKERMAN. They got so they did not like us.

Mr. ANGELL. Do you know why there was that change?

Mr. ZUCKERMAN. Well, as I say, it was individual. Some of them would go out and raise hell with them, and it got to be that they would go out and raise hell with them, and it got to be that they would go out and raise hell with them, and it got to be that they would go out and raise hell with them.

Mr. ANGELL. Will you specify a little more what you saw the marines would go out and raise hell with them?

Mr. ZUCKERMAN. They would go out and break up the houses and beat them up.

Mr. ANGELL. Did you see such instances?

Mr. ZUCKERMAN. No; but several of them were tried by court-martial. That is how I know that.

Mr. ANGELL. Where were these courts-martial held?

Mr. ZUCKERMAN. At Cape Haitien.

Mr. ANGELL. How did you know about these courts-martial?

Mr. ZUCKERMAN. I was sergeant major, and drew the sentences.

Mr. ANGELL. Were there convictions in some of these courts-martial?

Mr. ZUCKERMAN. There were.

Mr. ANGELL. Why did you get out of the gendarmerie?

Mr. ZUCKERMAN. Well, I requested a transfer to Cap-Haitien, and they ordered to put a priest under arrest.

Mr. ANGELL. Where?

Mr. ZUCKERMAN. At Ouanaminthe.

Ordered by whom?

AN. By a captain of the Marine Corps in charge of the gen-

At Ouanaminthe?

AN. At Ouanaminthe. I was ordered to put this priest under  
e was some stir coming up about it, and when this thing came  
to be transferred back to the Marine Corps headquarters.

Why did you request to be transferred back?

AN. I thought some investigation was coming out of it, and I  
ack to duty in headquarters; I did not want to be on duty with

Why?

AN. Well, I did not like the doings down there at Ouanaminthe;  
e way things were carried out down there; and I wanted to get  
ine Corps.

When you say "doings," what do you mean by doings?

AN. I saw there was going to be some investigation of some sort  
the arrest of this priest, and I did not want to get mixed in

Tell us about the arrest of that priest?

AN. I was sent over to place a priest under arrest, with five

That was at Ouanaminthe?

AN. That was at Ouanaminthe.

Can you fix the date approximately?

AN. No; I can not.

During what year?

AN. 1917.

In 1917?

AN. Yes; I was sent to place this priest under arrest.

On what ground, do you know?

AN. Well, this priest came over to draw his monthly pay, or  
hich was disbursed out of the gendarmerie funds, or some sort  
e came over to get his money and had some kind of a row with  
d the captain ordered him out of the office and sent me over to  
arrest.

Did you place him under arrest?

AN. Just as I got to the door I was called back, and then I be-  
o gendarmes over there to place him under arrest.

You were called back by whom, the captain?

AN. Yes.

So you did not place the priest under arrest?

AN. No.

Was the priest placed under arrest afterwards?

AN. I believe he was.

Do you know whether he was charged with any offense?

AN. I really do not know. There was a radiogram that came  
ince to release him immediately.

Did you see the radiogram?

AN. No; I just heard there was a radiogram came from Port au  
e him.

Was he released?

AN. He was.

It was shortly after that you requested a transfer?

AN. Yes, sir.

and you were transferred back to Cape Haitien?

AN. Cape Haitien.

When you went back to Cape Haitien what was the nature of  
ergeant major?

AN. I was acting sergeant major to Gen. Gulich.

What did you do as sergeant major there?

AN. Office duty.

Tell us a little about the nature of those duties?

AN. Drawing specifications for court-martials, taking care of  
rts, binding them, taking care of incoming radiograms, and I  
sergeant of the headquarters detachment, sometimes pay  
rolls.

Mr. ANGELL. Did you have anything to do with provost

Mr. ZUCKERMAN. Later on I was made clerk to the provost

Mr. ANGELL. About what time?

Mr. ZUCKERMAN. That was the latter part of 1917, I believe, as clerk to the provost court under Col. Hopkins and Capt.

Mr. ANGELL. How long were you acting as clerk of the

Mr. ZUCKERMAN. About three or four months.

Mr. ANGELL. This was in the latter part of 1917 or in 1918?

Mr. ZUCKERMAN. During the latter part of 1917 and in 1918.

Mr. ANGELL. Did you have anything to do with the Haitian?

Mr. ZUCKERMAN. I was bookkeeper for the disbursement funds.

Mr. ANGELL. Where did these funds come from?

Mr. ZUCKERMAN. Port au Prince. They were cash allotted to us for certain purposes each month.

Mr. ANGELL. For what purposes were they expended?

Mr. ZUCKERMAN. Public work—road work.

Mr. ANGELL. Anything else?

Mr. ZUCKERMAN. That is all I can remember, just road work.

Mr. ANGELL. Did the personnel of the Marine Corps do any work you were on duty at Cape Haitien?

Mr. ZUCKERMAN. Men assigned to road work, I believe, 30 days a month.

Mr. ANGELL. Was that in addition to their regular pay?

Mr. ZUCKERMAN. That was in addition to their regular pay.

Mr. ANGELL. From what source were those payments made?

Mr. ZUCKERMAN. I believe they were made from the public works officer disbursed those funds.

Mr. ANGELL. Did you have anything to do with the vouchers?

Mr. ZUCKERMAN. Not with the individual vouchers. I drew the vouchers in bulk. I drew the vouchers, and they were turned over to the commanding officer, and then they were taken down to the public works officer—whoever was in charge of the town.

Mr. ANGELL. Did you yourself draw extra pay at any time?

Mr. ZUCKERMAN. As clerk of the provost court.

Mr. ANGELL. How much?

Mr. ZUCKERMAN. I believe it was \$25 a month.

Mr. ANGELL. From what source was this \$25 a month drawn?

Mr. ZUCKERMAN. From the fines.

Mr. ANGELL. From the fines paid?

Mr. ZUCKERMAN. Paid by the prisoners.

Mr. ANGELL. Were they native prisoners entirely?

Mr. ZUCKERMAN. Yes. And I drew, I believe, \$12.50 a month for handling the books for the Haitian Government.

Mr. ANGELL. Do you know the purposes for which the fines paid to the provost court were used?

Mr. ZUCKERMAN. I believe there was some office furniture bought from the funds, and stationery, etc.

Mr. ANGELL. What other purposes were these funds used for, if you know?

Mr. ZUCKERMAN. I believe they turned some over to the provost court.

Mr. ANGELL. Will you tell us about the operation of the provost court?

Mr. ZUCKERMAN. In what respect?

Mr. ANGELL. Well, what jurisdiction they exercised, were they tried before them?

Mr. ZUCKERMAN. Well, the offenses were mostly thefts.

Mr. ANGELL. Thefts by natives?

Mr. ZUCKERMAN. By natives.

Mr. ANGELL. By natives of articles from themselves or from the natives?

Mr. ZUCKERMAN. Both from the marines and from the natives.

Mr. ANGELL. What were the sentences or fines imposed?

Mr. ZUCKERMAN. Well, the fines used to run from 25 cents to \$10. The sentences were from six months on up to about two years.

Can you give us specific instances of specific fines imposed or  
sed for specific offenses?

AN. Well, I just can not remember the names of any cases, but  
can remember the instance of a native being sentenced to 18  
theft of some Marine Corps clothing from some marine attached  
panies up there.

Was it more common to impose fines or to impose sentences?

AN. Well, just about evenly balanced. For theft, I believe they  
; for such offenses as carrying arms they were fined.

Did the average amount of the fines imposed vary from time to

AN. Yes; they did.

Under what circumstances, if you know?

AN. That I can not say, but they varied from time to time.

Who sat on the provost courts?

AN. An officer appointed by the commanding officer at the post  
provost judge, and he decided the cases.

The court, then, was composed of a single judge?

AN. A single judge.

Tell us briefly what the procedure in those cases was?

AN. They were brought in, and the witnesses were brought there  
oned through an interpreter.

Were there written charges?

AN. We had a blank form that we furnished the brigade com-  
of.

Were the charges on which a man was tried written out in  
trial?

AN. Oral.

The charges presented were oral?

AN. Yes.

You say the man was brought in before the judge?

AN. Yes.

How was the trial conducted?

AN. Well, the prosecuting witness would tell his side of the  
the interpreter would explain it to this native and ask him what  
and if the provost marshal thought he was guilty, he would  
e.

Was there any review of these sentences?

AN. They were reviewed by the commanding officer and then  
e brigade commander.

Did the sentence go into effect immediately upon pronouncement  
; judge?

AN. I believe they had to be approved by the commanding officer.  
The local commanding officer?

AN. Yes; either him or the brigade commander; I am not just

What happened to the man in the meantime, if he was sentenced?

AN. He was held at the civil prison.

What was the condition of the prison?

AN. Very good.

At that time?

AN. The prison was very, very good.

Was the condition sanitary?

AN. Very sanitary.

Was the civil prison maintained by and kept in order by the  
larmerie?

AN. The gendarmerie.

Under the marine officers?

AN. Under marines assigned from the Marine Corps—gendarmerie

Would you care to make any comment, based on your experience,  
qualifications of marine officers and men for duty in Haiti under  
between 1915 and the latter part of your tour of duty in 1918?

AN. Well, as I say, as a unit they done very good work down  
the individual feeling amongst the men. As a unit, they worked  
e men got out, and it was just the individual feeling that they

had no use for the natives. It was not all of them; it was there. But, as a unit, the work was generally very good.

Mr. ANGELL. Is there anything else you would care to say of the military forces and the natives?

Mr. ZUCKERMAN. No.

Mr. ANGELL. Did you see service in south Haiti at all?

Mr. ZUCKERMAN. No, sir.

Mr. ANGELL. You were in the north during your entire

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. In the provost courts was there any disposition provost judge to fine the marines that were convicted before natives?

Mr. ZUCKERMAN. There were no marines convicted before. Mr. HOWE. I thought your statement was that they tried marines from marines?

Mr. ZUCKERMAN. No; it was natives who were tried from the marines.

Mr. HOWE. Were there no written charges against the provost courts in any cases whatsoever?

Mr. ZUCKERMAN. There was. We used to make a written commander telling him that so and so was tried for so and so was tried for carrying arms, and sentenced as stated, and clerk of the provost court we never had any written charges.

Mr. HOWE. You mean there was no written charge prepared by the judge, or drawn up by the provost judge during the trial?

Mr. ZUCKERMAN. No, sir.

Mr. HOWE. Even in the cases which drew sentences of

Mr. ZUCKERMAN. We just had a blank form, and at the time we would write the charge in on the typewriter, whatever the sentence, a regular blank form.

Mr. HOWE. Was the defendant ever informed before sentence was against him?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. That was oral?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. But not in writing?

Mr. ZUCKERMAN. No, sir. As far as I can remember, the form, and the man's name was put on there, his age and there was a space for the charge, and we just write the writer.

Mr. HOWE. Did you ever know of any sentences by the provost courts more than two years?

Mr. ZUCKERMAN. Yes; I believe there was one of 5, 10,

Mr. HOWE. You knew of those, did you?

Mr. ZUCKERMAN. Yes.

Mr. HOWE. Were they imposed by the court of which you

Mr. ZUCKERMAN. I believe there was one of five imposed by me. I was clerk, and those over five—there were commissions in the provost courts.

Mr. HOWE. Then was it your understanding that the provost courts had only one marine officer as judge could not impose a sentence of five years?

Mr. ZUCKERMAN. That I could not say.

Mr. HOWE. Were there some provost courts that had more than one sitting as judge at the same time?

Mr. ZUCKERMAN. No, sir; only at the time, I believe, when they were down there for carrying arms there were three marine officers in the provost court, and they were sentenced for 15 years, if I remember.

Mr. HOWE. Was that a provost court or a military commission?

Mr. ZUCKERMAN. I believe it was a provost court. It was a military commission. That was after I was relieved as provost judge.

Mr. HOWE. So you do not know anything about that of

Mr. ZUCKERMAN. No, sir.

Mr. HOWE. But just what you heard?

Mr. ZUCKERMAN. Yes, sir.

Senator ODDIE. Do you know whether many or any of the defendants before the provost court could read or write?

AN. Nine-tenths of them could not. They did not know their  
 re never yet seen any of them that could read or write.  
 hat books did you handle for the Haitian Government?  
 AN. I handled the public-works books, disbursing the funds.  
 o much funds for Port au Prince, and I kept the record as to  
 t to.  
 id you get a regular payment for keeping those books?  
 AN. Yes, sir.  
 nder whose directions did you keep those books?  
 AN. The commanding officer.  
 he colonel?  
 AN. Yes, sir. They had a Haitian keeping them, and we were  
 tian, I believe, \$60 a month, and I was ordered to take care of  
 eve I got \$12.50 or \$25 a month for taking care of them.  
 id you get that in a different voucher than your regular pay  
 AN. Yes, sir; I got that on a voucher, and that was taken down  
 of customs or to the bank, I think, and I then cashed it in  
 cher under my own name for it.  
 ou drew that up?  
 AN. Yes, sir.  
 ho signed it?  
 AN. The commanding officer had to sign it.  
 Hence came your compensation as clerk of the provost court?  
 t on your pay roll?  
 AN. No, sir.  
 ho signed the voucher there?  
 AN. There was no voucher; I just got that from the provost  
 cash?  
 AN. Yes.  
 s clerk of the provost court did you keep any account of fines?  
 AN. No, sir; the provost marshal kept that himself. All I did  
 e records for the provost court.  
 o you know whether or not the provost court itself kept a record  
 ?  
 AN. I do not.  
 o you know what disposition was made of the fines which it  
 AN. Well, it purchased stationery and furniture and turned  
 e sisterhood there.  
 o you know if there was a bank account opened with the money  
 AN. I believe there was; yes, sir.  
 o you know whether or not that was the disposition made of  
 cted in fines? When the money was collected by the provost  
 s done with it—the money?  
 AN. Well, they bought furniture, and turned some over to the  
 I drew a salary from it.  
 es; but where was the money kept?  
 AN. I believe it was kept at the Haitian National Bank there,  
 turned some over—  
 o you know whether or not in connection with the account in  
 tional Bank books were kept?  
 AN. I believe there was; yes, sir.  
 o you know who kept them?  
 AN. The provost marshal.  
 himself?  
 AN. Yes, sir.  
 en, your \$25 a month came to you in the form of a check drawn  
 nk account?  
 AN. No; I believe the provost marshal used to pay me per-  
 onth, and I would sign a receipt and attach it to the records in  
 o you know whether he, first of all, cashed a check and made an  
 his books?  
 AN. Yes; that was done; yes, sir.  
 hat was done?

Mr. ZUCKERMAN. There was a check drawn for my salary and it was turned over to me.

Mr. HOWE. But you did not cash the check yourself?

Mr. ZUCKERMAN. No, sir.

Mr. HOWE. Do you know who signed that check?

Mr. ZUCKERMAN. The provost marshal.

Mr. HOWE. Do you know that he did have, in fact, a check book?

Mr. ZUCKERMAN. I believe it was a check book. They had it at the Haitian National Bank, and every month they drew on it and at the end of the month I drew mine—every two weeks.

Mr. HOWE. Were the only funds in that bank account the provost court?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. And the provost judge had the right to expense through checks?

Mr. ZUCKERMAN. That I could not say, but he did expense.

Mr. HOWE. That is what I mean—the same person that was in the bank took it out?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. And the person who deposited the money was the provost judge himself?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. Were these marines who were doing road work paid a dollar a day extra there?

Mr. ZUCKERMAN. By the public-works officer.

Mr. HOWE. By the public works officer?

Mr. ZUCKERMAN. Yes.

Mr. HOWE. How often were they paid—once a month or twice a month?

Mr. ZUCKERMAN. I believe once a month.

Mr. HOWE. In what form?

Mr. ZUCKERMAN. That I could not say.

Mr. HOWE. How do you know they were paid a dollar a day?

Mr. ZUCKERMAN. By what they told me.

Mr. HOWE. Did you ever see them paid?

Mr. ZUCKERMAN. No, sir; we had nothing to do with that.

Mr. HOWE. You do not know. Were they in the gendarmerie?

Mr. ZUCKERMAN. No, sir; they were just paid from the public-works fund.

Mr. HOWE. Do you know the name of anyone who received the money?

Mr. ZUCKERMAN. Well, I believe there was a Sergt. Baker in charge of the public-works force.

Mr. HOWE. Did Sergt. Baker ever tell you he received the money?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. Did he tell you from whom he received it?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. Whom did he say he received it from?

Mr. ZUCKERMAN. From the public works officer.

Mr. HOWE. And in what form did he receive it, by check or by cash?

Mr. ZUCKERMAN. That I can not say. He said he was paid more than a dollar a day; I can not remember. He said he was drawing extra pay from the public works fund.

Mr. HOWE. How much extra pay?

Mr. ZUCKERMAN. That I could not say; I do not remember.

Mr. HOWE. You had nothing to do with the payment on that?

Mr. ZUCKERMAN. No, sir. All we did, we drew a voucher for the money over to the public works officer.

Mr. HOWE. Do you know how that voucher was made?

Mr. ZUCKERMAN. The voucher was made in this way: There were three classes, A, B, and C, and A was public works, B was for the gendarmerie, and C was for the police. A voucher was drawn under class C, so much money was drawn, and the voucher and all was turned over to the public works officer.

Mr. HOWE. Did the public works officer account for that?

Mr. ZUCKERMAN. Not to us; no, sir.

Mr. HOWE. To whom did he account?

MAN. I do not know anything about it, sir. We used to send a Port au Prince each month, requesting so much money to be and it was allotted to us by radiogram.

How did you fix the amount?

MAN. By estimates sent in from the different posts.

Did they itemize their estimates?

MAN. Yes.

In those items was any amount estimated as wages for the marine

MAN. They itemized them in this way, sir: Sanitation, \$500; road etc.

And it did not state there that \$1,000 was for material or wages?

MAN. In some instances when they wanted some extra material extra material," whatever the material was they needed, but no id, I do not believe.

Sergt. Baker never told you whether or not he signed a receipt

MAN. No, sir; he never did.

Do you know where Sergt. Baker is now?

MAN. No, sir.

Do you know Sergt. Baker's first name?

MAN. No; I just can not think of it.

Now, did any other marine tell you that he was being paid extra

MAN. Not for road work, but there were marines there—

mean on road work. Is Sergt. Baker the only one?

MAN. Yes; I believe that is the only one I came in contact with at

How do you know that the funds, the amount of the funds in rt were expended for furniture and stationery?

MAN. I was there at the time they bought them. I went out and ery and charged it to the provost marshal, by direction of the al. I went out and purchased stationery and charged it to the al.

But how do you know he paid for that stationery and furniture ived from fines?

MAN. That I do not know, though I went out and charged them.

and buy stuff and charge it to the provost marshal.

ut you do not know how he paid for it?

MAN. No, sir.

ou did not have anything to do with keeping his books?

MAN. No, sir.

hen do you know, or do you not know, whether or not furniture was paid for by him from the fines?

MAN. That was just from what I heard and what I seen done;

en bought. I never seen any bills paid.

s it not so that you just assumed, that that was your guess, that ed to the provost court, the provost court paid for from fines?

MAN. It was not exactly a guess; I was sent out by the provost

old me to charge the furniture to the provost marshal, and I

was paid for from the provost marshal's funds.

rom the fines?

MAN. Yes, sir.

nd that was just your guess?

MAN. Yes, sir. That was what I knew from the provost marshal, pay it from the provost marshal's funds.

ho told you that?

MAN. He would say, "Charge it to the provost marshal." I have ought stationery, and he would say, "Go out and charge it to shal's account."

id you, before doing that, make some investigation to find out balance the provost court had at the bank?

MAN. Yes, sir; he would say occasionally to look up and see what

, and I would say, "You have got so much."

here would he look to find out how much balance there was?

MAN. He had an account; he kept an account of his own.

id you see those books, then?

Mr. ZUCKERMAN. Yes; he kept a regular account of his

Mr. HOWE. As provost judge?

Mr. ZUCKERMAN. As provost judge.

Mr. HOWE. You have seen those books?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. You saw those books?

Mr. ZUCKERMAN. Yes, sir; he kept a regular account.

Mr. HOWE. You saw them?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. Did you help him to keep those books?

Mr. ZUCKERMAN. No, sir; I did not; I had charge of the

tried.

Mr. HOWE. Do you know how he paid for the stationery?

Mr. ZUCKERMAN. No, sir; I do not. The bills were sent

had anything to do with the bills.

Mr. HOWE. You do not know whether they were paid or

Mr. ZUCKERMAN. I do not know anything about it; no.

Mr. HOWE. You do not know whether he got receipts for

for furniture?

Mr. ZUCKERMAN. All I would do would be to go out and

ture. I never had anything to do with that, but I have

stationery and charged it to the provost marshal.

Mr. HOWE. Who told you about furniture?

Mr. ZUCKERMAN. I think it was the party they bought

there, and he would have it charged to the provost marshal.

Mr. HOWE. How would you know that?

Mr. ZUCKERMAN. I was there at the time he purchased

desk in particular that I used to take the records of the

that desk, and he told me to send the bill in to the provost

Mr. HOWE. He bought that desk from whom?

Mr. ZUCKERMAN. From a native there.

Mr. HOWE. Where was the desk when it was bought?

Mr. ZUCKERMAN. On Twenty-second Street; a native

Heve he had the desk made—a mahogany desk.

Mr. HOWE. Did you go with the captain at the time

desk?

Mr. ZUCKERMAN. I walked down and picked out the desk

and told him about it—how much it would be—and he sent

the provost marshal."

Mr. HOWE. He was provost marshal himself, was he not?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. You do not know how it was paid for?

Mr. ZUCKERMAN. No, sir.

Mr. HOWE. Do you know of any other instances of

breaking furniture and beating the natives up—than was

through reading the court-martial proceedings?

Mr. ZUCKERMAN. No; it was just through drawing the

Mr. HOWE. You never personally had such information?

Mr. ZUCKERMAN. On one occasion one marine got into

service men of the gendarmerie or something, and he

court-martial.

Mr. HOWE. You were present at that time?

Mr. ZUCKERMAN. I was just coming out of the quarters

in this marine down to headquarters.

Mr. HOWE. Do you know how many court-martials there

raising hell or breaking up furniture or beating up natives?

Mr. ZUCKERMAN. I believe I drew up 10 court-martials

under Col. Hooker for marines raising hell, etc.

Mr. HOWE. But in the course of all your time you saw

you were acting sergeant major and sergeant major; is that

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. And you were acting sergeant major and

long—two years?

Mr. ZUCKERMAN. A little better than that.

Mr. HOWE. In those two years how many court-martials

of where the accused was breaking furniture or beating

Mr. ZUCKERMAN. That I can not say.

Well, more than 10?

ERMAN. Yes; there were more than 10.

As many as 100?

ERMAN. Well, I should say about 20.

Of those 20, how many resulted in convictions?

ERMAN. All of them; practically all of them.

You said in your direct testimony that the attitude of the natives  
marines changed because the marines were raising hell with the

ERMAN. Yes, sir.

Do you mean to be understood that the attitude of all of these  
saw there in Haiti was changed by these 20 cases of court-martial  
of marines for raising hell?

ERMAN. I would not say that. There were probably 100 cases that  
brought to the attention of the commanding officer.

How did you gain knowledge of those?

ERMAN. Just from hearsay.

Were there any other reasons that you could think of for the  
e attitude on the part of the natives besides the conduct of the

ERMAN. No, sir.

That was all?

ERMAN. Yes, sir.

You mentioned road gangs working on the road from the cape to  
and from the cape to Port au Prince. How do you know that  
bor and not paid?

ERMAN. I went up to see Lieut. Seeger with the gendarmerie, and he  
were corvee men working there.

Did he use that term "corvee?"

ERMAN. Yes, sir.

Do you know whether or not those men were paid?

ERMAN. I do not; no, sir.

They might have been paid?

ERMAN. Yes, sir. I understand they were paid something like half  
something, just from what I heard, but whether or not they were  
t say.

When you saw people working on the road, in this working on the  
speak of them as doing corvee in all cases?

ERMAN. No, sir.

How would you speak of them when they were not doing corvee?

ERMAN. The road gangs—they were paid a gourde a day.

A road gang?

ERMAN. Yes.

So when you say paid labor you would call it a road gang, and  
forced labor you would call it corvee?

ERMAN. I think I have seen one of the corvee. That was up with  
one case of them being pointed out as a corvee gang.

Which road was that on?

ERMAN. On the road going to Port au Prince.

What was the gang you mentioned being on the road between the  
naminthe?

ERMAN. I understood that was a corvee camp there. I never seen  
. We were going over to Santo Domingo.

And you passed the camp?

ERMAN. We passed the camp.

How did you know that was a corvee camp?

ERMAN. A man in charge there. I think a detailed lieutenant with the  
was going into Ouanaminthe from this camp, and he left gen-  
erge out there, and he says, "I have got some corvee men at work  
will leave a guard with them overnight."

Did you see the men in that camp?

ERMAN. Quite a few, sir.

Do you know whether they were being paid or not?

ERMAN. I do not; no, sir.

What was the date when you passed that camp and you heard

ERMAN. That was in 1917 sometime, sir.

Mr. HOWE. You can not give us the month?

Mr. ZUCKERMAN. No, sir.

Mr. HOWE. What was the date when you saw this gang to Port au Prince?

Mr. ZUCKERMAN. That, I remember distinctly, was about

Mr. HOWE. You were in the Marine Corps under the name of your own name?

Mr. ZUCKERMAN. No, sir; Joseph Rosenthal.

Mr. HOWE. What residence did you give when you enlisted?

Mr. ZUCKERMAN. New York City.

Mr. HOWE. New York City?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. What did you give as the place of your birth as Rosenthal?

Mr. ZUCKERMAN. New York City.

Mr. HOWE. What did you give as your age?

Mr. ZUCKERMAN. Twenty-one.

Mr. HOWE. And which is your real name?

Mr. ZUCKERMAN. Zuckerman.

Mr. HOWE. And why did you enlist as Rosenthal instead?

Mr. ZUCKERMAN. Well, I just left home and enlisted, and folks to know where I was.

Mr. HOWE. Were you discharged under the same name?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. Of Rosenthal?

Mr. ZUCKERMAN. Yes, sir.

(Whereupon a recess was taken until 2.30 o'clock p. m.)

#### AFTER RECESS.

The committee reassembled at 2.30 o'clock p. m., pursuant to recess, Senator Oddie presiding.

Mr. HOWE. As a matter of fact, all you know about the gang you have mentioned on the road between Cape Haitien and Port au Prince, is that they were seen there and you do not know whether they were paid or not?

Mr. ZUCKERMAN. No, sir.

Mr. HOWE. They were, however, guards there in both directions, is not that right?

Mr. ZUCKERMAN. There were guards there. They also were mixed in amongst those, prisoners that they had taken, and some of them had arms.

Mr. HOWE. How could you distinguish them from the others?

Mr. ZUCKERMAN. They had them in uniform.

Mr. HOWE. What uniform?

Mr. ZUCKERMAN. The prison uniform; red and white stripes.

Mr. HOWE. Were all prisoners down there in uniform?

Mr. ZUCKERMAN. No, sir; not all of them.

Mr. HOWE. Well, the rest of the gang outside of those who had white stripes—do you know whether those were prisoners?

Mr. ZUCKERMAN. I could not say; no, sir.

Mr. HOWE. How many times did you go out on hikes with the sergeant major?

Mr. ZUCKERMAN. Never.

Mr. HOWE. So these occurrences where you spoke of were before you were sergeant major?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. And your rank at that time was private?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. With the Fifteenth Company?

Mr. ZUCKERMAN. Not doing duty with the gendarmerie.

Mr. HOWE. That was when you were in the gendarmerie?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. What was your rank in the gendarmerie?

Mr. ZUCKERMAN. Private on detached duty with the Ha

And under whose orders were you at the time you fired on these fields?

MAN. Capt. Torrey.

Of the gendarmerie?

MAN. Captain of marines and major of gendarmerie?

About what date was that, then?

MAN. That was in 1917 some time, sir.

Late in 1917?

MAN. No; I believe it was about the middle of July, somewhere

Did you fire at the orders of Maj. Torrey?

MAN. We did not fire; the gendarmes fired. Our orders on hikes fire until fired upon; on all hikes on every detachment that left

How near were you to the gendarmes that actually did the firing?

MAN. Capt. Torrey and I had a detail of two gendarmes, and we 200 yards from this detachment of gendarmes that fired on those

The natives had fired on the gendarmes?

MAN. No; the gendarmes had fired at the natives.

First?

MAN. How far away were you from the party which fired on the

MAN. We were about 100 yards.

Was the party which fired on the natives under direct command of the gendarmie officer?

MAN. No, sir; Capt. Torrey and I were going around Mount we could just barely see this other detachment of gendarmes coming the mountain. We were looking for Gentil Sevier.

This detachment of gendarmes that you saw firing were not in the field; is that right?

MAN. Yes; they were with us, but we had left them to go over and look a detachment of gendarmes to go up on the top of the mountain, left this detachment to guard the bottom of the mountain.

How do you know they were firing in the direction of these

MAN. These natives were out in the field there.

How did you know this detachment 200 yards away were firing in the field?

MAN. That I could not say, but they fired in that direction.

And at the range of a thousand yards?

MAN. They were about a thousand yards; yes, sir.

What did Maj. Torrey do when that firing took place?

MAN. He sent me down to find out what they were firing at, down there, and they said they fired at a bunch of men that came ashore, and as I went down I saw three or four men across the plain

Where was that?

MAN. That was right at the bottom of Mount Capitan.

You mentioned another incident of firing on natives?

MAN. We were going up to Cul de Nord, I believe the name of the place, and we also had a detachment of gendarmes, and I was in charge of the marines, and we came across about nine shacks, and a gendarme somebody had one of these—I forget what they called them—a man, he took a shot at him, but did not hit him. We did not get any shot or anything else. But that firing was without the orders from the gendarme who was in charge.

Those people in the place near the shacks were under your orders

MAN. Yes, sir.

You had no instructions from your superior officers to fire on the natives?

MAN. Not until we were fired on first. That was the standing order of the regiment.

Now, how many times did you yourself see Haitians subjected to this sand club which you have described?

Mr. ZUCKERMAN. While I was on duty with the gendarme twice a week.

Mr. HOWE. For about six months?

Mr. ZUCKERMAN. About that time; yes, sir.

Mr. HOWE. That was a usual occurrence?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. Where did it take place?

Mr. ZUCKERMAN. In the gendarme headquarters at Ouanaminthe?

Mr. HOWE. At Ouanaminthe?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. Were you present during those beatings?

Mr. ZUCKERMAN. Some of them.

Mr. HOWE. You were present about twice a week, on the average?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. For six months?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. Now, what time was that—what year?

Mr. ZUCKERMAN. I believe in 1916 somewhere, the last of the year.

Mr. HOWE. What duty were you performing at the time?

Mr. ZUCKERMAN. On detached duty with the gendarmes.

Mr. HOWE. As private of marines?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. At the times when you were present, was there any white officer present?

Mr. ZUCKERMAN. You mean a white officer?

Mr. HOWE. Was there a white officer present?

Mr. ZUCKERMAN. No, sir.

Mr. HOWE. Was there any other white man than yourself?

Mr. ZUCKERMAN. Capt. Torrey was there on a few of the occasions mentioned the natives.

Mr. HOWE. Was Capt. Torrey present at the time they were strung up with the sand club?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. Who actually did the beating?

Mr. ZUCKERMAN. The gendarmes.

Mr. HOWE. And did he do it at the direction of Capt. Torrey?

Mr. ZUCKERMAN. I believe he did; yes, sir.

Mr. HOWE. Now, how often did you see natives strung up?

The CHAIRMAN. Let me interrupt. Do you know who directed the practice of beating people with the sand club and initiated the practice of beating people with the sand club?

Mr. ZUCKERMAN. No, sir.

The CHAIRMAN. Was it invented during your service, or was it in vogue before?

Mr. ZUCKERMAN. I do not think it ever existed before; yes, sir.

Mr. HOWE. Would the man be strung up on the beam of the gallows?

Mr. ZUCKERMAN. Yes.

Mr. HOWE. At the time he was being beaten?

Mr. ZUCKERMAN. No; they would just tie him up there.

Mr. HOWE. Who would tie him up?

Mr. ZUCKERMAN. The gendarmes.

Mr. HOWE. Those were native Haitians?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. Did you see Capt. Torrey or Maj. Torrey quelling the natives while he was strung up?

Mr. ZUCKERMAN. No, sir; he was never there at any of those times.

Mr. HOWE. Do you know what the name of Maj. Torrey was?

Mr. ZUCKERMAN. I think it was Philip H.

Mr. HOWE. Is that the one you are talking about?

Mr. ZUCKERMAN. Yes, sir; Philip H.

Mr. HOWE. Were these natives strung up?

Mr. ZUCKERMAN. Or H. P. There are two marine companies, one of them the younger of the two.

The CHAIRMAN. The younger of the two is the one you mentioned.

Mr. ZUCKERMAN. Yes, sir.

Maj. McCLELLAN. Philip happens to be the older.

Mr. ZUCKERMAN. It is the younger of the two that I mentioned.

Mr. HOWE. Did they both have the same rank?

AN. I believe they did, sir.  
 This one was commanding officer at Ouanaminthe at this time;  
 ?  
 AN. Commanding the gendarme detachment.  
 Did he order these natives strung up?  
 AN. As far as I know he did not; no, sir.  
 Did you ever see him present in the room while a native was  
 ?  
 AN. No, sir.  
 But he was present when the native was being beaten by the  
 ?  
 AN. Yes, sir.  
 More than once?  
 AN. Yes, sir.  
 Did you ever see a native being beaten with a sand club when he  
 was strung up?  
 AN. Amongst the gendarmes they used to beat them quite  
 these prisoners with these sand clubs.  
 By chasing prisoners do you mean running after prisoners, or  
 beating them?  
 AN. Guarding prisoners.  
 You say that Maj. Torrey was not present when these prisoners  
 were questioned?  
 AN. As far as I recollect, he was not; no sir.  
 Do you know why he ordered them beaten?  
 AN. Well, to gain information.  
 Who did the questioning?  
 AN. Capt. Torrey, through an interpreter.  
 When was Capt. Torrey present when the witnesses were being  
 questioned and the natives were being questioned?  
 AN. On several occasions he was.  
 Did I misunderstand you, then. I understood you to say that Capt.  
 was present while these prisoners were being questioned.  
 AN. While they were strung up.  
 AN. If you will permit me, the witness I think, alludes to his  
 seeing the prisoners were being beaten with sand clubs for the  
 questioning, whereas he says that Capt. Torrey was not present  
 while they were strung up for the purpose of questioning.  
 AN. Yes, sir.  
 Who would do the questioning of these natives as they were  
 strung up?  
 AN. Capt. Torrey.  
 In all cases?  
 AN. Yes, sir.  
 Were prisoners being brought in constantly during that time,  
 or only occasionally?  
 AN. Yes, sir; practically every day we would get a detail of  
 prisoners every other day, or every time a gendarme detachment would bring  
 a detail.  
 Was every prisoner who was brought in clubbed or strung up?  
 AN. No, sir.  
 When it was only those who refused to answer questions, as  
 the others were clubbed or strung up?  
 AN. Yes, sir.  
 Were there any other white officers stationed there in the  
 past?  
 AN. No, sir.  
 Who else besides the major, his interpreter, and yourself, were  
 present at the time of the beatings?  
 AN. There were several gendarmes there, a gendarme sergeant,  
 and a first sergeant.  
 Were there any attempts made to keep these occurrences secret?  
 AN. No, sir.  
 Was Maj. Torrey the only white officer stationed there?  
 AN. No, sir; Col. Hooker, the commander of the marine de-

Mr. HOWE. Was he stationed at Ouanaminthe?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. Was he ever present at the time any of the men were beaten or strung up?

Mr. ZUCKERMAN. No, sir.

Mr. HOWE. Were you working under Col. Hooker at the time you were under Capt. Torrey, or Maj. Torrey?

Mr. ZUCKERMAN. Maj. Torrey.

Mr. HOWE. He was Maj. Torrey in the gendarmerie, was he not, the marines?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. What questions were being asked of these men at that time?

Mr. ZUCKERMAN. The prisoners, I understand, those who were severely, were caught with arms out in the country, and were given information as to where the bandits had their arms, and were after this Gentil Sevier.

The CHAIRMAN. He was a bandit chief?

Mr. ZUCKERMAN. Yes, sir; of that section, through Cap.

Mr. HOWE. And throughout the whole six months, that was the case, that Capt. or Maj. Torrey was after?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. To find out the location of the camps of the bandits?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. Have you ever made any report of these men's testimony to this committee?

Mr. ZUCKERMAN. Have I ever made a report? No, sir.

Mr. HOWE. Mr. Chairman, I would like to state for the record that Zuckerman testified that he was honorably discharged from the service, but did not have his discharge papers with him. In the meantime, he has looked up his record, his record appearing under another name, and gave to the committee before recess, and finds out that he was enlisted under the name which the witness furnished to the committee. charged. What is your real name?

Mr. ZUCKERMAN. Zuckerman.

The CHAIRMAN. You enlisted as Rosenthal?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. And Rosenthal was honorably discharged. Is that correct, or appear on the record.

You had only one enlistment, did you not?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. And you were, nevertheless, in the Marine Corps for four years?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. By about three or four months?

Mr. ZUCKERMAN. About four months.

Mr. HOWE. What was the cause of your staying over there, in the Marine Corps?

Mr. ZUCKERMAN. Waiting trial of a summary court for the Marine Corps.

Mr. HOWE. Were you kept waiting trial those three months?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. And you were fined?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. How much?

Mr. ZUCKERMAN. I was fined \$30 at first, and then the commanding officer, and he said it was inadequate for the offense, and was fined \$90.

Mr. HOWE. In addition to confinement?

Mr. ZUCKERMAN. I was not confined at all, just waiting trial.

Mr. HOWE. Being held three months over your enlistment?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. And were you reduced from rank?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. You had been a sergeant?

Mr. ZUCKERMAN. Yes, sir.

Mr. HOWE. Or a sergeant major?

MAN. I was sergeant, I believe, at that time.

What were you discharged as?

MAN. Corporal.

You were reduced from sergeant to corporal?

MAN. Yes, sir. The fine was remitted at the expiration of my

to you actually suffered no loss in money?

MAN. No, sir.

I have no further questions.

Can you give us the names of any of the gendarmerie sergeants

Ouanaminthe during this period?

MAN. No, sir; I could not.

You do not remember the names?

MAN. No, sir; I could not.

You have no grievance against Capt. Torrey?

MAN. No, sir.

No personal run in with him in any way?

MAN. No, sir.

And you served the whole period of four years and some Marine Corps under the name of Rosenthal?

MAN. Yes, sir.

Why did you enlist under that name?

MAN. I just wanted to get away. I had some scrap at home. I came home for two years after I enlisted, until they found out where

You enlisted under that name to get away from the family, so I would not know where you were?

MAN. Yes, sir.

That is a fairly common practice in the Marine Corps and in the Army, is it not?

MAN. I do not know. I guess it is. The cases I cited were just cases, but there are a lot of things that I could tell on the bright side of the occupation; that is, during the time I was with the gendarmerie. At that time, I was in position to see exactly what was going on down here. I was a sergeant-major of the regiment and seeing the reports and going on tours with the commanding officers. I accompanied the commanding officer on every inspection tour before the gendarmerie was organized. The commanding officer of the marines was in complete charge of roads, everything else there.

MAN. Let the witness go right along and tell the story in his own

MAN. Outside of that instance I quoted, I could not think of any instance that would condemn the occupation down there.

MAN. What have you to say in justification of the occupation?

MAN. Well, sanitation down there has been very, very good, and the water system. I went through that with Mr. Bond, the ex-marine. He was in charge of that, and he done some very good work on the water system. It worked all through it.

All of this is at Cape Haitien?

MAN. Yes, sir; and the roads from Ouanaminthe to Cape Haitien were taken care of by the marines, and that was taken care of, and the city itself was very well, all taken care of by marines. Outside of that one instance, I can not say anything.

MAN. Let me ask the witness what were the general relations between the gendarmerie and the population, other than the bandits or the thieves?

MAN. Well, they got along very well, just for the exception that there would go out and get drunk and the first thing they would do would be to go around and break up some kind of shack.

MAN. That is not peculiar to marines or to the Republic of Haiti?

MAN. Outside of the few instances I can not think of anything

MAN. Normally, what was the relation, let us say, between the American and American officers at a point like Cape Haitien with the population of the city and the country around about?

MAN. Very good. They got along very well in Cape Haitien.

The CHAIRMAN. At what point were you stationed, or travel in Haiti?

Mr. ZUCKERMAN. To all northern Haiti, practically all of

The CHAIRMAN. As far west as Gonaïves?

Mr. ZUCKERMAN. No; I went to Fort Liberte, Ouanaminette up as far as Hinche, and a town this side of Gonaïves, just Port au Paix. This was on inspection trips.

The CHAIRMAN. You were on inspection trips, and presented an opportunity to observe?

Mr. ZUCKERMAN. Yes, sir. I was there at the time that we paid the natives, and we paid them—I think the Haitians called them—a dollar apiece for turning in all their rifles, and I believe it was to Le Trou.

The CHAIRMAN. Did the calling in of the rifles, the gendarmerie, and its presence in various communities contribute to peace?

Mr. ZUCKERMAN. Yes, sir.

The CHAIRMAN. Did the people more freely come and go in the country to the market places in the towns, because of

Mr. ZUCKERMAN. Yes; and under Col. Hooker's administration the Marine Corps band came down from Port au Prince, so that you could hear it out on the street. He put the band in the band stand in the evening, so as to let the natives come out of their shacks and lock themselves up.

The CHAIRMAN. Weighing the incidents to which you allude in your testimony, the stringing up and the beating with clubs and the unprovoked in some cases, against the pacification of the country and the maintenance of peace, did the faults of the gendarmerie outweigh the benefits to the population, or did the benefits to the population outweigh the faults of the gendarmerie?

Mr. ZUCKERMAN. I think the benefits to the population outweigh the faults of the gendarmerie.

The CHAIRMAN. The country was better off for the gendarmes?

Mr. ZUCKERMAN. They were better off with the gendarmes than without them—

The CHAIRMAN. Than if there had been none?

Mr. ZUCKERMAN. Yes, sir. The marines patrolled the country and so did the gendarmerie, and the gendarmerie natives were a lot of this trouble. As soon as a man was made a gendarme in uniform he was the big "It," and he went out amongst the natives and the devil himself. They started a lot of the trouble themselves.

The CHAIRMAN. Was a large center like Cape Haitien better off the whole well and orderly and peaceably policed by the gendarmes?

Mr. ZUCKERMAN. Yes, sir.

The CHAIRMAN. They acted in lieu, of course, of city police?

Mr. ZUCKERMAN. Yes, sir.

Mr. ANGELL. And on the whole they discharged their duty?

Mr. ZUCKERMAN. Yes, sir. We had marines patrol the streets as gendarmes.

The CHAIRMAN. Would that patrol walk a beat as a police beat, the marine or gendarme?

Mr. ZUCKERMAN. I do not think either. There was a constant patrol of marines through the streets at all times.

The CHAIRMAN. In groups of 4, 6, or 10 squads?

Mr. ZUCKERMAN. No, sir; singly.

The CHAIRMAN. Singly?

Mr. ZUCKERMAN. Yes, sir.

The CHAIRMAN. And the gendarmes patrolling also in squads?

Mr. ZUCKERMAN. Yes, sir.

The CHAIRMAN. Would you say, in so far as there was any peace, that they originated with the native gendarmerie, or with the Americans serving with the gendarmerie?

Mr. ZUCKERMAN. A lot of it was inspired by the natives.

The CHAIRMAN. Well, it is a loose question, and I only ask for an impression for the benefit of the committee. It is not testimony, valid in any other sort of a hearing. On the whole, were the natives responsible for ill treatment meted out with the American

or officer of the marines, or an American serving with the gendarmerie themselves?

MAN. The gendarmes themselves, the native gendarmes.

INT OF MR. JAMES WELDON JOHNSON, 70 FIFTH AVENUE, NEW YORK CITY.

Q. Will you give your full name and address?

A. James Weldon Johnson, 70 Fifth Avenue, New York City.

Q. What is your occupation?

A. I am secretary of the National Association for the Advancement of Colored People.

Q. Have you ever been in the United States Consular Service?

A. Yes; I was.

Q. Will you tell when and where, briefly?

A. I was appointed consul at Puerto Cabello, Venezuela, in 1906, to Corinto, Nicaragua, in 1909, and served there until—I can not say how long, but it was early in 1913, when I resigned—about seven months.

Q. You have been in Haiti, have you not?

A. I have.

Q. When did you go there, and how long did you spend in Haiti?

A. I went down to Haiti in March of 1920, last year, and I got back about the 21st of March and I got back about the 21st or 22d of March. I was there perhaps six weeks and

Q. Where, in the island, did you go in Haiti?

A. Well, I made my headquarters at Port au Prince. I radiated from Port au Prince through the country there, anything that could be done, and then I made a trip in an automobile as far as Cap-Haïtien and returned back in about a week.

Q. Did you stay at any place along the way?

A. Well, I made the usual stop at St. Marc and Gonaïves, and

Q. Did you go back into the interior of northern Haiti or central Haiti?

A. I went back largely for the purpose of paying a visit to the palace and citadel up there. That took me a day's journey up into the north.

Q. What class of population did you come in contact with?

A. Well, I guess I came in contact with all classes. I had letters from the best people of Haiti, and then I got in touch as well with all other classes.

Q. Did you meet officials of the Government?

A. Yes. I met the President twice, and most of the Cabinet members, and other lesser officials.

Q. Did you converse with the local officials in the communes, the people?

A. I did not talk with any priests that I can remember, but I did talk with the people as I could draw out. They are mostly suspicious of

Q. A little more clearly, Mr. Johnson.

A. I say I did not talk with any priests.

Q. But with people such as were not suspicious of strangers?

A. Yes; those competent to talk.

Q. Did you have to speak through an interpreter, or do you speak French?

A. I speak enough French to get along. I am not very familiar with it. Although I speak a word or two, I could not say I could talk

Q. Will you tell us what you found to be the attitude of the Haitian people, the different classes, and its feeling toward the United States, toward the military occupation, and the reasons for its feelings and attitude?

A. Well, of course, that is a question that has to be varied a good deal. Just a general impression, it would be that there was a good deal of suspicion and resentment in all classes. The reasons might have been

varied, but the impression I gained was from the highest by the lowest I do not mean what we call a peon, because them to any large extent, and I do not know whether serious thought on it one way or another, but the people intelligence, of any thought at all—they were extremely

Mr. ANGELL. Was there bitterness toward the United States toward the military occupation in particular, or both?

Mr. JOHNSON. If you will let me put it this way: The people who seemed to have been disappointed. They seemed to have hope, and I might say the faith that a good deal more would come from the occupation than did come, and their resentment was based on the consideration to be the harshness of the military rule, and the convention was not being carried out in the spirit in which it was intended to be carried out.

The CHAIRMAN. May I interrupt, Captain, at that point?

Mr. ANGELL. Yes.

The CHAIRMAN. By that do you mean that the financial reorganization contemplated by the convention appeared to be postponed?

Mr. JOHNSON. Yes. I think, Senator, that would be the point.

The CHAIRMAN. They had been led to believe from the convention that the adjudication of long pending claims, the reform of related matters would be taken in hand forthwith and

Mr. JOHNSON. Yes. I think that is true, but I think that I am talking about—I will have to divide them into a few statements would not cover them all.

The CHAIRMAN. Precisely.

Mr. JOHNSON. There were a group of people who seemed to expect some good things coming out of the convention. Those people expected a strict military rule. They seemed to feel that there was civil oversight and they considered that the military department outside of the letter and spirit of the convention.

Then, of course, there were groups that I talked with various groups of different political shades of opinion and status, and some people, of course, were bitterly opposed to intervention. I found a very deep pride in their independence and resented anything like foreign invasion, and they were

Mr. ANGELL. What did you find the attitude of these various groups on the question according to the different groups, their expectations for the future as to treatment from the United States in relations with the United States?

Mr. JOHNSON. Let me get the gist of that question again.

Mr. ANGELL. Perhaps that was not very well put. What were the expectations of these various groups of people with whom you were in contact with the United States in the future?

Mr. JOHNSON. The more intelligent people that I talked with ought to be what we might call a new deal entirely. They ought to be that convention such as it was, was forced upon them. They could be any mutual benefit in cooperation between the two groups ought to have a fairer start together. That expressed the group. When we get to the other group that I referred to as irreconcilables, they want nothing less than the independence.

The CHAIRMAN. They want the abrogation of the convention?

Mr. JOHNSON. Yes.

Mr. ANGELL. Are you able to specify the particular incidents leading to the truth or untruth of those incidents, but as to their reasons for the feeling which these different groups have and the conduct of our administration of Haiti?

Mr. JOHNSON. You mean the reasons for the fact?

Mr. ANGELL. The specific reasons for the particular feeling?

Mr. JOHNSON. They resent very much the military occupation rule.

Mr. ANGELL. The fact of the occupation or the method of the occupation conducted, which?

Mr. JOHNSON. The fact in some degree, and the method of the occupation, Judge, and of course conditions in Haiti give rise to a

not arise in any other country, and that is the question between  
 back, and that has been brought to the fore very much in Haiti,  
 ans resent it very keenly; they feel it very deeply.

Just how did you gather that the question had been brought to  
 ?

N. Well, they talked with me, and I talked with what you might  
 r class of Haitians, the men who assembled in the clubs there  
 nice homes, the educated class, and they said that before the  
 Americans there was no such thing as a well-defined color line  
 t there were foreigners there, both Americans and Europeans,  
 line had never been specifically and tightly drawn as it has been  
 pation there—instances now in which it shows very plainly.

By whom has the color line been drawn since the occupation,  
 nce to any particular individual?

N. I learned that it started with the Americans, but now the  
 ally drawn.

AN. You mean there are no relations, other than official, between  
 and the Americans?

N. That is what I am getting at. Of course, what I am repeat-  
 ely what I gathered in talking, Senator.

AN. Precisely.

N. You might say that there is no personal relation between the  
 ial class and the upper class of Haitians, except where it is  
 sary, and that heretofore those conditions never obtained even  
 ite Europeans there in Haiti, and the American citizens in Haiti.

You said a moment ago that this feeling originated, I believe,  
 ary occupation?

N. Yes.

Was it your understanding that it was a feeling which origi-  
 ne color line was brought forward by the Americans against  
 r by the Haitians against the Americans?

N. Drawn first by the Americans. I was informed that the  
 e in what we would call the social set there, who would go into  
 the Americans first landed went very far to make it pleasant  
 it was all right until the number increased very largely, and  
 until the time when the ladies of the occupation came down.  
 stand, that the American occupation or the officials of the occu-  
 y and civil, organized a club to which no Haitian is ever in-  
 y the Haitians, I believe, have returned the lack of compliment  
 y the Americans to their clubs. That is a side issue, but I judge  
 point of friction which impeded a good deal of motion that might  
 g more easily.

Did you hear comment or discussion to any extent among  
 of the institution or conduct of the management of the corvée  
 ericans under the American occupation?

N. Yes; that was put down as one of the reasons for bitter re-

Was the feeling apparently strong on that point or not?

N. Very strong with everybody I talked to, and I talked with a  
 ople. I talked not only with the native Haitians but I talked  
 s in business there and European business men.

AN. Was it to the abuses incident to the corvée or to the actual  
 law of the corvée that objection was made?

N. I heard something of abuse, but, of course, I have no definite  
 have heard of things that are told everywhere, but I think as I  
 ation there that there is something in the Haitian which objected  
 the corvée itself—the invoking of it.

AN. Although it was in his law?

N. Well, I understand it was never enforced in that way.

AN. Well, I think it was never enforced at all; it was a dead  
 as a law.

N. Well, I think we have the same laws in most all of our States;  
 e of the Southern States there is a road law, by which you can  
 o work on the road around your vicinity, but I think it went—if  
 me to digress a little—I think it went pretty hard with the  
 studied the question, because I do not think there was ever any  
 peonage in Haiti. The Haitians in the country, so far as I

could learn, the great majority of them, were individual little plot of ground; and no matter whether he cultivated was an independent farmer, no matter on how small a scale taken off his little plot of ground and carried miles away from the country it was slavery to him, even though the treatment had been abnormally cruel.

The CHAIRMAN. Well, if they were carried far from the country that might be characterized either as an abuse or maladministration or corvée.

Mr. ANGELL. Were there any specific reasons for the treatment described toward the occupation?

Mr. JOHNSON. Well, I think that most of the intelligent people here was really no Government, because there was a conflict between the Haitian authority and American civilian authority and Haitian people got that not only from intelligent Haitians but from Americans there.

The CHAIRMAN. Let me ask the witness the question I put this morning. Could you say that there was any American policy of pacification had been completed up to the present time?

Mr. JOHNSON. Any policy at all—any defined policy?

The CHAIRMAN. Yes.

Mr. JOHNSON. I could not say that there was.

The CHAIRMAN. Were you able to see any evidence of pacification where?

Mr. JOHNSON. I could not.

The CHAIRMAN. Did you hear any particular comment on the relations in governmental administrative matters between the American minister and financial adviser, on the one hand, and the Haitian Government on the other, such, for example, as the Haitian Legislature and the National Assembly?

Mr. JOHNSON. Yes; I talked with various men, and they all spoke of the solution of the Chamber of Deputies. They said that it was virtually a solution. Of course, that was another cause of resentment among the classes. Then, most of them told me that they did not like the country being policed, that they had gotten anything but satisfaction from the obligations were on the part of Haiti, but there seemed to be no part of the United States—at least, they could not see any part of the United States.

The CHAIRMAN. But the United States had taken control of the country and discharged the responsibilities incident to control?

Mr. JOHNSON. That is what the intelligent classes felt and said.

The CHAIRMAN. Did the foreigners perhaps feel the same way?

Mr. JOHNSON. Yes, sir.

The CHAIRMAN. Would that be your own judgment?

Mr. JOHNSON. That was my own judgment after my survey of the whole situation. First, let us say that I was not surprised at the Haitian people. I found them a good deal better than I had ever hoped or expected to find them, and I wanted to see what the Americans had done. I could not find anything but that was the military roads, the big highway from Port au Prince to the Haitian, the improvement of the hospital there in Port au Prince seemed had been made quite efficient, and some minor sanitation had been instituted in the larger towns. I think they were not so bad as I thought they were. I think they did not go any further than that you must have a cement gutter in which to run the things of that sort.

As for the city of Port au Prince, I found it a very clean city. At first I thought that that was the work of the occupation, but the paving of Port au Prince was the work of the Haitian Government. The contracts had been let before our occupation.

The CHAIRMAN. Had the work been completed before?

Mr. JOHNSON. Not entirely. Outside of those three things, I looked especially for some marked improvement in the school system and I talked to Mr. Belgard, who was Minister of Education.

of the schools in Port au Prince, and saw some of the schools country, but, as far as I could learn, the occupation and the Americans had not done anything to improve the school system, such as in some of the other possessions.

What feeling did you find among the population, if any, about the occupation of land by foreigners, and the whole question of foreign capital and economic exploitation, and kindred questions?

Those I talked with seemed to be quite apprehensive about the occupation, and especially the buying of large tracts of land by some of them seemed to be quite disturbed at the rumors prevailing down there of large tracts being taken up. I do not know how except in one case I talked with a man who said he was dissatisfied.

What feeling, if any, was there regarding the article in the new constitution, permitting the ownership of land, and regarding the adoption of the constitution itself?

The intelligent Haitians of all political parties that I talked with felt that the constitution which they had now was unconstitutionally adopted. They felt that the old provision in the old constitution not allowing the sale of land was one of the bulwarks of their safety and security. All were very much opposed to that change in the constitution. They said they felt that the constitution was unconstitutionally adopted and how?

Well, I understand the fundamental law of Haiti calls for the constitution to be adopted by the legislative body, and this was adopted by a popular vote.

Was it or was it not the feeling among the groups whom you talked with that the methods of the adoption of this constitution and these regarding the ownership of land were to be laid to the occupation—occupation?

Yes, sir.

AN. We have now a record of nearly six years of the occupation, since the acknowledged establishment of general order. We have a record of which, assuming a renewal at the end of the first period, is a record where there be established in Haiti a true and centralized responsibility and agents there, whether in the employ of the Haitian Government or Government of the United States, if the American Government, agents, assiduously and in good faith pursued a sympathetic policy, always, as you suggested early in your testimony, to put forward the method of civil administration through civil advisers rather than military. Do you believe that we may secure the cooperation of the Haitian people in carrying out of such a policy?

I think it would be very largely secured, Senator. I do not see how the occupation of Haiti will secure 100 per cent cooperation, or maybe not perfect, but I think it would secure quite a large cooperation.

AN. I mean can we secure that measure of cooperation which is necessary to contribute substantially to the moral and material progress of the Haitian people during the 15 years of the treaty?

Will you let me answer it by making a statement?

AN. Certainly.

I think that if the right sort of man took charge of the right method of sympathetic and cooperative civil administration in Haiti, and there were to be a man of big caliber—I think that has been one of the things lacking in the present occupation there—and looking forward with this thing to the absolute restoration of Haitian independence at the end of that time, you would get the cooperation of all the elements in Haiti that are available while.

AN. Do you believe that at the end of 15 years, the Haitians, unaided, will assume the administration of the public services of the country?

That would depend, I think, on what took place in the 15 years. If the country went there and administered it for them, and got up and came back, they might be so weakened in that time that they could not take care of themselves.

AN. What you have in mind is that we should not administer for them, during that period?

With them, and their administrative powers should be continued until that withdrawal.

The CHAIRMAN. What would happen if the treaty were occupation withdrawn on 90 days' notice?

Mr. JOHNSON. Well, I have heard opinions on that. sanest opinions I have heard from natives would be that wise thing to do on 90 days' notice. In fact, I do not think from Haiti until the native constabulary or a national army is there to replace what you have. I do not think this generally, because the intelligent Haitian has no place in they are the most ignorant, and although some of the intelligent went in at first, they found they had no chance and no place stood aside. You would have to replace authority by Haitians.

The CHAIRMAN. If you were laying down in the most general for us to follow, would it be one like that suggested by Mr.

Mr. JOHNSON. If I had a program to lay out for Haiti looking to the quickest possible withdrawal of the United States as immediate as possible the withdrawal of the military as possible a withdrawal of even civilian rule or oversight able to do anything in Haiti unless we have the good will to know that. That is axiomatic, and I believe the best way to Haiti that we have no ultimate aims against her independence.

The CHAIRMAN. Well, you say the withdrawal as soon as

Mr. JOHNSON. Yes.

The CHAIRMAN. Six months, one year, five years, ten years the treaty?

Mr. JOHNSON. Military withdrawal?

The CHAIRMAN. No. I am talking now of complete withdrawal was the phrase which you used.

Mr. JOHNSON. Yes. Well, I will put it into two parts as soon as possible and as prompt a civilian withdrawal.

The CHAIRMAN. Could you indicate a difference in time?

Mr. JOHNSON. This treaty now has five years to run, has

The CHAIRMAN. Yes.

Mr. JOHNSON. I should venture that we could get out of way in a year and that we ought to be able to get out at the of the treaty.

The CHAIRMAN. What would you do with the service of

Mr. JOHNSON. Of the debt?

The CHAIRMAN. Yes.

Mr. JOHNSON. Well, I do not know that we have made

The CHAIRMAN. Whether we have or not, we have under French debt, which, as you know, has not matured and not

Mr. JOHNSON. I did not really know we were assuming I knew we were to furnish a loan for Haiti.

The CHAIRMAN. The major part of the loan is allocated the French debt.

Mr. JOHNSON. You mean the loan that was to have been have been expecting?

The CHAIRMAN. Well, I think the negotiations are con

Mr. JOHNSON. I did not know that. I had given that up a lost hope.

The CHAIRMAN. I think it has been consummated, but loan goes for the payment of the French debt and the liquid claims. I think it is fair to say that nine-tenths of the from the loan now approaching consummation will go for would you assure the service of that loan?

Mr. JOHNSON. I do not know that I am prepared to say pared to answer that question. That involves a good deal hand.

The CHAIRMAN. That is something which, of course—

Mr. JOHNSON. I was coming back merely to this proposition my opinion, the Haitians were capable of self-government.

The CHAIRMAN. Well, I had in mind the service of the service of the Dominican debt, the service of the Ottoman debt, and all these debts which have been in default a

Mr. JOHNSON. May I ask now, Where are we with the

The CHAIRMAN. The Dominican debt will be paid. I think is almost extinguished. The revenues last year and the

a Santo Domingo that the debt is being paid off something like 20  
 ance of the expected time.

f the protocol for a loan, in part, reads as follows:

further agreed that the control by an officer or officers duly ap-  
 he President of Haiti, upon nomination by the President of the  
 s, for the collection and allocation of the hypothecated revenues,  
 ded for during the life of the loan after the expiration of the afore-  
 so as to make certain that adequate provision be made for the  
 and interest of the loan."

nd imply that a contract between the bondholder and the debtor  
 re that the revenues' control and the revenues be vested in the  
 the President of the United States, even after the withdrawal of  
 merican agents. I think, roughly speaking, the amortization of the  
 ver a period of 13 years, whereas the extended treaty has 15  
 . There is not any such provision, I think, for the allocation of  
 this debt, as there was for the Dominican debt, where they took  
 ove a certain sum of the revenues.

ODIE. There is one thing I would like to ask. You spoke of the  
 roads. Did you look over the system of the roads yourself?

ON. I can not say, Senator—the system. I took the big highway  
 Prince to Cape Haitien. That is a very good road.

ODIE. Do you feel that criticism of the work that has been done by  
 on the roads was made with full knowledge of the work that had  
 the marines?

ON. Yes; I think so. You mean the value of the work to the

ODIE. Yes.

ON. I think so. As I looked at it, I think the value of that road  
 be overestimated.

ODIE. Do you not think, in speaking of a military road as you do,  
 ave value from an economic and commercial standpoint as well?

ON. Oh, yes. I think it has some, but I say that value can be  
 l, I think, for Haiti. I mean by that that a road would be of  
 mic advantage in some other country than it is in Haiti. This  
 ghway, and you will find military trucks and automobiles travel  
 ithout any speed limit. In fact, in some instances, the road is a  
 the Haitian farmer. I went over the road and I saw an auto-  
 a market woman. She was on one mule, and she had a horse  
 with all her produce going to market, and her child was on and  
 the horse got frightened and ran and scattered all her produce  
 l of the road to the other. And when the farmers get their  
 d, a donkey means a great deal to a Haitian farmer, and when  
 bles come along, these poor people scramble up the sides of the  
 down the declivities, trying to get out of the way. The road, as  
 eat advantage to people who want to see Haiti, but I do not think  
 uite that much to the Haitian farmer who is trying to get his  
 e town. He has got no automobile. He goes on foot, with his  
 in a trail one behind the other, and a mountain path would be  
 nient to him almost than a road.

Would the same remark apply to the railroads? Have the rail-  
 up the country to any extent, in developing it?

ON. Well, the railroad, as far as it goes, I think serves quite the  
 railroad runs north as far as St. Marc, and then they have got  
 one that shoots around the bay of Port au Prince down to the

Have they had any particular effect in opening up the country  
 ortation of produce which otherwise would not have any way  
 market.

ON. No; I do not think so. I think the traffic perhaps between  
 Port au Prince would be perhaps just about as much as it is.

Did you make any investigation as to the condition of the lower  
 s there?

ON. I did not investigate the courts, but I talked with some of the  
 ere.

What was their opinion of the Haitian lower courts?

Mr. JOHNSON. Well, I talked with one man there who the courts, and he told me that the Haitians felt that they were to anything now, because they had no exclusive jurisdiction; they were interfered with always by the military authorities.

Mr. HOWE. Did you gather from what they told you that they interfered in the civil cases, that is to say as distinguished from criminal cases; I mean cases between plaintiff and defendant over property?

Mr. JOHNSON. Well, I do not think I have got a distinct answer. I gathered that they interfered with cases that were in the hands of a man who would be exonerated by the civil courts, and that they would arrest him on that same charge.

Mr. HOWE. The thing I was more interested in, perhaps, was that being an abnormal condition under the intervention of the military. That being an abnormal condition under the intervention of the military, are the lower courts competent courts to decide—I mean, are there able enough men to decide questions of property between plaintiff and defendant?

Mr. JOHNSON. I think so. I just throw that out. I have no opinion.

Mr. HOWE. What I want to know is whether you had any inquiries about that branch. Did you have any time to inquire into that?

Mr. JOHNSON. Not specifically, but I am just giving a general answer. I think they are capable to handle—

Mr. HOWE. Do you know what the salaries of those judges are?

Mr. JOHNSON. No; I do not. I did find out the salaries of the teachers. I did not look up the salaries of the judges.

Mr. HOWE. Would it be your opinion that if martial law were declared there, the Haitian lower courts could satisfactorily conduct the business of the gendarmerie to the end of preserving law and order in the country?

Mr. JOHNSON. I should think so.

Mr. HOWE. I mean after removing the element of division, the element of a bad element for any court?

Mr. JOHNSON. I was going to qualify it by that; yes.

Mr. HOWE. Is the Haitian system of lower courts capable of conducting the Haitian system of gendarmerie and administering justice, and preserving law and order?

Mr. JOHNSON. I should say that I think so.

Mr. HOWE. I have heard that the salaries of the lower courts, the *de paix*, are very low indeed, and that a proper and properly paid salary should not be induced by that salary to go on the bench of a judge.

Mr. JOHNSON. Yes.

Mr. HOWE. Is it not your opinion that the justices of the peace, the *de paix*, ought to be well qualified men, as the judges that they would encounter?

Mr. JOHNSON. Well, he at least ought to be an honest man.

Mr. HOWE. It is a very important position, is it not?

Mr. JOHNSON. Yes; it is from that point of view. I do not know if there is any extraordinary ability to be a justice of the peace; it does not require any extraordinary ability.

Mr. HOWE. No; but he has got to be honest; he has got to be a man of honor, has he not?

Mr. JOHNSON. He has got to know some law and he has got to have some sense.

Mr. HOWE. And especially if he decides questions of the property of the people between poor people?

Mr. JOHNSON. Yes; but I do not know how far the *de paix* would go in property matters. I judge it would go to some amount, and that above a certain amount it would go to the higher courts.

Mr. HOWE. Would it not be a useful thing for anybody at the time of the withdrawal of the American occupation is decided by the Haitian Government can supply an adequate judiciary?

Mr. JOHNSON. I think it would be a very good thing to have a judiciary.

Mr. ANGELL. Would you care to give us, without feeling any confidence, the substance of a conversation that you had with President Dartiguenave regarding the relations between the United States and the Haitian Government?

Mr. JOHNSON. I saw President Dartiguenave twice. I saw him, although I was well introduced to him, he was rather reserved. He was long generally. We talked without any interpreter. And

was a little freer, and he confessed to me then that he had a very in getting along in any direction at all with the American occupation that they ignored him completely; that they ignored his council and then acting as a sort of cabinet; that they paid no attention to recommendations, and that whatever they decided was to go through in order to understand that it was to go through, and he talked in that way for half an hour.

When you say "they" are we to understand that he referred to the officials of the military occupation, or the American minister, or the officials, or all of them?

Yes. "They" was a comprehensive "they." It takes them all in. There is to be considerable dissatisfaction with our minister who was there

Mr. Bailly-Blanchard?

Yes.

The committee adjourned until Wednesday, November 16, 1921, at 10 a. m.)

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## TO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

WEDNESDAY, NOVEMBER 16, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Washington, D. C.*

met at 10.30 o'clock a. m., pursuant to adjournment, Senator  
presiding,

ators McCormick (chairman) and Oddie.

Mr. Walter Bruce Howe, Mr. Ernest Angell, and Maj. Edwin  
United States Marine Corps.

r. Chairman, Capt. Angell has here to-day a witness, Mr. Pilkington  
has had exceptional opportunities to observe conditions in  
suggestion would be to have Capt. Angell, who has talked with  
as I understand it, conduct the questioning at the outset.

. If there is no objection, it is so ordered.

OF MR. H. M. PILKINGTON, TECHNICAL EXPERT,  
IDENT AND MANAGER AMERICAN DEVELOPMENT  
TI, NEW YORK, N. Y., AND PORT AU PRINCE, HAITI.

Mr. Pilkington, what is your occupation?

on. I am technical expert and vice president and manager of  
development Co. of Haiti.

You have been in Haiti?

on. Since 1918 practically up to the present.

What was the occasion which took you to Haiti, and what has  
business in Haiti?

on. I went there, originally, in an advisory capacity for the  
ts who control the Haitian-American Corporation.

What was the Haitian-American Corporation?

on. That being a company organized to take over the public  
g in Haiti, and to build a sugar mill and organize extensive  
he plains of the Cul de Sac and Leogane, these being the only  
aiti in which sugar is naturally grown on the same lands as it  
s of the French occupation, and the only districts in which  
system is in practical operation, as originally engineered by the  
s.

What was the date of your going to Haiti?

on. That was early in 1918.

Have you been practically continuously in Haiti since that

on. I have been practically continuously in Haiti since that  
during that time easily a solid two years and a half of time

When did you come up from Haiti last?

on. I came up from Haiti last just before Christmas.

Of 1920?

on. Yes. During that particular trip I made a complete and  
of the physical properties of the corporation, and inasmuch  
of any industrial project in any country is dependent upon the  
of the people of that country, it was equally important for  
study of the psychology of all classes of the people.

investigations and studies of the country and the lands natur-  
in contact with what we might call the lowest or the most primi-

tive class, which is the laboring class or peasantry, this entirely illiterate and living in the most primitive manner, found that the thousands of people employed in field work on our many and various plantations extended over the territory, were invariably and without exception a completely ignorant, and completely amenable people. They are native cultivators of the ground and with a very slight outlay of very slight exercise of friendly discipline, they became plantation operators to the extent of planting, cultivating cane, and it will be fair to say that a very large percentage of people of this class, who migrated from Haiti to Cuba, were educated in this line by the Haitian-American Society. From Cuba were invariably to the purport that these men made the best cane cutters in Cuba.

I next made it my business to come in contact with the ruling or political class of the country, because, at base, every other enterprise is fundamentally dependent upon the laws of those laws in whatever country may be concerned. One of this Haitian-American Corporation was brought about in public directly and definitely upon assurance in Washington by people and competent officials, that the treaty between Haiti and the United States, in fact, to be a living thing. The large feature of the securities of this company, all of which floating capital, upon the implied bona fides of the United States in carrying out the basing of which was security for foreign capital. Upon this evident condition, because the development of a primary industry upon one thing and one thing only without which it cannot be, is, the bringing in of foreign capital. It is a manifest fact that it will not be risked in a country which does not extend the same security for the security of that capital. I became acquainted on these terms with what I have before called the ruling class, having had confidential interviews, which later ripened into an informal basis, the most agreeable basis, with President Dartiguenave, of his cabinet, his conseil d'etat, and practically all of the members of the Haitian class. I have been accorded what to me is considered of being invited to become a member of the Cercle B, a social club of Haiti, this invitation being extended by one of the most cultured, educated, and enlightened men I might meet anywhere.

Mr. ANGELL. Will you give the name of that gentleman, and the reason that I rather expect to call him as a witness when we come to the next session.

Mr. PILKINGTON. I would be glad to have appear on the stand this gentleman, Mr. George de Lespinasse, and in the meantime, an apology for not mentioning, for want of space, the names of the other Haitians, of whose acquaintance I am more than acquainted, of whom, or to any of whom, I am sure could be intrusted with the management of our own independent government, being fitted for this by their education, character, and political and diplomatic training. It is an invariable rule that the better class Haitian has had, and has received, education in the higher schools of Haiti, a further education in the conservatories.

There is not in Haiti what we would term a middle class, or American acceptance of the term. What corresponds to the middle class, called the commercial class, the traders who buy the products and export them to other countries, and those who maintain the plantations. This class is, of course, literate, and to a greater or lesser degree, educated. In all my two years or more intensive study in Haiti, I have found a single instance found an example of what we could rightly term a middle class. I say this broadly and in full knowledge of its purport to the members that I have seen and observed of the Haitian class. I present for the information of the committee, a photograph of one of these bandits who openly confessed to be torturing of Pvt. Lawrence, who was openly claimed to be eaten. It will be seen from this portrait that while the type, and of his like were unspeakable, that the type, ethnologically, was a vicious type.

the photograph of one of these Cacos who was concerned in and death of Lieut. Muth. The same observation will also apply to the gnomony of this man. Further evidence along this line of this has been frequently told me by enlisted men of the marines, in treatment that they have had at the hands of this class of people. told by enlisted men who have been lost in the hills from their and have wandered for days through the bandit territory in , that they have been concealed away from other Cacos in safety, and then forwarded on their way, that is in among this Cacos.

on gained at that time of the physical advantages of the country, the advantages of soil and light, and the prevalence of a large unsatisfactory field labor, were so favorable that in association with firm which controlled the majority of the stock of the Haitian corporation, I organized in Haiti, under the Haitian laws, a company, to comply in all respects with the existing laws development company, which was prepared with sufficient financial undertake and execute any form whatsoever of development work which would warrant a reasonable return upon the investment. rily elected under the law of Haiti to be the resident director e directly and personally responsible for the actions of this he law requires.

upon and before the formation of this company, I made an y of all Haiti, its physical conditions, not only of soil but of e possibilities of transportation, the mineral possibilities, and the tions affecting in any way the practical development and ex- ce country. The character of the country may be best described h are accredited to Napoleon, whose brother-in-law, Le Clere, ry governor of Haiti at the time that this country was France's sion, and one of the, if not the, finest colonies in all of the world. ere was making a report of conditions to his chief, Napoleon, and t kind of a country is Haiti. He seized a large sheet of foolscap, mpled it up in one hand, and throwing it on the table, said, "Haiti." In my opinion, no other description could so well ography of Haiti. With the exception of a few plains of rather the entire country is a mass of interlocking mountains, almost connecting valleys, many of which are so narrow that one may foot on one mountain and the other foot on the other mountain— e, being the bases.

means of intercommunication is nothing but trails of loose stones, try being practically of limestone formation. Over these trails the tiny farms with which the country is completely covered is e heads of women, or on the backs of the burros, to some market means and method of transportation is entirely satisfactory to their present state of evolution. They, in fact, universally com- zzy acts of the whites in destroying their nice, shady trails for making a wide, smooth road, on which their automobiles may s and scare them to death.

t to even the casual observer who merely sees Haiti from a pass- at the country is only at the present time an agricultural possi- s manifest that hillside agriculture must be very largely con- genital development of the country. This feature has been, one rely overlooked and neglected by every tentative exploitation in om the colonial times the plains only have been really cultivated, ized by their own writers as being a one-crop country—this coffee—and it is fair to say that even in this narrow sense there that can be rightly called coffee plantations, most of it being ultory manner, wild and always at some considerable elevation, rigation. Cotton has also been an extensive article of export, ion has never, up until the time of the United West Indies Cor- scientifically pursued. The cotton, which has heretofore been g grown wild in various parts of the country, and being picked and carried to the market in small quantities and exported in its

may, therefore, from an industrial point of view, be considered tely primitive basis, and whatever development is done there

must start, in two senses of the word, from the ground brings us to the very vital, basic principles which must govern, first, the control of the lands, and second, the possibility of peaceful and friendly possession and operation of these lands.

The first point—that is, the control of the lands—must be some form of exclusive ownership of these lands over long enough to allow for complete development of these lands and sufficient return for the money invested. At the present time there exist in Haiti any general system whatever of determining the ownership of these lands, there being a vast amount of territory which is Government land, but in any concession or lease involving alienation of Government lands there is always a requirement that they be under the supervision of the Government to determine what is and what is not Government land. The modus operandi of this survey consists of the district concerned, communicating with the judge de paix and with him going around through the district and getting the names of the various farmers, who may be squatters or who may be known to the Government, and whose land is theirs and whose is not theirs.

Mr. ANGELL. Are you speaking now of an actual survey made?

Mr. PILKINGTON. I am speaking of actual surveys, surveys in order to give these concessions that I mentioned. If you do not have them there you can not get it without proceeding in the following way: you will have a direct and definite bearing on the land laws.

As evidence of his ownership to a particular piece of land, the farmer shows what he thinks is a deed to that land. The Government, concerning land for which the sugar company has been interested, the farmer has proudly produced a bill of sale for a horse, believing that that was a deed to his property. Under the present system of disputed possession of a piece of land for 20 years is considered as proof of the land. Upon the death of a member of the family, the land there must always be a more or less elaborate funeral ceremony, of which are to them fairly heavy and are in a large number of cases by selling a small piece of this land which, as can readily be seen, complicated the already absurd conditions of ownership; so that in the absence of any system of records it is well nigh impossible to determine one has bought or leased a certain piece of land or not. A correct title to a piece of land must be based on a correct survey of the land; that is to say, a correct survey. Up to the present time there has been no official survey of Haiti, and one of the fundamental improvements brought about by the American occupation, which has been systematically conducted, has been a complete, up-to-date survey of triangulation and survey of all Haiti by officials lent by the United States Government—I think the department of the Geological Survey.

Mr. HOWE. Is this an accomplished fact?

Mr. PILKINGTON. An accomplished fact; yes. This work, if completed, would require a term of several more years, but it is an absolute physical impossibility for anybody to acquire the recorded ownership of a tract of land, except by the means of the parties interested as to the established boundaries of the tract in question.

This work has been begun and has been continued in the most scientific manner, starting from a regular base line, being accurately measured and remeasured on the plains of the country, and included the measuring and marking of all the visible points of the mountains—over the entire country. A large number of triangles have been triangulated and the angles closed as the surveyors start from the extension of these lines into all localities and all points of definite possession of the various tracts of land can be ascertained and recorded.

We now come to the laws concerning the holding of the land, and to say that the most serious thought in the mind of the Haitian is that the foreigner is going to get an actual, physical foothold in Haiti, which is a very small country, and in time force him out of an independence. I feel, from the standpoint of my experience with the people of Haiti, that it is perhaps the most important feeling to be considered by the native Haitians.

at there are vast tracts of land in Haiti, claimed to be and ly owned by various Haitians, on which they never set foot. I in many cases by Haitians that they own tracts in the north of e Cacos have always existed, upon which they have never dared unt of the lawless squatters, who are now occupying that land wn it through the mere fact of being there. It must be noted ition does not comply with the condition of the undisputed rritory such as a squatter clause in a law would imply. The tion of Haiti contains a provision for the acquiring of the itian land by foreigners. It is the claim of the Haitians that n is not constitutional; that it was not promulgated by their dy, and that it contains principles which are absolutely and aistic, and to which Haiti, as a body, would never and could his clause allows the ownership of Haitian land by foreigners, s it originally stands, go into any details. The Haitian Govern- constitution was enacted, some time in 1920—I do not remember pted, voted, and passed a law which purported to set forth the r which that clause was operative. These conditions were so dictory of the spirit of that clause that foreigners who had in vested in property in Haiti, and had been developing the same, e very much perturbed, and an instant protest was lodged with uthorities, and this offending law was temporarily suspended.

urse of my acquaintance with these people, and my travels over I can truly say that I have met with nothing but the utmost eeling, and cooperation of every class. The President has often e most heartfelt and feeling way his great sympathy and his ss to help any American enterprise which was based primarily Haiti. This spirit of cooperation I find in all the official class of . I will specify in particular with great pleasure the progressive t ability of the minister of public works, Louis Roy, whom I pable, courteous, intelligent, and a credit to his country. All ment of any kind whatever under any form of concession comes iction of the minister of public works, and the Haitian-American s, therefore, through its various utilities and industries, been ouch and subject to that department of the Government, and I oes not exist any single cause of complaint on that score. ist, however, a universal spirit of complaint and criticism on the nd action taken by various American officials in that country. e reasons for these complaints were a matter of very careful or it is self-evident that if officials who are carrying out the tion of a country are in continual friction with the officials of e purposes of that occupation will never be achieved. I found a ttitude of antagonism existing in all classes of society. The based in all cases that I could observe upon the application of orvée, especially in the building of roads in the north— The feeling you are speaking of is the feeling you found at the there, between 1918 and 1920?

on. Yes. This is all, of course, from the studies which I made ere, and is the result of actual studies, not just impressions. I iness while in Haiti to learn the vernacular of the country, and aintaining an intelligible conversation with the actual peasantry, ed directly with many of these people, principally mountaineers, all their lives in the mountains, coming down to the plains only oses. This class, as well as all other classes in Haiti, definitely wers in charge of the work on these roads with abuses of this to the actual details of these abuses, it was not of interest to me n detail, the important fact being that the attitude of mind back which was clearly shown was the important factor, not neces- t facts which brought about this state of mind. ght call the next class that had been concerned, and that com- occupation, would be the former Government clerk, as we might urse, in their former government everyone who had the requisite a government job. It is well known that many of these jobs eople who did not work at the jobs, but hired some other man r pay to do the work, and he pocketed the difference, but, at any e a vast number of people thrown out of employment by the

coming of the American occupation, this, of course, but American occupation whatever, but furnishing a class of

The next class one might consider would be the educated. It is fair to say that their antagonism was due solely to friction between the members of the occupation forces and themselves as nearly as I can make out, coincident with the landing of American officers. Up to that time the American officers had no social intercourse with the Haitians, both in their families and during which, of course, they freely danced with the Haitians. The coming of the women of the occupation this peacefulness was completely upset, the women having a natural aversion to military training and method of thinking, to dancing and general social life with the Haitians, men or women; the husbands of these officers objecting for the same reason. Therefore, there came an exclusive social lute. The exclusive Haitian clubs, which formerly were frequented by officers—the American officers—as guests of the club, began to deteriorate in condition of affairs, and the American club, which eventually was frequented by officers of the occupation; at no time within my knowledge was this club received as guests any Haitians. In spite of this feeling of resentment by the Haitians of this condition of affairs, probably the most exclusive Haitian club, continued to receive guests but as members certain Americans and other who had confidence and trust, showing, to my mind, a marked courtesy in favor of the Haitians.

I might cite a case of direct abuse which I know contrary to the part, although one might call it trivial in itself, to the feeling of sentiment. There is among the many talented Haitians a finished musician, a graduate of a Paris conservatory of music, in which I had the pleasure of attending at this gentleman's house, of an instance which had occurred shortly before my coming, which was giving a private piano recital of his own compositions and their parents in his home. While playing these compositions, the guests were enjoying from their post on in his garden, which was with rocks from the neighboring dwelling, which was occupied by an officer. This stoning was so continuous and so dangerous that the guests were compelled to take flight, and he had to put out the house. He made complaint to the competent military authorities, and immediately took prompt action and offered to discipline the officer. The interposition of this gentleman himself punishment was personally became acquainted with this officer and found him to be an efficient, excellent soldier, with a very good record, this was one of many instances of the power of the demon rum, which caused great difficulties with which the commanding officer of the occupation country has to deal.

Mr. HOWE. Did it turn out that this officer himself had been stoned?

Mr. PILKINGTON. Yes; it did. It is easy to see what was brought about among the intellectual classes of Haitians. I noted that the better classes are intermarried to an extent that they can conceive, and therefore an injury to one is an injury to all.

Mr. ANGELL. Did you hear of that incident referred to in the report about that class, friends of this musician?

Mr. PILKINGTON. Yes; this incident thereafter being a discussion whenever the actions of the marines were complained of, pleasure and privilege to help this gentleman in his endeavor in having his works published by the music firm of Charles Hallé, New York. The Columbia Phonograph people have also been publishing his works, as have also the Aeolian Co., in making master records of his piano, which is by far the most expensive and the best of its kind, using only rolls made by the composers themselves. I was able to lessen in that particular case the unfortunate incident in general which a large proportion of the Haitians believe in. It is fair to say that, thanks to the personal living and the acquaintance of Americans who they have in their midst, this class of Haitians know that such things are not necessarily a common attribute.

We now come to what, in my mind, may be truly considered the most important source of complaint which the Haitians have against the American occupation.

ought to my attention by various prominent Haitians that there was a very serious import pending at the palace.

Q. You were in Haiti at that moment?

A. Yes; I was there. This information was brought to me in company in Haiti and personally told to me by a certain member of the Government. He told me personally that the existing contract between the National Bank of Haiti and the Government of Haiti, being up and about to be discussed and a certain clause modified to the mutual advantage of the National Bank of Haiti and of the Government of Haiti.

Q. You will remember, Mr. Chairman, that this was the matter which was brought before the committee?

A. Yes, Mr. Farnham, the first witness before the committee.

Q. According to my informant, a draft containing all these conditions was to be submitted to the President for his signature. The President's refusal to sign this document, the financial adviser, who, I understand, is an employee of Haiti, attached to the department of finance, refused to further discuss the pending budget for the year, implying that he would not go further in the matter until the President of Haiti had given his consent. Upon his continued refusal the salaries of the President and his officials were stopped.

Q. This is the financial adviser you are talking about?

A. Yes, Mr. Bailly-Blanchard. President Dartiguenave still refused, and that Col. Russell, the chief of the military forces, upon whom the President Dartiguenave depended, the financial adviser, Mr. Russell, by this time had apparently arrogated to himself functions which are not defined in the treaty, and Mr. Bailly-Blanchard, who is the financial adviser of the United States Government as far as Haiti is concerned, is in direct defiance with President Dartiguenave, in defiance of all laws and ethics, a financial matter, of course, necessarily being under the jurisdiction of the department of finance and its minister, the President, in the name of the Government of the United States, refused to sign that contract as it stood.

Q. Whether justified or not by facts which do not appear and have not been explained, to my knowledge, either to the Haitian people or to me, is, to my direct knowledge, an insurmountable obstacle to any agreement between the United States Government and the Haitian people, and it is, I think, finally explained publicly, and if unwarranted, openly apologized for. It is a fact, which is evident to the observation of any part of the world, that the smaller a nation, or the more ignorant of people, or the more insignificant an individual is, the more he is in his actual rights, and the more exigent he is in anything which touches his personal pride, and of all races in the world it is no doubt the case that the feeling is strongest in the Latins, and they are the people who most insist upon these rights and of this amour propre. It may be, and I am certainly like to personally know, that we, an enlightened people, an advanced Nation in the world, as we freely admit ourselves on the part of direct representatives to act in a manner which, at least to the eyes of the open observer, appears to be nothing but brigandage. Upon knowledge of this act becoming public, an instant and a storm was filed by all the responsible interests in Haiti, not only native and foreign. This insistence by the American Government was not new, but has never been explained, as heretofore said, nor within the knowledge of anybody with whom I am acquainted. If future reconstruction, of course, must be predicated upon the consent of the people, and equally, of course, must be administered by a committee. Until apology for and reparation of another great outstanding wrong, such a constitutional assembly will be almost impossible to call. I refer to the act described to me personally by certain witnesses at the time as a physical driving out by force of the deputies.

Q. I can confidently say, irrespective of the actual pros and cons, that the feeling which actuated this general protest con-

cerning the revised bank contract was based on the fact that the bank had appeared as a court of ultimate resort in this question of a like nature, and by his apparent usurpation of power by him under the treaty, in connection with his forcing of a universal feeling of distrust and a lack of confidence in the government might be called upon to take in connection with the final action.

Mr. ANGELL. At this point I should like to offer in connection with the verbatim protest of the American, foreign, and Haitian business interests in Haiti against this proposed action, taken on July 30, 1920, the material portions of which are the last paragraph.

(The protest referred to is here printed in full, as follows.)

"The protest printed below, against article 15 of the contract of withdrawal, was sent to the Haitian secretary of finance on July 30, 1920.

"The undersigned bankers, merchants, and representatives of the branches of the financial and commercial activities in Haiti, to submit to the high appreciation of the secretary of finance the following consideration:

"They have been advised from certain sources that the following actions have been made to the Government of Haiti.

"1. That a law be immediately voted by which to regulate the importation or exportation of all money not Haitian, foreign money which, in the opinion of the financial authorities, is sufficient for the needs of commerce.

"2. That in the charter of the Banque Nationale de Haiti there be inserted an article giving power to the financial authorities the Banque Nationale de la Republique d'Haiti to take in connection with the importation or exportation of non-Haitian moneys.

"The undersigned declare that the adoption of such a law, whatever form it may be, would be of a nature generally to protect the collective interests of the Haitian people and the financial authorities would be dangerous to substitute the will of a single person, who he might be, however honorable, however infallible, for the law which regulates the movements of the monetary circulation in Haiti.

"It would be more dangerous yet to introduce in the charter of the Banque Nationale de la Republique d'Haiti a clause which would establish a sort of monopoly in the foreign money market, which is the principal base of the operations of high commerce in Haiti, the exclusive privilege of emission of bank notes. Such a law, in the hands of all other bankers and merchants its humble tribute to the government and its caprices.

"(Signed): The Royal Bank of Canada; American Bank of Commerce; Haitian American Sugar Co.; Raporel Steamship Co.; Electric Light Co.; Panama Line; Ed. Esteve & Co.; Commercial; Gebara & Co.; Alfred Vieux; V. G. Makris; J. M. Freres; Roberts, Dutton & Co.; West Indies Trading Co.; R. Drouard; A. de Matteis & Co.; J. M. Richaume; J. M. Francois; H. Dereix; E. Robelin; F. Cheriez; I. J. MacFadden."

Senator ODDIE. How does the price of silver per ounce compare with the price of silver per ounce in the world markets?

Mr. PILKINGTON. There is no price per ounce. There is no silver at all.

Senator ODDIE. I mean the silver that can be bought in the world. Mr. PILKINGTON. The silver that is bought in the world is in the form of coins that have been hoarded here and there.

Senator ODDIE. On what basis do they sell per ounce?

Mr. PILKINGTON. They do not sell it per ounce. Nobody sells it there. There is no industry there. It is a raw, primitive country. They do not go and buy silver per ounce.

Senator ODDIE. You spoke of the value per ounce?

Mr. PILKINGTON. Not the value per ounce.

Senator ODDIE. Of old coins?

Mr. PILKINGTON. These silver coins have a value for souvenirs, but in fact the few that do come in from the natives have been hoarded by the natives have been acquired by the natives for other body else, and they make them up into neck chains, v

you have to pay more than the face value of the coin to get it. It cannot be obtained at the bank, the coins in circulation being nickel.

L. Let me put the question to you in another way. Do you think the effect of the business men, which has just been offered in the record, you referred, was based to any considerable degree on a fear by the business men that the effect of the operation of the proposed clause would be to interrupt by such a legal monopoly the free play of foreign exchange pending for its normal free play upon the uninterrupted right of export of foreign money, and that such interruption of the free play of exchange would have been detrimental to the individual interests of the business men and business houses and detrimental to the general trade of Haiti?

MR. GREGG. Such an attitude was the generally voiced opinion of every one I communicated on the subject.

L. Is it your understanding that subsequently the salaries of the members of the cabinet, and other Government officials thus suspended for the year 1920, as you have testified, were finally paid by the financial administration?

MR. GREGG. Yes.

L. And if so, when?

MR. GREGG. I do not remember when. It was commonly stated that the salaries were resumed and that the United States Government receded from its position.

L. At this point, Mr. Chairman, I would like to offer in the record a document which passed between the Haitian Government, the American Legation to Haiti, the civilian treaty officials, and directly between the Haitian Government and the American Government in Washington on this subject. The correspondence which I am introducing now also includes several letters from the Haitian Government on the occasion of this proposed convention to be given to the National Bank of Haiti, emanating from the British and Italian Legations to the Haitian Government. The document referred to is here printed in full, as follows:)

On the occasion of the Haitian National Assembly on August 4, 1920, the President of the Republic of Haiti and the Haitian minister of finance laid before the assembly the course of the American financial adviser which had made it impossible to submit to the assembly accounts and budgets in accordance with the convention of Haiti and the Haiti-American convention. The statement of the financial adviser is taken from the official Haitian gazette, the *Moniteur*, of August 10, 1920:

#### MESSAGE OF THE PRESIDENT.

On the occasion of the council of state, on account of unforeseen circumstances it was not possible for the Government of the Republic to present to you the report of the session of your high assembly which closes to-day (August 19). The general accounts of the receipts and expenditures for 1918-1919 and the budget for 1920-21, in accordance with the constitution.

Only an exceptional case, the gravity of which will not escape you. In the full details from the report which the secretary of finance will submit to you, in which it will be shown that the responsibilities do not fall on the executive power \* \* \*.

For every people there come moments when it must know how to endure and to suffer. Are we facing one of those moments? The attitude of the Haitian people, calm and dignified, persuades me that, marching with the Government of the Republic, there is no suffering which is not to undergo to safeguard and secure the triumph of its rights.

DARTIGUENAVE.

#### REPORT OF THE SECRETARY OF FINANCE AND COMMERCE.

On the occasion of the council of state, article 116 of the constitution prescribed the following paragraph: "The general accounts and the budgets prescribed by article 116 must be submitted to the legislative body by the secretary of finance not later than eight days after the opening of the legislative session."

And article 2 of the American-Haitian convention of stipulates in its second paragraph: "The President of Haiti shall be a civil servant attached to the ministry of finance. The financial adviser shall lend effective aid in the prosecution of his work. The adviser shall work out a system of public accounting, shall supervise the revenues and in their adjustment to expenditures \* \* \*

Since February of this year (1920) the secretaries of the ministry, in order to conform to the letter of article 116 of the convention, to assure continuity of public service in the matter of the budgets, set to work at the preparation of the budgets for 1920-21.

By a dispatch dated March 22, 1920, the department of finance drafted budgets to Mr. A. J. Maumus, acting financial adviser, for study by that official. But the acting adviser replied to the letter of March 29: "I suggest that, in view of the early departure of Mr. McIlhenny, the financial adviser, measures be taken to permit the said draft budgets between the different offices (of the financial adviser) to permit him to take part in the study."

Nevertheless, the regular session was opened on the Monday, April 5, 1920. Mr. John McIlhenny, the titular financial adviser, sent in the United States since October, 1919, on a final mission to the Haitian Government, prolonged his stay in America, detained by the unmountable difficulties in the accomplishment of his mission (the securing of a loan on the New York market). Since on the other hand, the Haitian Government could not overcome these difficulties, and on the other hand, the Haitian Government at Port au Prince was absolutely necessary for the preparation of the budgets in conformity with the constitution and the Haitian-American Convention, the Haitian Government deemed it essential to ask him to return to Port au Prince for this purpose. The Government in so doing secured the good services of the financial adviser, and Mr. McIlhenny returned from the United States on the 1st of June. The legislature had already been in session since the 1st of May.

About June 15 the adviser began the study of the budgets. The conference lasted about 12 days and in the course of this time, after some cuts, modifications, and discussions, the following budgets were agreed upon:

1. Ways and means.
2. Foreign relations.
3. Finance and commerce.
4. Interior.

On Monday, July 12, 1920, at 3.30, the hour agreed upon for the meeting of the ministers and the adviser, the ministers met to continue the study of the budgets, which they wanted to finish quickly \* \* \*.

Between 4 and 5 o'clock the secretary of finance received a letter from the adviser which read: "I find myself obliged to stop all study of the budgets for the present. The study of the budgets is of considerable importance for the welfare of the country and the Haitian Government, and I have finally settled according to the recommendations made by the Haitian Government."

"Please accept, Mr. Secretary, the assurance of my respect."

Such an unanticipated and unjustifiable decision on the part of the financial adviser, an official attached to the ministry of finance, caused the Haitian Government profound surprise and warranted dissatisfaction. \* \* \*

On July 13 the department of finance replied to the adviser as follows:

"I beg to acknowledge your letter of July 12, in which you state that you are obliged, etc. \* \* \*"

"In taking note of this declaration, the importance of the study of the budgets certainly can not escape you. I can only regret in the name of the Haitian Government that you have decided to stop the study of the budgets."

"1. That you omitted to tell me with the precision which the Haitian Government demands what are the affairs of an importance so considerable for the country and the settlement of which, according to the Haitian Convention, is made by you. Is of such great moment that you can subordinate the continuation of the work on the budget?"

have taken such a serious step without considering that in  
divested yourself of one of the essential functions which de-  
financial adviser attached to the department of finance.

tion of the budget of the State constitutes one of the principal  
ose intrusted with it by law, because the very life of the nation  
elaboration. The legislature has been in session since April 5  
stitution the draft budgets and the general accounts should be  
legislative body within eight days after the opening of the ses-  
ay by April 13. The draft budgets were sent to your office on

of your absence from the country, the examination of these  
ioned, the acting financial adviser not being willing to shoulder  
y; we refer you to his letters of March 29 and of April 17  
\* \* \* you came back to Port au Prince, and after some two  
with the secretaries to study the draft budgets.

ment therefore experiences a very disagreeable surprise on  
ter of July 12. It becomes my duty to inform you of that dis-  
se, to formulate the legal reservations in the case, and to in-  
that you bear the sole responsibility for the failure to present  
e time.

"FLEURY FEQUIERE, *Secretary of Finance.*"

r. Bailly-Blanchard, the American minister, placed in the hands  
of the Republic a memorandum emanating from Mr. McIlhenny,  
ter formulates against the Government complaints sufficient,  
n, to explain and justify the discontinuance of the preparation  
nounced in his letter of July 12.

#### MEMORANDUM OF MR. M'ILHENNY.

tions from the Department of State of the United States just  
ture for Haiti, in a passage of a letter of May 20, to declare to  
ernment that it was necessary to give its immediate and formal

ication of the bank contract agreed upon by the Department of  
ational City Bank of New York.

ansfer of the National Bank of the Republic of Haiti to a new  
under the laws of Haiti to be known as the National Bank  
of Haiti.

cution of article 15 of the contract of withdrawal, prohibiting  
and exportation of non-Haitian money, except that which might  
the needs of commerce in the opinion of the financial adviser.  
mediate vote of a territorial law which has been submitted to the  
State of the United States and which has its approval.

l in Haiti I visited the President with the American minister  
t the modifications of the bank contract and the transfer of the  
agreed to, and the only reason why the measure had not been  
as because the National City Bank and the National Bank of  
et presented to the Government their full powers. He declared  
ment did not agree to the publication of a decree executing the  
drawal, because it did not consider that the economic condition  
ustified it at that time. To which I replied that the Government  
ates expected the execution of article 15 of the contract of with-  
ect and solemn engagement of the Haitian Government, to which  
and I had instructions to insist upon its being put into execu-  
\* \*

#### THE COUNTER MEMOIR.

brandum the executive authority replied by a counter memoir,  
part, as follows:

ations proposed by the Department of State (of the United  
bank contract, studied by the Haitian Government, gave rise to  
ions on the part of the latter, which the Department of State  
ot. The Haitian Government then accepted these modifications  
in the form of which they had been concluded and signed at  
Friday, February 6, 1920, by the financial adviser, the Haitian  
e (Haitian) secretary of finance. But when Messrs. Scarpa and

Williams, representing, respectively and officially, the and the National City Bank of New York, came before for his signature to the papers relative to the transfer Haiti to the National City Bank of New York, the seconded a disagreeable surprise in finding out that to a signed at Washington February 6, 1920, and closed as been added an amendment bearing on the prohibition. The secretary could only decline the responsibility of which he had not the slightest knowledge and which co submitted to the Government for its agreement. It is f the agreement is not signed up to this time. The Go yet know who was the author of this addition to the consent had never been asked.

"To-day, gentlemen, you have come to the end of the year. Four months have run by without the Government to you the budget for 1920-21. Such are the facts, in our relations recently with Mr. McIlhenny. \* \* \*

"FLEURY FEQUIERE, A

(The correspondence referred to is here printed in fu

PORT AU P

Mr. A. J. MAUMUS,

*Receiver General of Customs:*

In accordance with the suggestion made to the finan your office began on the morning of July 30 to pay the to the officials and public employees at Port-au-Prince.

Nevertheless, up to this morning, August 2, no check His Excellency the President of the Republic, the secre departments, the state councilors, and the palace interpre

In calling your attention to this fact, I ask that you of the reasons for it.

FLEURY FEQUIERE,

PORT AU P

THE SECRETARY OF FINANCE AND COMMERCE:

I have the honor to acknowledge the receipt of yo which you ask this office to inform you regarding the r ery, up to the present time, of the checks for His E of the Republic, for the departmental secretaries, the s palace interpreter for the month of July.

In reply this office hastens to inform you that up to not been put in possession of the mandates and orders re

A. J. MAUMUS

PORT AU P

THE FINANCIAL ADVISER:

The department of finance, informed that checks t President of the Republic, the departmental secretarie and the palace interpreter had not been delivered up t 2, reported the fact to the receiver general of customs regarding the reasons. The receiver general replied inu was due to his failure to receive the necessary man these papers were sent to you by the department of were returned by the payment service of the departm July 26, a week ago.

In inclose copies of the note from the department of general and of Mr. Maumus's reply.

I should like to believe that bringing this matter to y sufficient to remedy it.

FLEURY FEQUIERE,

PORT AU PRINCE, August 5, 1920.

TARY OF FINANCE AND COMMERCE:

the honor to acknowledge the receipt of your note of August 2  
delay in payment of the salaries of the President of the Republic,  
and State councilors.  
have the honor to inform you that the payment of these salaries  
suspended by order of the American minister until further orders  
from him.

J. McILHENNY, *Financial Adviser.*

PORT AU PRINCE, August 10, 1920.

CIAL ADVISER:

edged receipt of your note of August 5 in reply to mine of August  
information regarding the reasons for your nonpayment of the  
ast July due to his excellency the President of the Republic, the  
nd State councilors, and the palace interpreter.  
econd paragraph of your letter, in which you say, "In reply, etc."  
ow by what authority an American minister can have given you  
ons or by what authority you acquiesced. The nonpayment of the  
the members of the Government constitutes a confiscation vexa-  
and for the entire country. It is not the function of this depart-  
the motives which led the American minister to take so excep-  
s a step; but it is the opinion of the Government that the financial  
itian official, was not authorized to acquiesce.

FLUERY FEQUIERE,  
*Secretary of Finance.*

PORT AU PRINCE, August 5, 1920.

r-BLANCHARD,

*American Minister:*

honor to inform your excellency that the offices of the financial  
f the receiver general have not yet delivered the checks for the  
of his excellency the President of the Republic, of the secre-  
ouncilors, and palace interpreter, although all other officials were  
30.

ry of finance wrote to the receiver general asking information on  
d was informed that he had not received the necessary mandates  
The fact of the nondelivery of the checks and the reply of the  
al were then brought to the attention of the financial adviser,  
et replied.

g your legation of this situation I call the attention of your  
this new attitude of the financial adviser, a Haitian official,  
ent of the Republic and the other members of the Government,  
hich is an insult to the entire nation.

J. BARAU,  
*Secretary of Foreign Affairs.*

PORT AU PRINCE, August 6, 1920.

r-BLANCHARD,

*American Minister:*

honor to inclose a copy of a note from the financial adviser to the  
nance, replying to a request for information regarding the non-  
checks \* \* \*

y the financial adviser informs the department of finance that  
of these salaries has been suspended by order of the American  
further orders are received from him."  
ment protests against this act of violence, which is an attack  
ty of the people and Government of Haiti.

J. BARAU,  
*Secretary of Foreign Affairs.*

PORT AU PR

Mr. J. BARAU,  
*Secretary of Foreign Affairs:*

I have the honor to acknowledge the receipt of your letter of the date of August 5.

In reply I have to state that the action of the financial adviser referred to was taken by direction of this legation.

A. BA

PORT AU PR

Mr. A. BAILLY-BLANCHARD,  
*American Minister:*

In reply to my letter of August 5, in which I had the honor to inform you of the nonpayment of checks, \* \* \* your letter of the 2nd inst. that it is by direction of the Legation of the United States that the financial adviser acted.

My Government takes note of your declaration.

*Secretary*

PORT AU PR

To the SECRETARY OF FINANCE:

I have the honor to inform you that I have been instructed by the Government of Haiti in view of the continual delay in obtaining the consent of the Government to the transfer to the new bank of the management agreed upon between the Government of the United States and the City Bank, the Government of the United States has authorized the National Bank of the Republic of Haiti to continue the French contract at present existing without amendment.

I desire urgently to draw your attention to the fact that it is desirable in the interest of the Haitian people that the Government should give its immediate consent to the proposed modification and to accept the transfer of the bank rather than to continue to continue with its present clauses.

Jo

Mr. ANGELL. I would like to introduce at this time a protest, made direct to President Wilson, dated August 9, 1919. (The communication referred to is to be filed with the committee.)

The CHAIRMAN. Continue, Mr. Pilkington.

Mr. PILKINGTON. In connection with complaints concerning the financial adviser, it is well to record—

The CHAIRMAN. Mr. McIlhenny?

Mr. PILKINGTON. Yes. It is well to record a reiteration of the Government of Haiti that their constitutional body for the management of the counting of moneys, called the Chambre des Comptes, in the occupation, the Government of Haiti, therefore, cannot be responsible for no means whatever of knowing or of keeping track of— the French language, the expenditures of the country, all of which are left entirely in the hands of the individual who at the present time occupies the position of financial adviser.

Another very large element of annoyance, at least among the business interests of Haiti, has been occasioned by the change of the customs tariff. When the receiver general and his assistants came into office they found in existence a schedule of tariffs, which had been in existence for many years and under which they operated. This tariff is explained by the Haitian Government as being a tariff having never been revised by themselves and never been in a normal condition.

The CHAIRMAN. You mean that at no time was the H

TON. I mean they had not as yet brought that up to date. They did it as time went on to keep it in line. I will show several instances. This tariff is in many particulars practically obsolete in its details. Take the specific case of automobiles, there is no more vital or urgent to business in Haiti or to progress than the automobile.

AN. To what extent were they used before the occupation?

TON. Before the occupation there was no business at all, and I think the automobile was there at all before the occupation.

AN. You mean it was not possible to use automobiles before the occupation?

TON. No; it was not possible. You see, the automobile now is used, over the few roads that they have and almost entirely for military purposes, and, of course, for military purposes.

AN. You mean there were no roads before the occupation?

TON. No; not to amount to anything.

AN. So it would be immaterial whether the tariff permitted their use or not?

TON. Yes; but at that time, as I was going on to say, the carriage was the vehicle, and that was not a vehicle of commerce, but distinctly a vehicle and was, therefore, charged with a high rate of duty. When custom officials applied the rates, as contemplated by this tariff, and that together with various surcharges and surtaxes, which the Government has from time to time put on the original taxes, the importation of an automobile of any kind into Haiti cost practically 28 per cent duty.

AN. The receiver general and his representatives enforced the tariff existing?

TON. Did they enforce them?

AN. They did when they collected that 28 per cent?

TON. Oh, yes; they enforced them; indeed, they did.

AN. What would you have had them do?

TON. Do just that; but I am going on to that still. This rate was based upon the clause of the tariff schedule referring to pleasure vehicles. It has been the subject for frequent complaints, and it has been proposed many times by various people to reduce this to 10 per cent.

AN. Another instance which will also illustrate the idiosyncracies of this tariff. It is a fact that in purchasing hardware articles, or when confronted with an almost infinite scale of prices charged by shopkeepers. On looking into this matter I was shown a specific instance in Port au Prince, in which he presented as exhibits the bill of lading of a great gross of small screw eyes, such as are used in hanging pictures by. The name in French of such a screw eye is a piton. His bill of lading these were called piton pour tableaux, screw eyes. His bill showed that he had paid for his great gross of screw eyes and he paid a duty on these insignificant screw eyes of more than the total cost of a great gross of screw eyes to over \$10, the same as a bill for 5 and 10 cent store six for a nickel.

AN. In connection with the question, I was shown the tariff schedule applying to piton or hooks for awnings, appearing in the schedule as pitons. These are hand-forged hooks, which are driven into the wall.

AN. I think we will take your word for it that there are these in the tariff. Now, will you tell me what the receiver general did to remove them?

TON. This instance was merely illustrative of many incongruities in the tariff schedule which have brought forth much friction and much added to the receiver general and the collector.

AN. Why was there no friction before the receiver general was appointed?

TON. That would come in the inside politics of Haiti before I get to that.

AN. You did not arrive until the occupation?

TON. No.

AN. Had you ever heard that the duties were enforced according to the tariff on the several collectors of the various ports?

Mr. PILKINGTON. Such a condition I am led to believe throughout, perhaps, the entire history of Haiti.

The CHAIRMAN. The foreign importer in Haiti was not the tariff, then, until the receiver general applied it equally.

Mr. PILKINGTON. That is a fact.

Mr. ANGELL. In this very connection I would like to mention a letter from the American minister in Port au Prince, Government, dated August 19, in which the demand is made that the Government shall immediately repeal certain laws, one of which is on motor vehicles, and the reply thereto of the Haitian Government, the same date, the 21st of August, in which it appears, if the statements be true, that on May 14, 1919, the Haitian Government, operating through the conseil d'etat, the legislature had voted a law fixing a low duty on automobiles imported. The receiver objected to by the American receiver general, on the grounds that the duties were too low, and he then proposed a duty of 10 per cent. The Haitian authority, consisting of the conseil d'etat, brought down the duty to 7 per cent; that thereafter the American legation, the financial adviser general, refused to acknowledge or admit the validity of the law because it did not meet apparently their wishes, and they insisted on a tax of 20 per cent on automobiles.

(The correspondence referred to is on file with the clerk.)

The CHAIRMAN. Do you mean that, in the first instance, the receiver general demanded a reduction of duties while by inference at least the Haitian Government objected to it?

Mr. ANGELL. The minister demanded and the receiver general objected to the low duty was too low.

The CHAIRMAN. The minister's letter demanded a reduction of duties.

Mr. ANGELL. No, sir; he demanded the repeal of the law.

Mr. PILKINGTON. I may say for your information that the receiver general reduced to 7 per cent a large importation of automobiles from America who paid the duty of 7 per cent on automobiles. A long time subsequent to that the customhouse, the receiver general, or whoever was the competent authority, demanded that the importer should pay the difference, which, as I say, totalled 13 per cent.

The CHAIRMAN. Well, if you will give us the instances of conflict between the receiver general and the financial adviser, any between either or both of those and the American minister, we are interested.

Mr. PILKINGTON. Well, I can not give you any of those instances, but I know they worked in complete accord.

The CHAIRMAN. I thought that some time ago you said that the receiver general had asked for an amendment to the tariff act, and the financial adviser objected.

Mr. PILKINGTON. No; I did not say that. I say the receiver general, Maumus, said to me that at many times he had requested a revision of that tax. Now, I do not know that he did it, but I suppose that, of course, the financial adviser—

The CHAIRMAN. So far as you know, there is a close cooperation between the American authorities?

Mr. PILKINGTON. So far as I know, there is, in that respect, and furthermore, and I would like to have it go on the record, that I have never had any instance had the slightest intimation that there has been any infraction of honesty in any way, shape, or manner in the American occupation. That is quite important, because that is the thing; and if the Haitians do not even bring up any complaint, that means that it does not exist; and if there was any infraction, I would tell it.

The CHAIRMAN. So far as you know, the legation, the receiver general, and the office of the financial adviser have cooperated?

Mr. PILKINGTON. As far as I know, that is a fact.

The CHAIRMAN. Have those civil officers been able to maintain cordiality with the commandant of the gendarmerie and the marines?

ON. No; there is a very evident conflict between the different coordinated elements of the American occupation.

N. Now, if you will just answer my question, I will put my point.

ON. All right, let us cut that out, then.

N. I asked the question regarding the relations between these authorities, and you answered that they cordially cooperated, so far

ON. As far as I know, they have.

N. I asked then if there was equally cordial cooperation between the military officers or the commandant of the marines and that of the gendarmerie, and I understood you to say no.

ON. No; there apparently is not.

N. Can you give instances of friction or a lack of cooperation, general impression?

ON. That is more a general impression. I can cite one case very serious. It is said and generally believed in Port au Prince immediately after the protest of the business people of Haiti against the enforcing of the President's signature, Col. Russell, the American representative—

N. Enforcing his signature of what?

ON. Of this clause granting a monopoly on the importation of the National Bank of Haiti. Col. Russell is said to have been incensed at being implicated in this attempted forcing of his signature, and to have remarked that he would never take action without the authority of his superior officer.

N. Do you feel that there should be a single chief and responsibility for the American officials in Haiti?

ON. I was going to take that up in detail in a suggested plan

N. If you will answer my question—

ON. I will certainly do that, and any number of them. I am not sure of some such method, in principle, is the only way to carry out the occupation of Haiti.

N. In short that military, administrative functions, civil actions, in so far as Americans have to do with them, diplomatic relations between the American and the Haitian Governments—all should be under the principal American representative in Haiti?

ON. I would say yes to that, with the possible amendment of the functions of a minister or an ambassador to a country should be limited, but strictly within their definite legal limitations, and that

N. Have you any precedents in mind where over any considerable foreign Government has been represented by a diplomatic agent who was independent of the administrative agents lent under authority of the Government by which they were employed?

ON. I have not in just that form; no.

N. The precedents are the other way, are they not?

ON. They are; yes; but I believe, after a careful study of the situation of the Haitian people in particular, that such a contemplated arrangement would immediately fall into a certain phase of their psychology, mentally antagonistic to them. They, primarily and fundamentally, this absolute, deep-rooted antagonism to the mere thought of the control of affairs by even one individual. Now, the vesting of administrative functions which ordinarily are carried out along a certain line and which they well know, in a person who also has more or less to do in the way of advice, over civil functions, would look to them as military control.

N. Then let me ask you this: Conceive that the minister made known to the Haitian Government which the principal administration was being conducted by the President of the United States declined to enter into, would you deal with that anomaly?

ON. The way I would meet that, my idea of that whole problem, I mentally say would be this: Let us say for the purpose of argument suspend, not abrogate, the treaty—

The CHAIRMAN. Upon what assumption do you say that?  
Mr. PILKINGTON. On the assumption of this plan which you must remember that the radicals are demanding a treaty.

The CHAIRMAN. Do you consider that as being with possibility?

Mr. PILKINGTON. Well, I think what I say later will prove.  
The CHAIRMAN. Go ahead.

Mr. PILKINGTON. We will look at it in this way, because that at the present time they are, from the ground up, a thing. Now, the policy, I am quite sure, worth considering. United States to apparently, at least, put the entire responsibility up to Haiti. Now, the way that could be done—

The CHAIRMAN. What would you do with the loan just now?

Mr. PILKINGTON. That will have to be attended to, of course.

The CHAIRMAN. Have you a plan worked out?

Mr. PILKINGTON. Yes; that is what I refer to.

The CHAIRMAN. Will you reduce it to the form of a report and give it to the committee?

Mr. PILKINGTON. I will, indeed; I will be very glad to do so.

The CHAIRMAN. I would rather you would do that.

Mr. PILKINGTON. All right; we will not mention it in the thought of doing such a thing.

The CHAIRMAN. I do not believe I would go into an error.

Now, let me ask you another question. What, in your opinion, would happen if we abrogated the treaty, withdraw the customs marines, and left no one there except the receiver general?

Mr. PILKINGTON. I take it for granted that you mean a treaty over which the receiver general has jurisdiction; otherwise the receiver general would not be left there.

The CHAIRMAN. Well, he would be there under the present treaty. There are precedents for that.

Mr. PILKINGTON. Could you abrogate the treaty and negotiate without another agreement? Anyhow, I gather what you consider a condition utterly impossible at the present time.

The CHAIRMAN. Why?

Mr. PILKINGTON. I do not conceive of the possibility of doing so in that country at the present day getting together with the bankers to produce a form of government which would satisfy the bankers with whom I am associated at the present time. The bankers, ways, and who were associated with me in this company, considering the floating of that loan, the original loan, well, of course, that I would be the ultimate court of decision, and if they would ask my opinion I would instantly, under any condition, advise the investing of one cent in the occupation such as you have predicated.

The CHAIRMAN. In which merely the customs would be under an American officer?

Mr. PILKINGTON. Exactly.

The CHAIRMAN. Do you mean that it is not possible to be aided, at this time successfully to maintain order and to have a government?

Mr. PILKINGTON. Absolutely. There is no question about it. In connection I might say that I have definitely been told by the Haitians in practically just so many words.

The CHAIRMAN. Would they avow that publicly?

Mr. PILKINGTON. They would without doubt, I have no doubt, very glad to give a list of the names of the leading people.

The CHAIRMAN. I said publicly, because it has been said by Haitian business men who hold that opinion privately and not publicly.

Mr. PILKINGTON. I think I would like to cover that subject along with some other things. I have that perfectly well.

The CHAIRMAN. Do you believe that if the American occupation, so called, military and civil, were coordinated to a single chief, and that if the occupation undertaken

not only the discharge of its duties under the terms of the agreement to secure the good will and accord of the Haitians, that at the end of a year or two they can secure that cooperation and accord from the Haitians?

STON. I would willingly and freely stake everything on the state they would, under the condition of confidence, supreme confidence, and equal to whom you refer; but the crux of that whole thing is whether which you maintain that military supervision, we will say—without the word "control," because if you use the word "control" it is off.

MAN. You believe, then, that the centralization of responsibility is

STON. Yes.

MAN. But you believe that it is no less necessary to find the right post of chief responsibility?

STON. That is your only chance of success. Everything depends on Latin race and the Latin temperament demand a direct personal touch which can be furnished by nothing else.

MAN. Are there any men who have served there—Americans—who are necessary to fill that place?

STON. Well, I do not recall anybody who has ever been in any official capacity there that really ought to be intrusted with that. I hope that if you can get under the skin, we will say, of certain people, that they will enlighten you to a very large extent on that

MAN. In your judgment, ought the present officials, Maumus and others, to remain in the service or not?

STON. I would not have any objection, and I think no Haitian would have any objection to the retention of Mr. Maumus. Although he is from the State of so-called nigger haters, he is a man who has very much to do to his duty as he has seen it, and has not meddled with anything which has been handicapped by this absurd tariff. He has never openly been troubled on the self-pride of the Haitians, but it is my earnest hope that, although I have the highest regard for the ability of Col. Williams, the personalities of both him and Mr. McIlhenny, I am absolutely certain that either of those three men—

MAN. You have only named two.

STON. Yes; but I am going on to say that as long as Col. Russell, Mr. McIlhenny, the financial adviser, who has arranged the occupation; Mr. McIlhenny, the financial adviser, who has arranged the occupation; Mr. Bailly-Blanchard, the three who are in the minds of the Haitians, their greatest sanctity of government—as long as they are retained there, in whatever form, you are in trouble. Further back in the record I have explained why, and I am sure that insult was brought to these people, and is not explained, and I am sure that it may be true, and until they are either explained or—

MAN. Let me continue on in my own way, because we will have to wait a few minutes.

STON. I will be very glad to.

MAN. Is there no American officer who has served in a place of military or civil, in which he came into close contact with the Haitians, and has their good will or who left the island with their good will?

STON. There is Col. Wise. He is the one we all have in mind. He is the head of the gendarmerie.

MAN. From the beginning?

STON. Not from the beginning; no.

MAN. I have here the names of four gendarmerie commanders—Mr. Wise, and McDougal.

STON. He is the present commander.

MAN. Do you care to pass any comment on any others than Wise?

STON. I have no direct personal knowledge of the administration of Col. Wise, and I have a very large fund of—

MAN. Were you there during Williams's time?

STON. No; I was there since 1918.

MAN. That was from May 1, 1918, to July, 1919?

STON. Well, nothing special was heard of him.

MAN. Butler was before that time.

Mr. PILKINGTON. The opinions of the people themselves are necessary in this thing. As regards the people themselves, there is no question but that they apparently tolerated has been Wise thought of there. When it comes to a question of Wise the responsibilities and the native constabulary, we will have to which I would be very loath to decide offhand.

Mr. ANGELL. Do you think that in a revised scheme of single, coordinated responsibility should rest in the hands of a military man, or in the hands of a civilian?

Mr. PILKINGTON. Absolutely a civilian. If there is any capacity whatsoever his function will have to be fully disguised in definite collaboration and suggestion with himself that he does not appear as a marine officer.

(Whereupon, at 1 o'clock p. m., a recess was taken until 2 o'clock p. m.)

#### AFTER RECESS.

The committee reassembled at 2.30 o'clock p. m., pursuant to recess.

Mr. ANGELL. Now, Mr. Pilkington, let me ask you whether you think that the military forces of the United States would, in your opinion, be wise for the future in Haiti?

Mr. PILKINGTON. I believe a mutually satisfactory arrangement could be made in collaboration with the Haitians whereby an adequate gendarmerie or national army, to maintain law and order, could be put into being my belief here reiterated that any form of force imposed by the United States will be resented.

Mr. ANGELL. Do you believe that law and order can be maintained necessary to protect the collection of Haitian customs duties might be pledged for existing or future loans, and to protect foreign capital in Haiti, by a native force?

Mr. PILKINGTON. I think it is possible.

Mr. ANGELL. Do you think that that is a possibility in the then what period of time and under what form of transition?

Mr. PILKINGTON. It is my opinion that an organization of a national army, as previously existing in Haiti, could, with the aid and in connection with the existing gendarmerie, become a force for the purposes you mention in a period of two years after the establishment of a constitutional assembly and Government in Haiti.

Mr. ANGELL. What do you mean in your answer with reference to transition with the existing gendarmerie?

Mr. PILKINGTON. I mean that in this question, as in the case of the loan, the issue is going to Haiti with the avowed intention of bringing about an essential desideratum, namely, a condition of mutual confidence and agreed upon plan of collaboration in general which, in connection with a definite agreement by the United States Government, would be completely withdrawn from Haiti, such withdrawal to be completed within a period defined by satisfactory guaranty from the United States Government and people as to stability. If a loan is desired, a mutually satisfactory guaranty must be furnished by the Haitian Government for this loan.

Mr. ANGELL. Do you think that the loan could be secured from the point of view of investors and the United States Government during the life of the loan all our military forces and our military equipment would be withdrawn from Haiti?

Mr. PILKINGTON. I feel that any guaranty as to the stability of the Government which would satisfy your committee would be sufficient, provided some nominee of the investor—that is, a man who supplies the loan—be empowered to control the Government.

Mr. ANGELL. Do you think that the control of the customs and the revenue would be sufficient guaranty to the investor and to this Government?

Mr. PILKINGTON. In connection with the guaranty of the United States to maintain the program as set out above.

Mr. ANGELL. Then, if I understand you correctly, you would require sufficient guaranty of the Haitian Government and the United States Government for general control over the customs by the United States, and sufficient control of Haitian affairs to satisfy the investor and the United States Government?

GRON. I do; and in that connection I would like to call attention to the external loan. French investors took up that loan freely at a time when Haiti had no such assurance of internal stability as she has now, and they not in connection with that loan have control over the customs and the treasury.

Q. How long a period do you think, in your judgment, would be required to build up an independent native Haitian police or military force capable of maintaining law and order?

GRON. I have already testified to that.

Q. No; the period of time.

GRON. Two years; but that two years must begin after they have established a new Government and a representative constitutional assembly.

Q. Would it be your idea, then, that during this two year period you have suggested, the American military forces, at present the only ones, should be gradually withdrawn, and the Americans who are now in Haiti, the gendarmerie should be gradually supplanted by native forces?

GRON. I do, that point being already agreed in the treaty, as far as the military force is concerned.

Q. Will you state what you believe to be the minimum requirements for a Commissioner to represent the United States with the Haitian Government?

GRON. May I interrupt on this? Before we leave the last branch of the treaty, Mr. Pilkington, what satisfactory guarantee of stability by the Haitian Government do you suggest?

GRON. I should expect to obtain from the various political factions in Haiti, including the present Government, and the Union Patriotique, a declaration of intention to collaborate, and, as far as possible, hold themselves responsible to execute whatever measures may be necessary and advisable for the organization of such a military body as has been before mentioned, and to reform the present unsatisfactory court system and legal procedures in Haiti, so that the laws may be in such a form that they may be easily executed, in order to maintain a condition of law and order, and to be maintained. In other words, the Haitian people, and their Government, to conduct the frank and open manner in which they are being approached by the American Government, through your committee, must, and will, be equally frank and equally open in proof of the claims they so justly make, and so widely make.

Q. On what do you base your belief that the courts can satisfactorily maintain the law?

GRON. The courts in Haiti are presumably operating in conformity with the code of Napoleon, which is, as we know, a perfectly satisfactory code of laws for people of that race and temperament. There is a large number of well-trained lawyers in Haiti, who have, as I have previously testified, not only a good Haitian law education, but have education resulting from studies in Europe. These men, I am perfectly confident, if protected in their various functions, bring about a state of law and order and reform in the courts.

Q. Is there anything before the time of the American occupation to which you have no confidence of yours?

GRON. Yes. The history of former administrations in Haiti, as it is, in connection with the actual viva voce accounts of those administrations, is the only basis upon which one might judge that question, shows that Haiti has had chief executives who have shown not only ability and energy, but a strong desire for law and order and for everything that would lead to a better government.

I will again state, as I have heretofore put in the testimony, that the present time Haiti has in the person of Sudre Dartiguenave an administrator whom I feel any nation might be proud. Whatever may be the facts in connection with the incident referred to in previous testimony, that is the incident leading up to the stoppage of the pay of the army, that took an attitude which, in the light of facts existing at the time, was a gross ordering on heroism.

Q. Do you not believe that it is highly important for the population of Haiti to have safely and honestly administered lower courts from which the people sometimes derive their only knowledge of the courts? Is not that so?

GRON. Yes.

cers and enlisted men of the Marine Corps, stationed in Haiti, anxious to state that as regards their true and legitimate interests, they have proved themselves to be as good and efficient a branch of the army as have ever in my experience been acquainted with. All kinds of kind or condition in any part of the world, banded together, and required, whether justly or unjustly, to undertake work which is out of their line, will at times do things which are not especially commendable, and which they are doing if allowed to confine their efforts to the normal.

Mr. ANGELL. Mr. Pilkington, all through your testimony you have emphasized very strongly the necessity for cooperation between the Haitians with the Americans in any future work to be done there. I want to ask you frankly whether you believe that such an operation can be secured which you say is necessary to the success of all due respect to the plans of the committee and the Haitians, if the committee spends a period of only a few days, as at Port au Prince, and a few more days in the other parts of the country.

Mr. PILKINGTON. No; I am quite confident that there is a mutually satisfactory status in any such time as that as long as it is necessary that they limit their time in any such way, and that it will be highly desirable that they in some way either continue to work or they would come back again, or resume with those same negotiations in this country, because, to cover any one of these quite considerable ceremonies, which those people are very fond of, inasmuch as they, without any question at all, now bring up a great time in their relations with the United States of America, and have in their midst an actual, fair representative body of the people, intellectuals, empowered to do something, and with the intelligence and willingness to achieve this result at whatever time it may be necessary.

Mr. ANGELL. Your answer seems to imply, possibly, a misunderstanding of what the function and powers of this committee are in Haiti. It is not, if I understand the purpose correctly, to negotiate with the Haitian Government or with the Haitian representatives, but the question of the occupancy and administration of the Republic is the question of the forces and representatives. Now, bearing in mind that at least my understanding of the purpose and intention of the committee is to Haiti, and looking ultimately only and exclusively to the Senate of the United States, do you believe that there is any question of cooperation on the part of Haitians in the future, or a period of time as I have indicated only be devoted to Haiti?

Mr. PILKINGTON. I am quite sure that it is physically, absolutely necessary for practically complete harmony between the Haitians to assemble from different parts of Haiti. I am sure that the majority of representative Haitians will be in the country to greet you, there will be undoubtedly some who will have to be excused after you have arrived, and whose moral support will be extremely necessary. There also will be public functions, and the committee will be expected in diplomatic form to take part in the course, their own masters as to what they do or what they do not. I think that invitations they will accept or what they will not accept, and that they will retain functions which, in my opinion, every Haitian will accept as a form of the undoubted respect and the undoubted confidence which the people have toward this committee which is now going to Haiti. I think, of course, suggest, which is already without any doubt in the minds of the committee and in the plans of the Haitians, the ability and advisability of conforming very strictly to the diplomatic usages in reference to the existing Government. I think only will show the real respect due to the actual Haitian Government who has been at all times loyal to his originally stated good intentions, but such action on the part of the committee, that if they, in turn, come into power and are true to their word, the best to maintain a form of government agreeable and acceptable to the peoples, they, in their turn, will be granted such prefer-

(Whereupon the committee adjourned subject to call.)

# REPORT ON THE OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO

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## HEARINGS

BEFORE A

## SELECT COMMITTEE ON HAITI AND SANTO DOMINGO UNITED STATES SENATE

SIXTY-SEVENTH CONGRESS

FIRST AND SECOND SESSIONS

PURSUANT TO

## S. RES. 112

AUTHORIZING A SPECIAL COMMITTEE TO INQUIRE  
INTO THE OCCUPATION AND ADMINISTRATION OF  
THE TERRITORIES OF THE REPUBLIC OF HAITI  
AND THE DOMINICAN REPUBLIC

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## Volume 2

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**SELECT COMMITTEE ON HAITI AND SANTO DOMINGO**

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**ELISHA HANSON**, *Clerk*.

**II**

# REPORT ON THE OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

**TUESDAY, NOVEMBER 29, 1921.**

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Port au Prince, Haiti.*

Committee met, pursuant to the call of the chairman, at 2 o'clock p. m.,  
American Legation, Port au Prince. Senator Medill McCormick presiding.  
Senators McCormick (chairman), Oddie, Pomerene, and Jones.  
Present: Mr. Walter Bruce Howe, counsel for the committee; Mr. Ernest  
representing the Haiti-Santo Domingo Independence Society, the Na-  
tion for the Advancement of Colored People, and the Union Patrio-

MAN. Mr. Angell, if you are ready I will call the committee to order  
for announcement.

On the presence of Senators Pomerene, Oddie, and McCormick.  
published in Port au Prince, on the 24th of November, a communi-  
appeared both in English and in French and which in part reads  
English:

"It is necessary to state that a committee of the Senate is the judge of  
the competence of the testimony which it admits to its records.  
The committee seeks the calm and reasonable judgment of those who come  
competent to offer opinion upon the problem which it is studying and,  
an unbiased and unclouded statement of substantiated and proven  
facts who desire to state such facts.

The committee deems it unnecessary any further to assure the security of  
forming to these standards, as it does to deny that it would in  
undone perjury."

He then proceeded to interpret the French text of what I have just read,  
read, with that which has already appeared.

He then read the following:)

"Il est nécessaire de dire que la commission Senatoriale est juge du  
de la compétence des témoignages qu'elle admettra dans ses records.  
Elle recherche les jugements calmes et raisonnables de ceux qui  
oser devant eux, compétent d'offrir une opinion sur les problèmes  
nents, et sous serment et une déclaration sans parti pris re faits  
appui par ceux qui désirent déclarer de tels faits.

"Elle pense qu'il n'est pas nécessaire d'assurer davantage les témoigna-  
ments de toute sécurité conformément à ces réglementations et aussi  
il ne fermera pas ses yeux et ne laissera pas passer des parju-

MAN. Are there witnesses to appear before the committee?

A. There are, sir. I desire to state that having only landed this  
morning we have had very little opportunity to interrogate the witnesses in ad-  
vance not been able to go into the details of their testimony which  
I will report.

**STATEMENT OF MR. JOSEPH VICTOR DELERME, LAWYER, AUX  
CAYES, HAITI.**

(He was sworn.)

Q. What is your business?

A. Lawyer.

Q. Where is your domicile?

Mr. DELERME. Aux Cayes.

Mr. ANGELL. What is your occupation?

Mr. DELERME. Avocat, journalist.

Mr. ANGELL. Were you at Aux Cayes on the 19th of N

Mr. DELERME. Yes.

Mr. ANGELL. That is a week ago Saturday?

Mr. DELERME. Yes.

Mr. ANGELL. Will you tell the events of that day and th  
confining yourself to the matters which you have persona  
and the circumstances as you know them of your own kn

Mr. DELERME. I am also the commander of the fire dep  
capacity that things happened to me.

Mr. ANGELL. Is that a private fire brigade or fire comp

Mr. DELERME. It is a volunteer fire department.

The CHAIRMAN. Do you think that the Haitian inter  
terpret your questions into French and let Mr. Angell tr  
the witness into English?

Mr. ANGELL. That is a good idea.

The CHAIRMAN. You understand. You have to inter  
tions into French, and you are to interpret the witness' a

Mr. ANGELL. Now continue.

Mr. DELERME. A company has been founded since 1885  
days ago in the magazine of Robert Dutton & Co.

Mr. ANGELL. At Aux Cayes?

Mr. DELERME. At Aux Cayes. The company actively v  
from communicating into a storage of gasoline and keros  
pumps out of order, almost nonusable. I was trying the  
at 6 o'clock, after I had made repairs on them the night  
are volunteer firemen who are all clerks in mercantile ho  
at present gathering the crops. The firemen can only co  
exercise after the closing of their business houses, and  
houses during the season is not before 5.30 in the eveni  
that time that they close their business and go to their  
uniforms it will be 6 o'clock before they reach their sta  
tried two pumps, when Lieut. Clermont, of the gendarmerie  
to quit all exercising. I went with Lieut. Clermont to  
darmierie, where I found Lieut. Kinney already drunk.  
to me, saying that it was not office hours. I and my  
station house in silence, where after discussion we deci  
and dissolve the company. That decision was signified  
letter signed by practically all the members of the compa  
him in the same letter that none of his predecessors l  
existence of this company. We also told him that Maj.  
after seeing the exercises told the magistrate to have us c  
cises. I immediately went home and went to bed. It wa

Mr. ANGELL. This was the 19th of November, 10 days a

Mr. DELERME. It is just about 10 days. At midnight  
door. I came down and opened the door and found Lie  
vited me to proceed to the gendarmerie to see Lieut. Ki  
leave on a journey to-morrow morning. At the same tim  
door I immediately found that I was arrested, because I  
the door First Sergt. Liatude and 10 gendarmes. I v  
gendarmerie, where I found Lieut. Kinney seated in fron  
menced by telling me that all Haitians were badly broug  
there were certainly Americans well brought up, but tha  
to be polite to the Haitians. I also told him that the Pr  
States, from what has been told to me, stopped his ca  
if he saw a company of firemen passing, or an ambulan  
that we were not in the United States, but in Haiti. F  
out the fire at Robert Dutton & Co. I answered him th  
with their pumps. He told me that I was a liar. I answer  
not accustomed to lying he would not find lying in othe  
with putting me in prison. I answered him that I was  
He said that he would make me work on the public stre  
in the streets. I answered him that having committed  
could not dishonor me. He threatened to send me bef  
marshal. I answered him that I would be contented to

He asked me why I would be contented. I answered him that there was no complaint coming to Port au Prince and that I would come and see him if I had any complaint there. He left his desk with these words, "I will see you."

He made a motion toward me with his whip in his hands. He held the whip in front of his mouth and said words in English that I didn't understand. I pushed the whip out of the way and left him in the corner and the opposite corner went to sit down.

Q. MERENE. Let me ask a question there. The witness said that he saw him in the evening this lieutenant was under the influence of liquor. Is the witness claiming that he was under the influence of liquor at this time? Was he about midnight?

A. MERENE. He was drunk that night, and it was his habit to be drunk.

Q. MAN. "I don't know if he was drunk later."

A. MERENE. He left his corner where he was and came over to me. He held the whip in his mouth that time with his whip. With my hand I took the head of the whip and also hit him in the mouth. With his right hand, which was the same as such an awful blow in the back of the neck that I fell into the arms of the gendarmes who were there. Immediately he gave orders to put me in prison.

I told him that he was a coward, because if he was not a coward he would not take advantage of being armed and having the gendarmes with him. I even told him that if he was a man he would only have to fight me and I would show him that I would give him back the blows that he gave me. When I went down into the street after having been ordered to go, I found there Emile Sendral, Henri Sendral, Antoine Ferrez, and Albert, all of whom accompanied me to prison. It was 3 o'clock in the afternoon. By good luck I found in Port au Prince Mr. Henri Sendral. He told me what he saw, if he did not see me taken to the prison at 3 o'clock in the afternoon, if he did not accompany me to the prison with the gendarmes. He said the cell was so narrow that I could not walk 3 paces.

Q. MERENE. In the afternoon the préfet of the arrondissement went to find me to release me from prison. They came to the prison Sunday, the 7th, at 4 o'clock in the afternoon. They told me that Lieutenant Clermont wanted to see me to take a drink with me at his house. It was understood that he would liberate me. I refused to drink with him under those conditions, saying that he could leave me for 20 years under those conditions. I told me Sergt. Max Raymond, who was in charge of the prison, to take me to his house. I answered him that he could only carry me to his house by means of 20 gendarmes.

Q. MERENE. At 7 o'clock at night Sergt. Raymond and Lieut. Kinney first came to shake hands with me. I answered him by way of those people that I would not give him my hand. I told him that I would not give him mine.

Q. MERENE. On Sunday at 7.15 in the evening, I was granted my liberty; I was re-proposed to the magistrate communal and the préfet to permit the fire department.

Q. MERENE. Was there any trial of the charge against the witness?

A. MERENE. No.

Q. MERENE. It was dismissed without trial?

A. MERENE. He said no complaint was filed against him at that time.

Q. MERENE. Answer the question. Let me ask another question: Did you make any report to this officer's superior?

A. MERENE. Yes.

Q. MERENE. To whom and when?

A. MERENE. This happened on Sunday, and by the post on Monday I wrote to the president of the Republic and to the chief of the gendarmes.

Q. MERENE. Who was the chief of the gendarmes?

A. MERENE. Gen. McDougall.

Q. MERENE. Was there any complaint lodged against you at the time of your arrest?

A. MERENE. Never.

Q. MERENE. That is all.

Q. MAN. I have no further questions to ask the witness. Are you satisfied?

A. MERENE. Who, if anybody, was present in the office of the gendarmerie when you were there for the day after the company was drilling? Who was in the gendarmerie when you arrived with Lieut. Clermont?

Mr. DELERME. Lieut. Clermont and First Sergt. Liatu  
his interpreter. But in the street there were people who  
them Mr. Henri Sendral, who is present here. We talked  
The CHAIRMAN. I have no other questions.  
Mr. HOWE. No other questions.

# STATEMENT OF MR. A. J. BOCO, PORT AU P

Mr. ANGELL. What is your name?  
Mr. BOCO. A. J. Boco.  
Mr. ANGELL. Where do you live?  
Mr. BOCO. Port au Prince.  
Mr. ANGELL. How long have you lived at Port au Prince?  
Mr. BOCO. Since my birth.  
Mr. ANGELL. Do you own houses in Port au Prince and  
or thereabouts?  
Mr. BOCO. Yes.  
Mr. ANGELL. Were you in Port au Prince in or about th  
when a fire occurred in this city?  
Mr. BOCO. Yes; I was at my house.  
Mr. ANGELL. At what time during the day was the fire p  
Mr. BOCO. Three o'clock in the afternoon.  
Mr. ANGELL. Where were you between 3 and 5 in the af  
Mr. BOCO. At my home.  
Mr. ANGELL. Will you tell what happened between th  
the afternoon on that day at your house?  
Mr. BOCO. The fire was put out in the neighborhood of  
not any more fire. Then I shut the doors of my house. T  
came and forced open the doors.  
Mr. ANGELL. What time of the day was this?  
Mr. BOCO. About 4 o'clock of the afternoon.  
Mr. ANGELL. What do you mean when you say the m  
Corps forced the doors of your house?  
Mr. BOCO. I had nothing to do with opening the doors.  
Mr. ANGELL. Did you open the doors to them, or did  
doors?  
Mr. BOCO. They took the keys from the hands of my  
doors.  
Mr. ANGELL. Where was your boy?  
Mr. BOCO. He was in front on the balcony.  
Mr. ANGELL. On the balcony of the house?  
Mr. BOCO. On the ground floor.  
Mr. ANGELL. Was the door of the house locked?  
Mr. BOCO. With the key; yes.  
Mr. ANGELL. State what happened then.  
Mr. BOCO. They came into the house, the Marine Corps.  
Mr. ANGELL. Who were they, if you know?  
Mr. BOCO. They were many, five or six entered.  
The CHAIRMAN. Ask the witness if he could identify th  
Mr. ANGELL. Do you know the name of any of these fi  
Mr. BOCO. No; I don't think so.  
Mr. ANGELL. Could you identify them if you saw them  
Mr. BOCO. No; I would not recognize them.  
Mr. ANGELL. Do you know whether they were enlisted  
were officers?  
Mr. BOCO. I don't know. Officers of the Marine Corp  
uniform of the Marine Corps.  
Mr. ANGELL. Why did they come in and what did th  
anything to you as to the purpose which brought them th  
Mr. BOCO. No; they just entered. They did not declar  
Mr. ANGELL. Did they say anything at all to you?  
Mr. BOCO. Nothing at all.  
Mr. ANGELL. What did they do when they entered the h  
Mr. BOCO. They entered the house and wrecked it with  
Mr. ANGELL. Describe in detail exactly what they did.  
Mr. BOCO. They cut up the stairs in the interior of th  
ing, balustrade.

Were you in the house at that time?  
 o, I was outside, across the street, on the opposite side.  
 Were you in the house when the marine forces came in?  
 was on the balcony when they entered.  
 On the inside or the outside of the house?  
 n the outside.  
 Upstairs or downstairs?  
 Downstairs.  
 Did you with your own eyes see these men enter?  
 Oh, yes.  
 What did you do then?  
 nothing at all; I could not do anything.  
 Did you remain there? If not, where did you go?  
 stayed outside and watched what they were doing.  
 How near to the house were you at the place where you re-  
 the other side of the street.  
 How long did you remain there?  
 p until the evening, when they had finished doing all there was  
 . How long a time was this?  
 our o'clock. It lasted from 4 o'clock until 6 o'clock that night.  
 Did you see these same members of the Marine Corps go out of  
 6 o'clock at night?  
 they went out after having accomplished their act, and I closed  
 Did you see them go out?  
 Yes.  
 Where were you at the moment when you saw them go out?  
 across the street, on the other side of the street.  
 Were there other people in the street during this time?  
 he whole people, everybody, everybody was there, everybody.  
 What did you do when you saw these men go out of your house  
 went back and locked the door.  
 What did you find to be the condition of the interior of your  
 ll the furniture was broken and thrown into the street.  
 Did you yourself see any of your furniture thrown into the  
 so, by whom?  
 Oh, everybody witnessed that. Me, too.  
 Did you see your own furniture thrown into the street?  
 into the street. All the furniture into the street.  
 . Please answer my question, whether you yourself saw your  
 own into the street.  
 Certainly, because I was there looking on.  
 . How far was your house from the nearest point where the fire  
 you have stated at 3 o'clock that afternoon?  
 from the Grand Rue to the Rue du Centre.  
 MERENE. How many feet?  
 about 100 meters. I could not tell the distance.  
 MERENE. You want the committee to understand that this fire  
 e they broke into your house?  
 The fire was entirely put out. There was no danger to my house.  
 MERENE. What did you do when you had closed your house about  
 retired, because they placed at every corner the marines to guard.  
 MERENE. Do you know anyone who came to your house after these  
 ne Marine Corps had left?  
 Nobody.  
 Do you know a Mr. Le Bosse?  
 Yes.  
 Did Mr. Le Bosse come to your house on that day?  
 Yes; the next day.  
 At what time?  
 Yes. What were these marines doing that thing for? What was  
 ?

Mr. BOCO. I don't know.

Senator JONES. Did you make any objection to it?

Mr. BOCO. Never.

Senator JONES. Were they doing it just for fun, or for

Mr. BOCO. I don't know their reason. I can not tell you.

Senator JONES. Have you any idea it was because the

might catch on fire?

Mr. BOCO. The fire was already put out. There wasn't a

house.

Senator POMERENE. Did you report this to the general

Marine authorities?

Mr. BOCO. It was not worth while.

Senator JONES. Why was it not worth while?

Mr. BOCO. Because everyone was there viewing these

and the Marine Corps, everyone was there.

The CHAIRMAN. Let me ask you, Mr. Angell, are there

roborate the testimony of the first and second who

Senator JONES. I would like to ask, Mr. Angell, what

make out of this?

Mr. ANGELL. This witness presented himself saying he

had happened to his house, telling me substantially, just

he has now told the committee, and complaining of the

Corps.

Senator JONES. Do you mean that the acts of the Marine

without any incentive or motive at all?

Mr. ANGELL. I am not testifying. I have no personal

facts whatever, so I am not in position to give an opinion.

Senator JONES. There ought to be some point to what

directed here. If there is a charge or contention that

simply drifting over the island, plundering houses in

a purpose in view, that ought to appear somewhere, or

strikes me as having no pertinency. It is inconceivable

body else would just break into a house and throw out

fun of the thing, and that is all, apparently, that this

say. He has no idea of his own as to the motive.

Mr. ANGELL. In answer to your questions, Senator Mc

I had witnesses prepared to support these statements.

witnesses, there is here, although I have not laid eyes

know him personally, an agent of the insurance company

tion of the house the following morning and saw the con

The CHAIRMAN. That has appeared in the record. I

witnesses gave testimony in order that the committee

what disposition was made of the complaint of the first

warded to the President of the Republic and the comm

merie.

Mr. ANGELL. Do I understand you are through with this

The CHAIRMAN. Unless he has something more to pre

more to prove stupidity, that the house was wantonly

there is anything gained by continuing his questioning a

graphic account and widespread description of the affair

Mr. ANGELL. I understood from my brief talk with this

that he had nothing further to tell than that the secu

company came to his house the next morning to see the

which was later destroyed by fire, and that the insura

the damage.

Senator POMERENE. You say it was later destroyed?

Mr. ANGELL. It was destroyed the next day or later.

Senator POMERENE. A new affair?

Mr. ANGELL. A new fire or a revival of the first.

The CHAIRMAN. You mean the Marine Corps failed to

made an end of the fire?

Mr. ANGELL. I am not testifying.

Senator POMERENE. Let us ask the witness another que

burn down the day following?

Mr. BOCO. Yes; the day following, in the night.

Senator POMERENE. How did it catch fire?

Mr. BOCO. I can not say.

L. Were you in the house at the time?

No.

OMERENE. Were there any embers or evidences of the fire in the house that was destroyed the day before?

MAN. Let him give us the definite address of the house, so that we can make inquiries about the fire.

OMERENE. What was the number of your house that you testified was destroyed by fire?

Three hundred and forty-four Rue du Centre.

MAN. That will do with this witness. Mr. Angell, will you ask the representative of the insurance company to file with us, if he has such a thing, a report to his company of this fire, to save the time of taking such

# TESTIMONY OF ANDREW SENDRAL, MERCHANT, AUX CAYES, HAITI.

L. What is your name?

AL. Andrew Sendral.

L. Where do you live?

AL. Aux Cayes.

L. What is your occupation?

AL. Merchant.

L. Do you know Mr. Joseph Victor Delorme?

AL. Yes.

L. For how long have you known him?

AL. For a very long time.

L. Were you yourself in Aux Cayes on the 19th and 20th of October, 1917?

AL. Yes.

L. Did you see Mr. Delorme being conducted through the streets of Aux Cayes by any gendarme?

AL. Yes; by one gendarme.

L. At what time?

AL. At 3 o'clock in the morning; about Sunday morning, the 20th of October, 1917.

L. This was a week ago last Sunday?

AL. Yes; certainly.

L. Did you see Mr. Delorme at any other time on that day—the 20th of October?

AL. At 7.15 in the evening.

L. Where was Mr. Delorme at 7.15 in the evening of the 20th of October?

AL. I met him coming from the prison. It was about 7.15 in the evening.

L. How far was he from the prison, if you know?

AL. About 300 or 400 yards. He was accompanied by the magistrate and many others of his friends.

L. That is all.

No questions.

OMERENE here took the chair.)

# TESTIMONY OF MR. MARC DUCHESNE, PLANTER, HINCHE, HAITI.

L. What is your name?

SNE. Marc Duchesne.

L. Where do you live?

SNE. Hinche; at the bottom of Hinche.

L. How long have you lived there?

SNE. I have lived there 14 years.

L. What is your occupation?

SNE. I am a planter; a cultivator.

L. Were you living in Hinche in October, 1917?

SNE. Oh, yes.

L. What were you doing at that time?

SNE. In the month of October I worked.

L. Were you married?

Mr. DUCHESNE. Yes; I was married.

Mr. ANGELL. Did you have a farm of your own?

Mr. DUCHESNE. Yes.

Mr. ANGELL. Did you own this plantation at this time?

Mr. DUCHESNE. Yes.

Mr. ANGELL. Were you working on that plantation during that time?

Mr. DUCHESNE. Yes; I worked.

Mr. ANGELL. Will you tell us very briefly the events during the 10th and 11th of October, 1917, at Hinche?

Mr. DUCHESNE. Yes. I found myself in my house in Hinche at 10 o'clock in the evening; my wife was sick. I went to the house at Port au Prince. He was at Hinche at that time. I told him that my wife was sick.

Mr. ANGELL. On the 10th and 11th of October, who was the gendarmerie commandant at Hinche?

Mr. DUCHESNE. It was Capt. Doxey. When I told him that my wife was sick, he examined my wife. He told me to return to his office, he gave me remedies. I took the doctor at his house and went to my house. Arriving there at midnight—I took the remedies to give to my mother. I heard some noise—

Mr. ANGELL. When you say you gave it to your mother, did you give it to her to prepare for your wife?

Mr. DUCHESNE. Yes. Immediately I heard a noise in my house.

Mr. ANGELL. How far was your house from Capt. Doxey's house?

Mr. DUCHESNE. Thirty paces distant.

Mr. ANGELL. What was that noise, if you know?

Mr. DUCHESNE. I heard the sound of rocks hitting on the wall of the quarter. I stayed in my house without going out.

Mr. ANGELL. Did you hear any shot?

Mr. DUCHESNE. Yes.

Mr. ANGELL. And from where did these shots come, if you know?

Mr. DUCHESNE. No, no.

Mr. ANGELL. Did you remain then at your house from the 10th to the 11th? Did you come back the second time from the doctor's until the 11th?

Mr. DUCHESNE. Yes. I did not go out. I stayed in my house all night.

Mr. ANGELL. What happened on the following morning?

Mr. DUCHESNE. The next day after, at 6 o'clock in the morning, I came to my house.

Mr. ANGELL. What did he say?

Mr. DUCHESNE. He told me that Capt. Doxey asked me to go to the gendarmerie.

Mr. ANGELL. What did you do?

Mr. DUCHESNE. I went immediately to the bureau of the gendarmerie.

Mr. ANGELL. Whom did you find there?

Mr. DUCHESNE. I found Capt. Doxey and Sergt. Beck.

Mr. ANGELL. What did Capt. Doxey say to you?

Mr. DUCHESNE. He said, "Have you heard all of this during the night?"

Mr. ANGELL. What did you say?

Mr. DUCHESNE. I answered him yes.

Mr. ANGELL. What did the captain say in reply to your answer? What conversation took place between you?

Mr. DUCHESNE. After answering him "yes," he asked me to go to the gendarmerie and bring him my help.

Mr. ANGELL. What did you say?

Mr. DUCHESNE. I answered him that it was not prudent to go at that time.

Mr. ANGELL. Give the rest of the conversation briefly.

Mr. DUCHESNE. It was just as I told you.

Mr. ANGELL. Continue. Then what happened after that?

Mr. DUCHESNE. After I told him it was not prudent to go, he asked me if I could tell him where he could find the gendarmerie. I answered him that Saul Peralte could

then making a survey. Capt. Doxey knew that Saul could be placed very well. He then asked me if I could give him some one and Saul Peralte for him. I then answered him that Saul Peralte was, who would go and find him for him.

Q. Do you know the name of this son-in-law?

ANS. Yes; he is called Phenix Woolley. So he made Phenix go to the bureau of the gendarmerie, and he ordered him to go.

Q. Ordered whom? The witness?

ANS. No. Capt. Doxey ordered him to go and find his father-in-law.

Q. Did you see the gendarmes go to find Phenix Woolley?

ANS. No.

Q. Did you see this Phenix Woolley start?

ANS. From the bureau of the gendarmerie I saw him go.

Q. Then what did you do, briefly?

ANS. In the interval I stayed at the bureau of the gendarmerie.

Q. Until what time?

ANS. Until 10 o'clock in the morning.

Q. What day?

ANS. Thursday.

Q. The date, if you know it?

ANS. No. Thursday, the 11th of October.

Q. And what happened in the morning then at this time?

ANS. In the interval they called all of the citizens to the bureau.

Q. What happened then in the morning, at 6 o'clock in the morning?

ANS. At 6 o'clock I was at the bureau of the gendarmerie.

Q. Proceed with your story.

ANS. Capt. Doxey again asked for me, if I could tell him where Charles Peralte or Joseph.

Q. What did you reply?

ANS. I told him that these men could be found either in their habitation in the country.

Q. Did you see any gendarmes start out then, or hear any orders given to start out?

ANS. I heard the orders passed to the gendarmes to go and find Peralte and Joseph.

Q. Orders given by whom?

ANS. By Capt. Doxey.

Q. And where was this?

ANS. In the bureau of the gendarmerie.

Q. What time did you leave, then, the gendarmerie?

ANS. To go to my house.

MEBENE. Let me make a suggestion. What is it you intend to do?

Q. I am giving the events immediately preceding the arrest and of this man under which he worked for three years at forced labor.

MAN. Very well. Go ahead.

ANS. At 10 o'clock in the morning Capt. Doxey gave orders to all the gendarmes to go to their houses.

Q. Now come as quickly as possible to the facts of your arrest.

ANS. At 10 o'clock everybody went to their houses. At 1 o'clock a gendarme came and call me.

Q. Where were you at that time?

ANS. At my house.

Q. How long had you been there?

ANS. From 10 o'clock in the morning until 1 o'clock.

Q. What did the gendarme do?

ANS. He told me that the captain called for me.

Q. Did you go with the gendarme?

ANS. Yes. The gendarme said he was going to call other indi-

Q. What did you do then?

ANS. I immediately went to the bureau of the gendarmerie.

Q. Whom did you find there?

ANS. Again Capt. Doxey.

Mr. ANGELL. Any other marine or gendarmerie officer?

Mr. DUCHESNE. No. It was Capt. Doxey and his lieutenant.

Mr. ANGELL. What happened then?

Mr. DUCHESNE. Again Capt. Doxey asked me the same questions and I gave him the same answers to him. Immediately he ordered Sergt. prison.

Mr. ANGELL. Did you hear him give the order?

Mr. DUCHESNE. Yes; it was in my presence, to my face.

Mr. ANGELL. Where was this order given?

Mr. DUCHESNE. The bureau of the gendarmerie.

Mr. ANGELL. Were you taken to prison then?

Mr. DUCHESNE. Immediately conducted to prison.

Mr. ANGELL. To prison where?

Mr. DUCHESNE. In Hinche.

Mr. ANGELL. How long did you remain in that prison?

Mr. DUCHESNE. I stayed 11 days.

Mr. ANGELL. Was there any written charge made against you?

Mr. DUCHESNE. No.

Mr. ANGELL. Do you know on what charge you were taken to these 11 days in the prison?

Mr. DUCHESNE. No; even until now I do not know.

Mr. ANGELL. Were there others in prison with you at that time?

Mr. DUCHESNE. Arriving at the prison, I found Saul Peralte, Olegat Joseph, Orvil St. Vil, Lhomond St. Vil, and other notables of Hinche.

Mr. ANGELL. How many others were there?

Mr. DUCHESNE. Oh, I couldn't count them. There were more than the population.

Mr. ANGELL. How many were confined with you?

Mr. DUCHESNE. The prison was full. I didn't count them. 60. I can give you the names of those I know.

Mr. ANGELL. You say you remained 11 days in prison. What was the end of those 11 days?

Mr. DUCHESNE. After those 11 days—Monday, the 22d of October, in the morning—I saw open the door of the prison and the officers.

Mr. ANGELL. Do you know who any of those officers were?

Mr. DUCHESNE. Yes; I know some of their names.

Mr. ANGELL. Give them.

Mr. DUCHESNE. Maj. Ankrum.

Mr. ANGELL. Any others?

Mr. DUCHESNE. Capt. Torrey.

Mr. ANGELL. And what happened then?

Mr. DUCHESNE. These officers came with chains, handcuffs.

Mr. ANGELL. Did you see these?

Mr. DUCHESNE. Yes; with my own eyes.

Mr. ANGELL. Where were you taken then?

Mr. DUCHESNE. They called Saul Peralte, Charlamagne, and me. They chained us.

Mr. ANGELL. How?

Mr. DUCHESNE. The arms behind the back, like this [imitates].

Mr. ANGELL. Were you chained one to another?

Mr. DUCHESNE. Yes; three together. Charlamagne Peralte in the middle, and me on the right.

Mr. ANGELL. Where were you taken?

Mr. DUCHESNE. From Hinche to Ouanaminthe on foot.

Mr. ANGELL. And what was done with you when you got there?

Mr. DUCHESNE. Arriving Wednesday, the 24th of October, at night, they placed us in prison.

Mr. ANGELL. How long did it take you to go from Hinche to Ouanaminthe?

Mr. DUCHESNE. Three days.

Mr. ANGELL. You started on what day?

Mr. DUCHESNE. Monday, the 22d of October, at 6 o'clock.

Mr. ANGELL. You got there on Wednesday, the 24th?

Mr. DUCHESNE. The 24th, at 8 o'clock at night.

Now tell briefly what happened to you the night of your arrival in Ouanaminthe.

NE. At midnight the sergeant of the gendarmerie—

Do you know his name?

NE. No; I haven't got his name—came and got me.

You were still in the prison?

SNE. Yes; manacled—chained. This sergeant conducted me to use of Gen. Hooker.

Who was there?

NE. There was Col. Hooker and several other American officers.

Do you know the names of any of these other American officers?

SNE. Yes. There was Maj. Ankrum, Capt. Torrey, and Capt.

Any others?

NE. Lieut. Winfree.

How do you know the names of these officers?

NE. After I was prisoner for awhile I came to know their names.

Did you see these same officers afterwards?

NE. Yes.

Tell briefly what happened at the time with these officers.

NE. Arriving in the presence of these officers, Capt. Hooker asked

Do you refer now to Capt. Hooker or this Col. Hooker that you fore?

NE. No, no; Col. Hooker.

Proceed.

NE. He asked me where could be found the deposit of arms that ad at Hinche. I answered him that I absolutely knew nothing.

What happened then? Go ahead briefly.

NE. Immediately he got up from his chair. Took a paper weight, e [indicating an ordinary ink well] and he hit me with it, which l in my stomach, from which I suffer even at this moment.

Proceed.

NE. Furthermore, he grabbed me like this, with his hand, and he table like this [indicating], and with his knee on my back there minutes.

What happened then?

NE. After he pushed me with his hand and I was hit by the wall. against the wall.

Were you then taken back to prison?

NE. No. He told me that if I did not tell him the truth at this tell him to-morrow, and I would be in front of two squads of o would fire on me. I answered him that the wish of God would

He said he was no good here, that he was the only big devil. ne conducted to prison.

How long did you then remain in the prison?

NE. I stayed three years and five months.

Were you ever tried?

NE. No; questioned. After that investigation there were several

Were you ever tried by court-martial, or a provost court-mar- court at that time?

NE. After three months, October, November, and December, he ually interrogated in the presence of these officers. One day in

What year?

NE. 1918; he called us all into his private office.

When you say "he" who do you mean?

NE. Col. Hooker.

What happened then?

NE. Then he interrogated us one after the other. When he was gating one prisoner he was sent back to the prison.

Were you condemned at that time in January, 1918, to a further ?

NE. Arriving in prison they placed me in a convict costume. The o'clock they put me out to work.

Mr. ANGELL. Were you ever tried, either in October 1918, before any military court or any Haitian court?

Mr. DUCHESNE. No.

Senator POMERENE. Well, let us understand this: You go as having been condemned at one hearing. That I take it. Does this witness know what you mean by a

Mr. ANGELL. Do you understand what the word "means?"

Mr. DUCHESNE. Yes.

Mr. ANGELL. Or process?

Mr. DUCHESNE. Yes.

Mr. ANGELL. Was there ever a process or judgment a

Mr. DUCHESNE. No; neither judgment nor process.

Mr. ANGELL. Was there ever any written complaint as you know?

Mr. DUCHESNE. No.

Mr. ANGELL. Were you ordered at any time sent to pr

Mr. DUCHESNE. No. While in prison I understood fr conducted me that I had been condemned to two years in Senator POMERENE. By whom?

Mr. ANGELL. By whom, if you know; condemned by w

Mr. DUCHESNE. By Col. Hooker.

Mr. ANGELL. And when did you learn this?

Mr. DUCHESNE. While I was in prison. Several mont

The CHAIRMAN. Let me ask you a question there t straighten this out. Before the gendarmes told him that to prison for two years, were there witnesses called bef witnesses examined, and did they testify before Col. Ho

(The question was put to the witness by the interpret

Mr. DUCHESNE. No, no.

Mr. ANGELL. Were you ever given an opportunity legal defender?

Mr. DUCHESNE. No; never.

Mr. ANGELL. Did you ever learn for what cause yo prison by Col. Hooker for two years?

Mr. DUCHESNE. Up to now I do not know.

Mr. ANGELL. Well, did you remain in prison from Janu

Mr. DUCHESNE. I stayed all the time in Ouanaminthe.

Mr. ANGELL. How long did you remain in prison?

Mr. DUCHESNE. I stayed for three years, but in Deco sionally gave me liberty.

Mr. ANGELL. You said a minute ago that you were years. Now, you say that you remained in prison fo months. Can you tell why you remained in prison a y the time for which you were sent there?

Mr. DUCHESNE. Yes; for myself I have an idea. Cha be found in prison in the Cape.

Mr. ANGELL. Why is that a reason why you were ke more after the term fixed?

Mr. DUCHESNE. Yes; it was because when Charlamag prison, as he was also from Hinche, as I am, because Ouanaminthe together, I think therefore because all t country as general in chief of the Cacos they did not wa

Mr. ANGELL. When were you finally completely releas

Mr. DUCHESNE. Even at this moment I consider mys

Mr. ANGELL. Why and how?

Mr. DUCHESNE. I went and asked a permit from C 20th of March of this year.

Mr. ANGELL. And how long had you been under pr that time?

Mr. DUCHESNE. Since the 15th of September, 1920.

Mr. ANGELL. And where was this Capt. Frank Verdler

Mr. DUCHESNE. He is even now at Ouanaminthe.

Mr. ANGELL. Did you get a permit from him?

Mr. DUCHESNE. Yes; he gave me a permit for 45 days.

Mr. ANGELL. Was that a permit to come to Port au P

ESNE. To come to Port au Prince and return to Ouanaminthe.  
 LL. Did you return to Ouanaminthe?  
 ESNE. No; here is the permit.  
 LL. How long have you been in Port au Prince?  
 ESNE. Eight months.  
 LL. Are you living here now?  
 ESNE. I stayed here for my protection.  
 LL. What are you doing here now?  
 ESNE. It is my friends who give me the means of living. I do  
 LL. Where is your family?  
 ESNE. My family are in Hinche.  
 LL. Did they remain in Hinche all the time that you were in  
 ESNE. Yes.  
 LL. During these three years and five months that you were in  
 Port au Prince, were you kept in a cell in the prison or were you  
 ?  
 ESNE. All the time at hard labor.  
 LL. Where?  
 ESNE. In Ouanaminthe and in the surrounding country, Capotille.  
 LL. When you went out from the prison to do this labor, how did  
 how were you conducted?  
 ESNE. They conducted me always with gendarmes, in convict  
 POMERENE. At the time that Col. Hooker and Capt. Doxey had  
 r arrest, there was fighting going on in and about camp all the  
 there not?  
 ESNE. On the night of the 11th of October, I have already ex-  
 , at midnight.  
 POMERENE. Were there Cacos in and about Hinche previous to this  
 this time?  
 ESNE. No.  
 POMERENE. Were the Peraltes engaged in any organization against  
 Government of the United or their occupancy, or against the Gov-  
 Haiti at that time?  
 ESNE. On the contrary they rendered service to the occupation.  
 LL. Have you been finally and generally discharged from prison,  
 u know?  
 ESNE. No; I have not been completely liberated, according to my  
 for 45 days, and I have to return.  
 LL. Were you formerly commandant of the arrondissement of  
 cholas?  
 ESNE. Yes.  
 LL. At what time?  
 ESNE. In 1915.  
 . Can you read or write?  
 ESNE. Yes.  
 . Both?  
 ESNE. Yes, both.  
 . Do you know what name you had when you were in prison on  
 records?  
 ESNE. Yes.  
 . Was it your own name?  
 ESNE. Yes.  
 . Do you believe that your own name was on the prison records?  
 ESNE. Yes.  
 . Do you know, or don't you know, that it is not customary to  
 n charges on prisoners in the provost court?  
 ESNE. No; I don't know that.  
 . Did you ever hear of anyone in the provost court having a written  
 to him or served on him before he was tried?  
 ESNE. No.  
 . When Col. Hooker interrogated you the last time did you see Col.  
 te anything?  
 ESNE. No; no; never.

Mr. HOWE. When was the last time Col. Hooker interrogated you; January, 1918?

Mr. DUCHESNE. Yes; January 18, 1918.

Mr. HOWE. Do you know what day in January?

Mr. DUCHESNE. I don't remember.

Mr. HOWE. Was that in Col. Hooker's house?

Mr. DUCHESNE. Yes.

Mr. HOWE. In what town?

Mr. DUCHESNE. The town of Ouanaminthe.

Mr. HOWE. Was Charlemagne Peralte interrogated at the same time with you?

Mr. DUCHESNE. Yes; but not together—separately.

Mr. HOWE. Were you present during the interrogation of Charlemagne Peralte?

Mr. DUCHESNE. No; I was outside.

Mr. HOWE. Were you interrogated before or after Charlemagne?

Mr. DUCHESNE. After.

Mr. HOWE. Do you know what happened to Charlemagne?

Mr. DUCHESNE. No.

Mr. HOWE. Was he sentenced to prison?

Mr. DUCHESNE. Yes; he was dressed in convict costume like me.

Mr. HOWE. Do you know whether any charge was brought against Charlemagne?

Mr. DUCHESNE. No; I don't know.

Mr. HOWE. Would you say that no charge was brought against Charlemagne?

Mr. DUCHESNE. No; I don't know myself.

Mr. HOWE. Did you talk with Charlemagne after he was interrogated?

Mr. DUCHESNE. When we were dressed in convict costume we found each other in the same cell.

Mr. HOWE. Did Charlemagne tell you how long he was to go to prison?

Mr. DUCHESNE. No.

Mr. HOWE. Do you know whether Charlemagne was convicted for attack on Capt. Doxey's house?

Mr. DUCHESNE. No.

Mr. HOWE. Do you know whether you were ever charged with attack on Capt. Doxey's house?

Mr. DUCHESNE. No.

Mr. HOWE. What was the name of the officer in charge of the prison at Ouanaminthe when you got there?

Mr. DUCHESNE. A sergeant of gendarmes, Elie Justin.

Mr. HOWE. What American officer was in charge of the prison?

Mr. DUCHESNE. No; it was not an American.

Mr. HOWE. Was not there an American in charge of that prison?

Mr. DUCHESNE. No.

Mr. HOWE. Was there during your three years in prison any American officer in command and charge at that prison?

Mr. DUCHESNE. No.

Mr. HOWE. Did you see Col. Hooker or Capt. Torrey or Maj. Ankrum during the time you were in prison at Ouanaminthe?

Mr. DUCHESNE. Yes, sir; I very often saw Col. Hooker.

Mr. HOWE. Did you talk with him while you were in prison at Ouanaminthe?

Mr. DUCHESNE. No, no.

Mr. HOWE. I have no more questions.

The CHAIRMAN. Is he a man of property?

Mr. ANGELL. Have you a farm or any money?

Mr. DUCHESNE. I have my property at Hinche; yes. At this moment I have nothing. There is not anything that is left.

Mr. ANGELL. Do you still own your land at Hinche?

Mr. DUCHESNE. Yes.

The CHAIRMAN. Did he ever make any complaint to the Haitian Government about his condition or his confinement?

Mr. DUCHESNE. No. When I had my provisional liberty I wrote to the President of Haiti and to the chief of the occupation.

Mr. ANGELL. Col. Russell is that?

Mr. DUCHESNE. I don't know. To the chief of the occupation.

The CHAIRMAN. Have you copies of your letters?

Mr. DUCHESNE. No. I never received a reply.

l. Did you write to the chief of occupation and to the President September, 1920?

ESNE. No; it was in November, I believe. I don't remember very

MAN. Did you consult a lawyer about your difficulties?

ESNE. No, never.

NES. How long did that throwing of rocks and shooting continue if he was sick?

ESNE. About half an hour. From midnight till 12.30, then it was

NES. Were there many shots fired?

ESNE. No.

NES. How many?

ESNE. I don't know; I can't tell you.

MAN. Do you know who fired the shots or threw the rocks?

ESNE. No.

MAN. Did you hear who was charged with having committed these

ESNE. When I was in prison in Hinche I found several inhabitants. Six; they continued them in prison together with the population. Inhabitants we understood it was a man named Gabriel who had head of several men that caused this brigandage.

NES. Did you hear any voices?

ESNE. No.

NES. Were any people killed?

ESNE. Yes; the day after in the morning. When I went to the gendarmerie I saw an individual dead at the side of the office of the

NES. Who was he?

ESNE. I don't know.

NES. Did he live there in that community?

ESNE. I can't tell you.

NES. Was he a Haitian or an American?

ESNE. A Haitian.

NES. How long had he been dead?

ESNE. I don't know.

NES. Did you hear when he was killed?

ESNE. No.

NES. Did you hear who killed him?

ESNE. No.

NES. Did you make any inquiries about those things?

ESNE. No; I was in prison since that time.

NES. Were you under arrest at that time, the next morning after

ESNE. The firing was at midnight and I was arrested the same day, in the afternoon.

NES. You saw this man lying dead at 9 o'clock in the morning?

ESNE. At 6 o'clock in the morning in going from my house to the gendarmerie when the captain had called for me the first time.

NES. Then you saw that body?

ESNE. Yes; on the ground.

NES. And you never saw that man before?

ESNE. No.

NES. You don't know now who he was?

ESNE. No.

NES. You never made any inquiry about it?

ESNE. No.

NES. Was anyone else killed or wounded besides that man?

ESNE. Yes. Among the inhabitants there in prison there was one wounded.

NES. When was he wounded?

ESNE. I don't know.

NES. Did you ever inquire about that man?

ESNE. No.

NES. Who was he?

Mr. DUCHESNE. I don't know his name.

Senator JONES. Did he live there in that town?

Mr. DUCHESNE. Yes; it was an inhabitant from the country.

Senator JONES. How far from the town?

Mr. DUCHESNE. I don't know his habitation. He was from the country.

Senator JONES. What was his name?

Mr. DUCHESNE. I don't know his name.

Senator JONES. He was in prison with you and Peralte?

Mr. DUCHESNE. He was in prison but he was locked up in a cell. I not permitted to go and see him in his cell.

Senator JONES. He was arrested at the same time you were?

Mr. DUCHESNE. No.

Senator JONES. When was he arrested?

Mr. DUCHESNE. He arrived in prison the day after, Friday.

Senator JONES. Arrived from where?

Mr. DUCHESNE. I don't know.

Senator JONES. What was he charged with having done?

Mr. DUCHESNE. I don't know.

Senator JONES. Where was he wounded? I mean at what place was wounded?

Mr. DUCHESNE. I don't know very well.

Senator JONES. Was he wounded in the night at the colonel's house?

Mr. DUCHESNE. No; I don't know.

Senator JONES. Was anyone else wounded at that time?

Mr. DUCHESNE. I don't know anything about it. It was him only. I see this man because he was in prison with me.

Senator JONES. How far were you from the colonel's house at the time the shooting was going on and the rocks were being thrown?

Mr. DUCHESNE. About 30 paces or so.

Senator JONES. Did you hear voices?

Mr. DUCHESNE. No.

Senator JONES. Did you hear the rocks plainly? Did they make much noise?

Mr. DUCHESNE. Yes; I heard the rocks.

Senator JONES. And that kept up for half an hour?

Mr. DUCHESNE. Half an hour; yes.

Senator JONES. More or less how many shots did you hear fired?

Mr. DUCHESNE. I heard only several pistol shots, revolver shots, and from the house of Capt. Doxey.

Senator JONES. Oh, you were near enough to know where the rocks were being thrown from and where the shots were being fired from?

Mr. DUCHESNE. The rocks came thrown against the house.

Senator JONES. How do you know the shots were fired from the house?

Mr. DUCHESNE. In the house of Capt. Doxey it was easy to understand that.

Senator JONES. How do you know that the shots were being fired from the house of Capt. Doxey?

Mr. DUCHESNE. Because of the manner in which I heard the shots. It is not to find where shots are coming from when you hear them from the inside of the house.

Senator JONES. What was there about it that caused you to believe they were coming from the inside of the house?

Mr. DUCHESNE. By the sound of the echo. There are two different sounds. There is a difference in shots fired in the open air from one fired inside.

Senator JONES. Were you in bed when that firing commenced?

Mr. DUCHESNE. My wife was in bed, but I was on my feet in my room.

Senator JONES. Did you go to bed after the shooting was over?

Mr. DUCHESNE. Oh, yes.

Senator JONES. Did you go to sleep?

Mr. DUCHESNE. No.

Senator JONES. You didn't hear any more noise during the night?

Mr. DUCHESNE. No.

Senator JONES. Why didn't you go to sleep?

Mr. DUCHESNE. I laid down but I couldn't sleep.

Senator JONES. At what hour did you get up in the morning?

Mr. DUCHESNE. I was up at 5.30.

Senator JONES. How close do you live to other people?

Mr. DUCHESNE. Several paces, 5 or 6 paces.

NES. There were several houses near yours?

ESNE. Yes.

NES. Did you talk to anybody during the morning about the occurrence that night?

ESNE. No.

NES. What time was it that you first talked with the officer on the morning of the occurrence?

ESNE. At 6 o'clock in the morning.

NES. Did he come to your house?

ESNE. No. By a gendarme who called me.

NES. Were you up when the gendarme came?

ESNE. I was sitting down drinking my coffee.

NES. Had you seen any of your neighbors around that morning?

ESNE. No; I didn't have time to see the neighbors.

NES. Were any other neighbors notified to come and talk with the

ESNE. Yes.

NES. Did you talk with any of them?

ESNE. No.

NES. Did you inquire of any of these people as to who were thrown out of the house?

ESNE. No, no.

NES. Do you know now who threw the rocks at the house?

ESNE. Oh, it was Gabriel.

NES. Just one person threw those rocks at the house?

ESNE. No; he was at the head of several men.

NES. Where were those men from?

ESNE. They are from the arrondissement of Hinche.

NES. How did you find out that it was Gabriel?

ESNE. There were several inhabitants from the country were in the house. They were sent with me to Ouanaminthe. There were six.

NES. Did they tell you that Gabriel was in the party that night?

ESNE. Yes.

NES. Did they know who that man was that was killed?

ESNE. Oh, I don't know. I did not ask that.

L. I would like to make a general statement as to the difficulty of the situation here. Mr. Sylvain, the head of the Union Patriotique, is at the head of the table. It is not so much by way of specific testimony of specific facts that he wishes to make this brief statement. It is necessary to have him sworn, unless you wish to have him

MAN. Shall we hear him to-day?

L. It will only take 5 minutes.

(McCormick here resumed the chair.)

# STATEMENT OF MR. GEORGES SYLVAIN, PORT AU PRINCE, HAITI.

N. Members of the commission, I am very pleased to be able to speak with you to-day. It is the first time since this morning that I have been given the opportunity. You will excuse me, because I had the regret of the manifestation that took place this morning; because I am a native of that party.

MEMBER. What party?

L. Because I was allied with that.

N. Because I am the administrative and the representative of the people. I profited by the circumstances to wish you welcome in the Union Patriotique, with the hope that the Haitian people will draw from the presence of the senatorial commission the greatest benefit from your presence in the future, and the recognition of the justice of their cause. On account of the brevity of the time that you are going to pass among us, we cannot but expect the greatest of good will bring before you all the witnesses present to you the justice of our cause. Those who would be most affected by you live a long way from this city in the country, where has been heavily the repression against the cacos.

statement, regardless of the fact whether they were or were not peaceful citizens, were confronted with the same intolerable situation,

and that situation which was made by intimidation and terrorizing continues to exist even now. It is thus that it is almost impossible for bringing them here even on the eve of your arrival. The military occupation under the cover of the martial law, has prevented witnesses from coming, those who are disposed to do so.

Senator POMERENE. Who are the witnesses, and where are they located—these witnesses whom you say have been prevented by the martial law?

Dr. SYLVAIN. I will cite you most particularly the victims of the regime Hinche, Maissade, Los Caobas. I can not call to mind the names of a single one who was permitted to come here. I can not go into the detail and mention the names of 1 or 5 or 20 witnesses.

Senator POMERENE. Why, then, does he make the statement that the situation prevented their coming here?

Dr. SYLVAIN. I will give you, then, the sort of measures which were taken to prevent such people from coming here. I tell you that those are the measures of the general orders, or orders of the general, which are taken in this country. When an inhabitant has need of coming to Port au Prince it is necessary he ask permission, and this permission is not easily accorded to him. He finds on leaving his house several gendarmes, who interrogate him, who present to him all sorts of difficulties, and, even so, the road are not easy. The families who had the most means are ruined. To live at Port au Prince several days you must make expenditures. At this moment difficulties of communication with the capital for the country there are so great that to be remotely in communication with them it is necessary to send them a special messenger. Add to all this the tendency to false rumors, which they are in the position to control and which suffice to prevent them from leaving. It is impossible, then, when it is necessary, for us to present to you testimony of importance there, where the bulk of the atrocities were committed. We are compelled—

Senator POMERENE. Can you give the names of any single witness who asked permission of the occupation to come here and who was denied that permission?

Dr. SYLVAIN. It is not in that regard that I testified before the committee that the occupation had prevented the coming of witnesses. I have said that I have enumerated the conditions of all sorts. As I come to the direct question we have asked—foreseeing these different steps to prevent their coming—we have asked of the senatorial commission that it put through a general declaration to reassure that population and to convince it that if those who have suffered come to testify before the commission they would have nothing to fear when the commission has finally withdrawn and they would be themselves in the presence again of the same military authorities. The declaration did not arrive in season to facilitate the labors of the commission.

Senator POMERENE. Let me ask another question, and I want a direct answer if I can get it. Do you know of any witness, and can you give him name who wants to come before this commission and who is not permitted to come?

Dr. SYLVAIN. I can say to the commission that we had a series of witnesses. The CHAIRMAN. That is not an answer to the question.

Senator POMERENE. Put that question again to him.

(The question was again put by the interpreter.)

Dr. SYLVAIN. Several witnesses were to have been brought; certain to Merese Woolley and Jean Gilles.

Senator POMERENE. Give their addresses.

The CHAIRMAN. What is their address?

Dr. SYLVAIN. Those men are at Hinche.

Senator POMERENE. Have you any statements made by them, or affidavits?

Dr. SYLVAIN. They have sent us depositions before a notary, which we have here to present. On the eve of your coming, when I went to the telegraph office, there was no communication with Hinche.

The CHAIRMAN. On what day did you go to the telegraph bureau?

Dr. SYLVAIN. I can not give you the exact day, but two or three days before the arrival of the committee.

The CHAIRMAN. To what bureau did you go?

Dr. SYLVAIN. To the bureau of lands and telegraphs in Port au Prince.

The CHAIRMAN. It is five minutes to 6. I think we had better receive the depositions and suspend until 9 a. m.

(Whereupon the committee adjourned until 9 a. m. November 30, 1921.)

## INTO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

WEDNESDAY, NOVEMBER 30, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Port au Prince, Haiti.*

Committee met, pursuant to adjournment, at 9 o'clock a. m., Senator [redacted] presiding.

Senators McCormick, Pomerene, Oddie, and Jones.

Present: Messrs. Walter Bruce Howe and Mr. Ernest Angell, in their capacities as heretofore indicated.

MCCORMICK. In order to correct inaccurate English and French ver-  
statement published in behalf of the committee under date of  
[redacted], 1921, I read the correct English and French versions of the state-  
ments as follows:

It is unnecessary to state that a committee of the Senate is the judge of  
the truth and the competence of the testimony which it admits to its

committee seeks the calm and reasonable judgment of those who come  
competent to offer opinion upon the problem which it is studying, and,  
an unbiased and unclouded statement of substantiated and proven  
facts who desire to state such facts.

Committee deems it unnecessary any further to assure the security  
conforming to these standards, as it does to deny that it would in  
anywise condone perjury."

Il n'est pas nécessaire de dire que la commission sénatoriale est juge du  
de la compétence des témoignages qu'elle admetta dans ses records.  
Elle a recherché les jugements calmes et raisonnables de ceux qui  
se sont présentés devant eux, compétent d'offrir une opinion sur les problèmes  
posés, et, sous serment et une déclaration sans parti pris de faits  
et d'œuvres à l'appui par ceux qui ont désiré déclarer de tels faits.

Il ne pense qu'il n'est pas nécessaire d'assurer d'avantage les témoigna-  
ges par tout de sécurité conformément à ces réglementations et aussi

MAN. The committee will come to order. You may proceed with the  
testimony of Mr. Angell.

TESTIMONY OF DR. GEORGE SYLVAIN, PORT AU PRINCE—Resumed.

DR. SYLVAIN. I told you at our meeting yesterday that we were unable to  
bring before the commission many of the witnesses which were very  
important to hear. At Port au Prince we have only a certain category of wit-  
nesses, being in the center of the country, we enjoy a little more  
than does the population of the interior. It is for this reason we  
brought you yesterday the witnesses in other localities, Mr. Delorme of  
Port-au-Prince, for example, was produced because it was the question of a recent  
war which proved that even until this moment the same procedure  
continues to bear upon our population in the provinces. We  
brought down here a former inhabitant of Hinche, because since he was  
at Port au Prince he was able to give you information upon things  
which occurred in that region.

MAN. Who was that witness?

Mr. ANGELL. Mr. Duchesne.

Dr. SYLVAIN. For the others, Mr. Boco was a witness at Port au Prince could give you information upon very grave facts relative to the burning of Port au Prince. I take this occasion to say to the commission a word about the attempts at intimidation, upon the terror which runs particularly in the regions of the northeast, and apropos of this I make allusion to certain culties which will prevent the populations of Hinche, Maissade, Les Caobas, Le La Source, St. Michel, Fort Liberte, from coming to Port au Prince. In addition to the great misery, which exists among this population, the treatment of the occupation or other hindrances which the agents of the occupation, particularly those who work as spies, have multiplied to hinder the sincere independent witnesses that arrive before the commission, I am unable, at the moment, to bring before the commission the precise facts to edify, because they were called unexpectedly.

The CHAIRMAN. Called unexpectedly, when? What?

The INTERPRETER. Because he was asked to produce them unexpectedly.

The CHAIRMAN. Asked by whom?

The INTERPRETER. The commission.

The CHAIRMAN. Does he mean this committee?

Mr. ANGELL. Can I explain your question to him, Senator? I don't think he understands.

(The interpreter spoke to the witness in French.)

Dr. SYLVAIN. Because of the requests made yesterday to designate the names of the persons.

The CHAIRMAN. The witness is a lawyer, isn't he?

Dr. SYLVAIN. Yes.

The CHAIRMAN. How long have you been in the practice of the law here?

Dr. SYLVAIN. Since the age of 21 years, and I am now 54. I have a great number of house letters written from everywhere, telling me why witnesses don't come here.

The CHAIRMAN. Letters from whom?

Dr. SYLVAIN. The people who wish to give testimony, and who wish to see the witnesses come.

The CHAIRMAN. He said he has a letter from some one, as I understand.

The INTERPRETER. Letters.

The CHAIRMAN. Now, from whom are these letters? Who are the writers of them and their addresses?

Dr. SYLVAIN. They were written to me, and I will place them before the commission.

The CHAIRMAN. That is, the letters themselves?

Dr. SYLVAIN. Yes.

The CHAIRMAN. Very well; read them.

Dr. SYLVAIN. It is very delicate to read before a public audience letters of this sort.

The CHAIRMAN. Witnesses must know the facts about which they are testifying here. We can not accept statements of that character and be content with them. What this committee wants are the facts in the case. We can not have with no predilections one way or the other, but we want the evidence.

Dr. SYLVAIN. I have so well understood that; I received letters to request the committee to go to these places.

The CHAIRMAN. What places?

Dr. SYLVAIN. Particularly those places that I designated just a moment ago. For this reason I wish particularly to draw the attention of the commission to the present insecurity of those who would have come to testify and who live in that country. There is no guaranty at all for them against the persecution which may be exercised against them, because of their testimony, after the departure of the commission of investigation. Up to the present moment no guaranty has not been given to them.

The CHAIRMAN. Let me ask a question there. I shall ask some other questions a little later on. Who of these witnesses says that he fears persecution if he comes before this committee?

Dr. SYLVAIN. I am going to read several lines of some letters that I have.

The CHAIRMAN. Let me ask. Does this whole letter pertain to this subject?

Dr. SYLVAIN. Yes.

The CHAIRMAN. Then read the whole letter. Or can the interpreter read it, I suggest the interpreter read it, and he can translate it to us as he reads.

IN. There are certain parts of the letter which do not concern this point, which do not need to be read before a public audience. The mass under the commission.

L. May I suggest, I have had an opportunity to examine one or two letters, some of them are very long, it would take a long time to read them to the committee. It is the intention of Mr. Sylvain to offer the letter to the committee, but reading only the parts that particularly

MAN. Very well. My objection is to taking an excerpt from a letter and reading it to this committee as though it were the whole of the letter. I would advise counsel here what a great injustice may be done to the committee by now misleading it may be to the committee.

L. He intends to file the whole of the letter with the committee—

MAN. Very well.

IN (reading):

My grand reflections of the things which have passed here at Fort Maitland, the unlimited atrocities which have been published and put into effect martial law, therefore I fear to take up the question of this committee. For me, as for others, if while I am testifying the plans and misdemeanors of the occupation they say to arrest me, what might I take? Alas, the occupation has done in the occupation of Haiti extraordinary cruelties. The Haitians of this place are delivered up to the occupation. The only ones who have need of existence are the ones who tell lies against their fellow citizens."

MAN. Let me get that. Who is ready to tell lies about their fellow

McCORMICK. Mr. Chairman, let me interrupt to address a question to the witness and then to the witness. These are charges of a general and atrocious character. Does the witness intend to submit evidence of this sort without sustaining affidavits of any character, without evidence of any character, without specific instances of acts and dates? I would counsel answer first, and then will the stenographer read my question, to the interpreter?

MAN. It is a very pertinent inquiry.

L. Subject to the difficulty under which I have inevitably found myself having arrived yesterday and having so many people to get in, I will say in answer to the question that according to my best knowledge, after having talked this matter over briefly with Mr. Sylvain, I am trying to give to the committee now primarily in answer to the question put to him yesterday afternoon, along this line by members of the committee, the best facts which he has at his disposition at the moment to my knowledge, not so much facts of cruelties, atrocities, such as have been mentioned in these letters, but the state of mind of the population in these regions. That, given that state of mind, people do not feel that they are coming down here and present themselves before the committee. All I have to say is that I view primarily to urgently requesting the committee or some other body to make a personal tour of inspection in these back areas of the country and thereby acquire at first hand information concerning that country, and in the limits of time they can spend there hear testimony on matters of fact which may be brought up against the occupation.

MAN. Now, let me suggest to counsel, as well as to the witness, that the committee has come here with an open mind on this subject. We want to hear the best we can get it, and I am satisfied that every member of this committee expects to make a report based upon the facts. We can not make a report based on charges. The difficulty with the situation here, as it seems to me, if I speak individually now—is this, that witnesses apparently assume that the committee must accept at par declarations or charges which are made without proof. If I understand this witness correctly, he says in the first place that the writer of this letter is terrorized; in the second place, he says that if witnesses come, that there will be other witnesses—I assume he means that some will lie about these things. We can not assume that the witnesses here have absolutely disregarded every principle of military law, and that they, as a whole, are responsible for these conditions. We have seen violations of the military or civil law by any one of these witnesses, the privates or the gendarmes, we are most anxious to hear that. We can not assume that the people do not want any cruelties toward any of these people

down here. But we must have evidence of these facts, and I have been hoping that the witness would be able to give us something concrete. I still hope so. I think what I have said, as well as what Senator McCormick has said, should be read to this witness, so that he may understand exactly what we want. We want the facts. We do not want alone these charges, or we do not want mere opinions as to what may exist back here in the hills sometimes. We want the facts.

Mr. ANGELL. May I say in that connection, Senator, that the witness is making these statements of alleged abuses on the part of the occupiers on the idea that he is personally testifying thereto and offering proof. By reading these letters from people back in the interior as the best evidence obtainable under the circumstances—martial law, the poverty of the people, the difficulties of transportation—to show their state of mind, in order that you gentlemen may, if possible, go back to some of these country districts.

The CHAIRMAN. Let me ask you a question. That statement can be very satisfying to the mind of even counsel here. This witness is an expert lawyer, an advocate. He knows conditions here. Assuming, for the sake of argument, that the witnesses themselves can not be produced, there is a question of taking affidavits or written statements, from each of these witnesses, that they know these facts, etc. And the committee should be furnished with that kind of evidence, it seems to me. Even assuming that there is this feeling of terror, I am not passing judgment upon that now—we ought to have more than mere rumors or mere allegations.

Mr. ANGELL. In answer to that statement, with which I must entirely agree, I wish to say that this witness and others have actual affidavits in support of these facts; that this is simply a general, introductory statement by the witness, not so much to prove the idea of offering specific evidence himself, but showing the state of mind of the populace.

Senator McCORMICK. Mr. Chairman, I think if we will stop now, in order to permit the stenographer to read by installments what has been said by the witness and the chairman to the witness, that he may understand the point of the statement.

The CHAIRMAN. Senator McCormick is entirely right, and I ask now that the notes of what Senator McCormick as well as myself have said may be read to the witness.

(The record, as directed, was then read to the witness by the stenographer.)

The CHAIRMAN. In view of these statements, let the witness proceed, if he has anything further to say.

Dr. SYLVAIN. We are in accord with the commission that it is facts that should be presented. I am not a witness, but everything that I say may be supported by direct testimony of those who have written to me. I have only the right to insist that the senatorial commission will go directly to those who may have given this testimony. I have designated the region of the northeast because there that there has been the most cases of atrocities.

The CHAIRMAN. Designate the localities.

Dr. SYLVAIN. Hinche, Maissade, Los Caobas, Thomonde, Mire Balais, La Source, St. Michel, Ouanaminthe, Fort Liberté.

The CHAIRMAN. Now, let him give the witnesses at each one of these places where he says we can get this testimony sustaining the charges.

Mr. SYLVAIN. I have here 21 files for Maissade alone, and I shall have the honor to put before the commission a long list for each locality. These are documents which I have here are sworn to before notaries. We have also a witness—very important—whom we wish to have heard to the commission of inquiry, but he is at this moment in prison, condemned to hard labor. It is Mr. Joli Bois Fils, a newspaper man, condemned to death by the press. Mr. Joli Bois Fils knows many facts and knows also many names. I desire this commission to make use of its power to cause Mr. Joli Bois Fils to appear before them.

The CHAIRMAN. I want to ask the witness a few questions. How did you learn that this committee was coming to the island?

Dr. SYLVAIN. I could not tell the exact date that we knew that the commission was coming. We did not know officially that the commission was coming until last week, by publication of Col. Russell.

The CHAIRMAN. Was not the fact known here in the island that the commission would come as soon as the senatorial duties at Washington would permit to come, and was not that fact known a number of weeks ago?

Dr. SYLVAIN. It was only a rumor, which other rumors denied.

The CHAIRMAN. Who first suggested here in the island this investigation?

- AIN. It was the Union Patriotique, by the memorandum of its delegation demanded that the senatorial commission come to Haiti.
- ERMAN. When was the Union Patriotique organized?
- AIN. November of last year.
- ERMAN. Who were the moving spirits in its organization?
- AIN. It is the delegate administrator, who is in your presence, Mr. Luvain.
- ERMAN. How many members are there in this union?
- AIN. We may estimate the number at 16,000 adherents throughout the country.
- ERMAN. On what do you base that estimate?
- AIN. Because we have committees in nearly all the communes of the country. These committees constitute the directing element.
- ERMAN. How often do they meet?
- AIN. That depends upon the locality.
- ERMAN. How often do they meet here in Port au Prince?
- AIN. Regularly every week.
- ERMAN. How many members are there in Port au Prince?
- AIN. The population may say in its generality that the membership is large.
- ERMAN. I am not asking what the population say. I want your own estimate.
- AIN. One may have an idea of the numerical importance of our organization from the manifestation which was organized yesterday entirely by the Union Patriotique.
- ERMAN. Have you a constitution or by-laws showing the principles of the organization?
- AIN. Yes.
- ERMAN. Will you furnish a copy for the record?
- AIN. I have none before me at this moment, but I will give one to you.
- ERMAN. What are the conditions of membership in this organization?
- AIN. In order to be an active member it is necessary to adhere to the principles proposed by the association and to participate in its action.
- ERMAN. How is this organization financed?
- AIN. By the dues of members. One gourd a month. And by extraordinary subscriptions.
- ERMAN. How much money has been collected from the membership?
- AIN. In the absence of the treasurer, and not wishing to give a sum that may not be entirely exact, I can not say at this moment.
- ERMAN. Give us the approximate amount.
- AIN. I avow that I can not furnish it personally.
- ERMAN. Can you get that information for us?
- AIN. I can, and I do not wish to give an approximate sum, because I want to be entirely exact; but if the commission desire I will give it this afternoon when I shall have seen the treasurer. I add that at all times the Union Patriotique has wished to have the necessary funds it has found them in the country itself.
- ERMAN. Very well. The committee desires that information and I am sure you will get it for us.
- AIN. I wish to ask the commission as soon as possible if they will make the necessary disposition to hear the witness, Joli Bois, who is in prison.
- ERMAN. We will take that up and decide that later. The witness has been heard in addition to the membership fee of a gourd a month, there are also ordinary subscriptions—I think that was the phrase that he used. From what source have these subscriptions come?
- AIN. Always from the Haitian people. In addressing themselves to their members or to our adherents.
- ERMAN. Has any money come from the United States?
- AIN. No; never.
- ERMAN. Who has employed the counsel representing the party?
- AIN. The Union Patriotique, in accord with the associations in the country. These are the ones who are in favor of the Haitian cause, notably the Society for the Liberation of Haiti and the Dominican Republic.
- ERMAN. Where is that society located?
- AIN. In New York.
- ERMAN. And who are the members of that society?

Dr. SYLVAIN. Mr. Moorfield Storey is the president; Mrs. Weed, the secretary. We have also Mr. Gruening, who is one of the members of the committee of this society; and Mr. Robert Herrick is treasurer.

The CHAIRMAN. If you know, who has been financing the activities of the society?

Dr. SYLVAIN. I don't know in a precise way, but I think it is the public of the United States.

The CHAIRMAN. Let me go to another matter now. Have you a statement which will show to this committee the number of members from the various communes or arrondissement of the island?

Dr. SYLVAIN. We can make this, but we had not thought it necessary to do it up to this time.

The CHAIRMAN. Do these various committees in these different localities report to the principal office here the number of members in each locality?

Dr. SYLVAIN. Each week the committee of Port au Prince, which is the central committee, sends out circulars to the members of the various committees in the Province to render an accounting of the acts of the week, and to give them general or particular instructions. Nearly every week we receive answers to these circulars, in which the members of these various committees tell us the things that pass in their localities.

The CHAIRMAN. Do they report the amount of money collected or disbursed?

Dr. SYLVAIN. The values collected when there is a call for funds from the central committee are sent to Port au Prince.

The CHAIRMAN. On behalf of the committee, I want to ask witness to furnish us a statement as to the membership in each of these localities, and the amount of money which has been received, and disbursements, if they can furnish it, and I want particularly to know the amount of money which the Central Union here has received from these outlying districts, as well as from its own membership.

Dr. SYLVAIN. This will be a bit long, because the localities are scattered.

The CHAIRMAN. But there must be some record here if your statement is correct that moneys are received and membership dues paid, etc. There must be some financial statement which can be furnished to this committee.

Dr. SYLVAIN. Yes. That will be done.

The CHAIRMAN. Now, just another matter. Has any money been sent to this Union Patriotique from the New York society or other societies in the State?

Dr. SYLVAIN. No.

The CHAIRMAN. Now let me go to another matter. When did the Union Patriotique begin its activities looking to the organization for yesterday's proceedings?

Dr. SYLVAIN. As soon as the Union Patriotique knew officially that the mission was going to arrive it practically organized the manifestation, but took care to prepare the population to that effect.

The CHAIRMAN. Who were the committee on arrangements?

Dr. SYLVAIN. The administrator delegate was at the head of the procession, but all of their members led their concours.

The CHAIRMAN. What outside help was used there, if any, in organizing the demonstration?

Dr. SYLVAIN. No outside aid.

The CHAIRMAN. Who prepared the banners which were displayed yesterday?

Dr. SYLVAIN. The committee of the Union Patriotique.

The CHAIRMAN. Name the committee.

Dr. SYLVAIN. We have the names and we will give them along with a list of our statistics, but I can not remember them all at once.

Mr. ANGELL. That is in the record already, at the end of the Haitian Memorandum. The names of the committee are all in the record already, following the relation of the Haitian members.

The CHAIRMAN. Will you give us statements showing copies of all of the banners which were displayed on the street?

Dr. SYLVAIN. The newspapers have reproduced them, but if the committee desires we can give them a copy.

The CHAIRMAN. We want a complete statement, and I want to know what suggested these different banners.

Dr. SYLVAIN. It was the committee who made these inscriptions.

The CHAIRMAN. Who paid the expense of it?

Dr. SYLVAIN. The committee.

IRMAN. How many members of the Union Patriotique were engaged in the activities of yesterday?

AIN. All of the Union Patriotique.

IRMAN. There were a large number of people there; in fact, most of who were not members of the Union Patriotique who came out to

AIN. It was the population, which sympathized with the Union Patri-

IRMAN. Were not a large part of these people who were on the street with the present administration of the Haitian Government; I Haitian administration?

AIN. There might have been, since it was a national manifestation addressed to all Haitians; but we did not apply ourselves to render of the opinions of the people in the manifestation.

IRMAN. The treaty which was made between the United States and the Government was ratified by your proper constitutional authorities,

AIN. The treaty which was voted under pressure from the agents of the United States Government.

IRMAN. Now, that is a bare assertion. Let me have your proof of

AIN. We have for one part the testimony which was produced before the senatorial commission at Washington, the secret records of the Navy Department published in newspapers of the United States, and the testimony which the committee reserve to produce before the senatorial commission. There is one member of our committee who is especially charged to develop this point of the commission. It is Mr. Pauleus Sannon, one of the delegates to the United States, former minister of exterior relations at the time the treaty was

IRMAN. Another matter. What paper in the United States was it that published this statement to the effect that the Navy Department secreted the result of this election was due to the activities of the United States Government?

AIN. Will you repeat your question, please?

IRMAN. Perhaps I can put it shorter. Just strike that out. The committee had a moment ago, when asked for evidence as to the activities of the United States Government in this election, in substance, that his proof was the publication in a paper printed in the United States, which disclosed the secret records of the Navy Department would prove it. I asked for the paper that was?

AIN. There were several papers which we received, but especially the New York Herald and America, a Catholic journal.

ELL. I think you may have misunderstood the previous testimony of the committee.

IRMAN. If I did, I would like to be corrected.

ELL. He said the proof of this lay, as he understood it, in testimony before the committee in Washington, and reproduced in some papers of the United States.

IRMAN. I would like to see the evidence showing that the Navy Department attempted in any way to influence this election here.

AIN. As to that which concerns the Haitians, we have in addition the testimony of Pauleus Sannon, whom I have just named to you, who was one of the members charged to negotiate with the United States, Senator Pouget, who was the member of the senatorial commission upon the treaty. We are ready to read before the commission, if the commission wishes.

IRMAN. The committee would like to be advised as to the activities of the Navy Department or any other department of the American Government which was responsible for this election, if that is true. Now, another

ELL. The interpreter asks is this the treaty or the election?

IRMAN. I had in mind—and I think my question will show, that I was asking about the election. Now, let us not have any misunderstanding

AIN. What election?

ELL. We started out by talking about the ratification of the treaty, and then what Mr. Sylvain referred to.

IRMAN. I spoke about the election.

Mr. ANGELL. The witness asks what election.

The CHAIRMAN. The election at the time of the ratification of this constitution, as I understand it. The vote on the constitution.

Mr. ANGELL. They are separate events. A month apart.

The CHAIRMAN. Let the witness make any explanation he wants about the matter. I may not have this in the proper sequence.

Mr. ANGELL. Future witnesses are prepared, sir, to testify specifically those points.

The CHAIRMAN. Very well.

Mr. ANGELL. Mr. Sylvain was not presenting himself as a witness.

The CHAIRMAN. Now, another matter. Who was responsible for this banner "Shall Haiti be your Congo?"

Dr. SYLVAIN. It was the committee of the Union Patriotique.

The CHAIRMAN. Was that done to arouse prejudice on the part of the people here in the island against the United States?

Dr. SYLVAIN. Not at all. On the contrary, this was done with the aim showing to the senatorial commission that the Haitian people hoped for that, following the spirit of justice and impartiality of the senatorial commission, it may not be thus.

The CHAIRMAN. You knew, did you not, that there was no such sentiment in the United States?

Dr. SYLVAIN. If I judge by the conduct of those who have been called to represent it here, under the last administration of the United States, we may be in some doubt.

The CHAIRMAN. Who prepared this banner "Shall Haiti be your Belgium?"

Dr. SYLVAIN. It was always the committee, and in the same spirit.

The CHAIRMAN. And who prepared this, "Shall Haiti be your Ireland?"

Dr. SYLVAIN. The same answer. The committee, in the same spirit.

The CHAIRMAN. Did you expect that banners of that kind would influence or control the judgment of the committee?

Dr. SYLVAIN. How control the spirit of the committee. We can not influence or control the spirit of the committee since we have confidence in the committee to repair injustice and wrongs which we bring to their notice.

The CHAIRMAN. I want to say now for the committee that it can not be influenced by banners or propaganda, but it can be influenced by evidence and facts. Now, let me make this suggestion: In view of your statement that you did not expect to influence the committee by those signs, is it not a fact that one of your purposes was to arouse your own people?

Dr. SYLVAIN. No. The commission upon its debarment has received the people a reception so sympathetic that a response to this question should already have been made.

The CHAIRMAN. I desire to say for the committee that its members fully appreciate its generous whole-hearted reception, which was given to you people here, and we shall take pleasure in making full report in behalf to the Senate and to the people of the United States. This commission only desires the good of the people of Haiti, and the questions which it asks are for the sole purpose of eliciting the truth, whatever it may be.

Another question. It has been said to some of us that in this Union Patriotique there were one or more candidates for the presidency of Haiti. Is that true?

Dr. SYLVAIN. I should say to the commission that the Union Patriotique has constituted itself with the determination not to concern itself with the politics of any party or any person. They take up only questions of patrie. An article of our organization makes this a formal condition of participation in the affairs of the association. However, as we have among us men who have occupied eminent positions in politics, it may be that among them, if they were called by the vote of their fellow citizens to the presidency of the country, would accept willingly. Therefore, to reply in a precise way to this question, I will say to the honorable Senators that the association does not recognize any candidate for the presidency.

The CHAIRMAN. Is it opposed to the present Haitian administration in the island?

Dr. SYLVAIN. Emphatically, no; because we concern ourselves only with questions of national interest.

The CHAIRMAN. Now, another question. I assume that the witness states that prior to the American occupation here there was a very great disorder.

IN. Does your question concern the Haitian administration or the situation of the country?

ERMAN. I am referring to the entire situation here in the country. Put it in another way: Prior to the American occupancy, is it not true that there was a great deal of disorder in the island?

IN. At certain times; yes.

ERMAN. And at times there were revolutions?

IN. Yes.

ERMAN. And this disorder and these revolutions led to the danger of loss of property?

IN. One must know if you speak of foreigners or Haitians.

ERMAN. Well, describe either one. I am not concerned about that.

IN. As far as foreigners were concerned; no.

McCORMICK. These gentlemen who are standing in the chamber, I think it a matter of courtesy to the committee, if nothing else, ought to keep silence during the interrogation of a witness.

ERMAN. The suggestion is very good. Of course, we understand that those who are here do not intend to disturb us, but there is a constant low whispering that interferes both with the witness and the Senators.

IN. I permit myself upon this subject to say to the commission that I have heard that this session was public, the interested ones and the people in general, would have desired that the audience would have been in a place large enough to prevent this little inconvenience, but those who are listening at this time can not fail to defer to the suggestion of the commission.

ERMAN. Oh, there was certainly no discourtesy intended at all. I think it is the usual caution. It happens in our own committee rooms, and is very precautionary.

ERMAN. There was, prior to the American occupancy, danger to life and property in the island, was there not?

IN. I said a moment ago that as to that which concerns foreigners, it is impossible to have two parties fight one against the other—and that only of Haiti but of all countries in the world—without there being some fighting the combatants.

ERMAN. Let me be a little more specific. For a number of years the Haitian Government and the Haitian Government had a good deal of trouble with the Cacos known as the Cacos in the northern part of the island; isn't that

IN. It is true.

ERMAN. And the revolutionists generally started up in the northern part of the island among the Cacos, did they not?

IN. Yes. There were no Cacos, if it were not in that part of the island.

ERMAN. The revolutionists generally combined with the Cacos, did they not?

IN. It was the Cacos themselves who were the revolutionists.

ERMAN. And they, to a large extent, controlled your Government at that time, is that not so?

IN. No. When a Government was formed of former Caco chiefs, the Government was sympathetic with its partisans.

ERMAN. When do you mean that the Government was in the control of the Cacos? What was the period?

IN. The Government was never under the power of Caco chiefs. The Caco chiefs, men, who were able to make use of Cacos to arrive, once in power would have a certain gratitude for the Cacos forces which they had but once becoming chief of the Republic they could not remain dependent upon the Cacos.

ONES. How did the Cacos aid anyone in gaining control of the Government?

IN. It was not just anyone. It was only the men who had had no political place.

ONES. Well, how did the Caco organization aid anyone in getting into political place?

IN. Because they were the people of the mountains, or the inhabitants which were difficult to penetrate, who could thus organize themselves more easily than other revolutionaries. This situation gave

them a discipline and an organization and a solidarity which permitted them to organize more easily for military action than others.

Senator JONES. Was control of the Government secured through military action?

Dr. SYLVAIN. Certainly. It was not the control of the Government. It was the support given to political chiefs who wished to arrive at the presidency.

Senator JONES. What sort of support?

Dr. SYLVAIN. Military support.

Senator JONES. Do you mean to say that prior to the American occupation that your Government was controlled by people who got into power by the military occupations?

Dr. SYLVAIN. Yes.

Senator JONES. Do you want to return to that sort of condition?

Dr. SYLVAIN. Certainly not.

Senator JONES. Well, how do you expect to have your Government run if the American occupation should cease? Would it not revert to that same condition which you have just referred to?

Dr. SYLVAIN. We have—I speak of the Haitian progressives—we have always hoped to have only civil government. It is the aspiration of the Haitian people. The military occupation of the United States has only served to turn us away from these aspirations. And one may regret that upon this point it has retarded us in our normal evolution. Therefore, we believe that the presence of the military occupation, as long as it is here, is a hindrance to the progress of the Haitian people toward a civilization which we shall give ourselves, and it is one of the very strong reasons which brings us to insist to the people and the Senate of the United States, in order that Haitians should be relieved of the military occupation as soon as possible, which can do no good for our country.

Senator JONES. Have you any assurance that the methods of governing your country would be different from what they were before the treaty with the United States?

Dr. SYLVAIN. We have experience. There have been several Haitian governments which have progressed in a normal road of civilization only since people are young one may not reasonably demand of them to realize in a few years the political and social situation which in all the great civilized States of the world has necessitated centuries of struggle and trial.

Senator JONES. Would it be necessary to continue those struggles and trials if the United States would no longer take part in your affairs here?

Dr. SYLVAIN. These struggles and these trials have always been continuous in all countries as a consequence of our conditions as men. We are not at this point placed in conditions other than those of other countries. We do not desire these struggles and trials, and we shall make all our efforts to avoid them, but we can not guarantee that in spite of our good will that we shall meet them. All that we can say is that we have in our country elements of civilization which permit us to dispense with the tutelage of other nations.

The CHAIRMAN. Let me make a suggestion now, and I mean it very seriously. The interpreter here has a very hard job, as everybody recognizes, and he, of course, wants to interpret correctly, and we want him to do so. I think he is as a general rule doing so. If there is any exception taken to any of his interpretations let that be by counsel and not by others interfering. You have three or four it only confuses and delays. Counsel, of course, is correct if the interpreter makes a mistake. If counsel feels that the interpreter has misconstrued something that has been said, we want the counsel to do so. Not other witnesses. Because if you have two or three breaking out it is confusing to everybody. Proceed.

Senator JONES. Has there been any change among the people of the island since the treaty with the United States with respect to their ability to manage their own affairs?

Dr. SYLVAIN. There certainly has been, if we take into view all of the changes for the worse, due to the administration and the control of the United States. However, we hope that the change for the worse will not have been deep enough to definitely ruin the elements of progress which were already constituted in the organization of the Haitian people.

Senator JONES. What organization of the Haitian people do you refer to?

Dr. SYLVAIN. I make allusion in one part to the education already given to the Haitian people. The experience which has come to it, and in a certain way to its degree of intellectual and moral development.

NES. When did that development take place?

N. In the course of our history. We have more than a century

NES. Prior to the treaty with the United States, those who wanted  
rol of the government, aroused the people and brought on revo-  
they not?

N. We have had, since our constitution as a nation, the misfor-  
n power citizens who were too often supported by military force.  
t is explained by the circumstances under which we won our inde-  
was the military chiefs who made the war of independence. It  
that they should have been the first chiefs of the Haitian state.  
r, that practice continued, but we have aspired more and more  
il government. It is thus that we have had recently presidents  
ic who were not military men. We have had a right to believe,  
ng more and more this disposition, that the Haitian people shall  
ognizing the superiority of civil government over military govern-

NES. When did you have a president elected without military aid?

N. We have had recently, as I told you, Mr. Michel Orestes, a  
e bar of Port au Prince, who arrived at the presidency without  
pressure. Before him we had Mr. Tancred Auguste, a farmer,  
d planter, who also arrived at the presidency without military

NES. How were they elected?

N. By a Haitian national assembly, formed of the chamber of  
the senate. I can cite also to the commission, among those who  
recent period, and military men who arrived without military  
a. Tirzias Augustin Simon Sam.

NES. When was the last president elected with military aid?

N. I may cite the present president, since it was known without  
his time that he was elected by military aid, by the military occu-  
United States.

NES. You are going to have some one else tell us about all that,

N. Yes. I cited to you a moment ago Mr. Pouget, who was sena-  
ne of the election of the President.

NES. Who was the previous President elected with military aid?

N. The President who preceded the present President, President  
laume Sam.

NES. What was his name?

N. Vilbrun Guillaume Sam.

NES. How long did he serve as President?

N. Several months.

NES. What caused the termination of his term?

N. What terminated the end of his reign was a matter of public

MAN. I think under the circumstances, we will suspend now until  
that hour will suit everybody, and we will resume at that time.  
ee is doing this out of regard for the interpreter. We realize  
al task it is.

L. Do I understand the committee will hear this afternoon indi-  
legations who desire to discuss the present situation?

MAN. Yes. We will adjourn now until 2 o'clock p. m.

on the committee adjourned until 2 o'clock p. m.)

#### AFTER RECESS.

tttee resumed its hearing, at 2 o'clock p. m., pursuant to adjourn-

enators Jones, Pomerene, and Oddie.

merene presiding.

at: Mr. Angell and Mr. Howe.

MAN. Let us proceed with the examination. Senator Jones, will  
with your examination?

NES. How long was Mr. Sam President?

N. Which Sam? There were two Sams—Mr. Tirzias Simon Sam  
run Guillaume Sam.

Senator JONES. Well, when were they President? Give it for both of them. When were they President?

Dr. SYLVAIN. Mr. Tirzias Simon Sam was President after President E. Polite, in March, 1896. He remained President until 1902. He served all his term as President. Mr. Vilbrun Guillaume Sam was from March, 1915, July of the same year.

Senator JONES. Who preceded him?

Dr. SYLVAIN. Mr. Davilmart Theodore.

Senator JONES. And how long was he President?

Dr. SYLVAIN. Several months also. October, 1914, to March, 1915.

Senator JONES. How did he get out of office?

Dr. SYLVAIN. By a revolution.

Senator JONES. Who preceded him?

Dr. SYLVAIN. Mr. Orestes Zamor.

Senator JONES. How long was he President?

Dr. SYLVAIN. From February, 1914, to October, 1914.

Senator JONES. How did he get out of office?

Dr. SYLVAIN. By a taking up of arms.

Senator JONES. What you call a revolution?

Dr. SYLVAIN. Yes.

Senator JONES. How many people were killed in that revolution?

Dr. SYLVAIN. I can not say exactly, but there was no enormous number.

Senator JONES. Who preceded him?

Dr. SYLVAIN. Michel Orestes.

Senator JONES. How long was he President?

Dr. SYLVAIN. Ten months.

Senator JONES. How did he get out of office?

Dr. SYLVAIN. By a revolution which put into power Orestes Zamor.

Senator JONES. Who preceded this man?

Dr. SYLVAIN. Mr. Tancred Auguste.

Senator JONES. How long was he in office?

Dr. SYLVAIN. About 10 months also.

Senator JONES. Did a revolution put him out?

Dr. SYLVAIN. He died while in power, of a sickness.

Senator JONES. Who preceded him?

Dr. SYLVAIN. Mr. Cincinnatus Leconte.

Senator JONES. How long was he President?

Dr. SYLVAIN. Eleven months.

Senator JONES. What put him out of office?

Dr. SYLVAIN. An accident. The National Palace exploded, and he died in explosion.

Senator JONES. Do you know what caused the explosion?

Dr. SYLVAIN. No. They say that it followed a natural explosion of the powder magazine which was in the palace, which contained powder B.

Senator JONES. Was the powder magazine in the capitol?

Dr. SYLVAIN. It was in the palace itself, in the courtyard of the palace, deground, under the palace.

(Senator McCormick here took the chair.)

Senator JONES. Why was it kept there?

Dr. SYLVAIN. Because it was to furnish the troops who were stationed at the palace.

The CHAIRMAN. Just a moment. Mr. Angell, I have suggested that on this part there should not be interruptions of the counsel or the interpreter is not customary to prompt witnesses before a Senate committee.

Senator JONES. Before the American intervention, what was the condition of the roads throughout the country?

Dr. SYLVAIN. The condition of the roads was that the Haitian administration kept them in the best possible state, according to their resources. They did continually work for their amelioration, and they had from that time projects with foreign companies tending to this amelioration.

Senator JONES. Were the roads in good condition?

Dr. SYLVAIN. There were parts which were in good condition, and parts which were not.

Senator JONES. What about the streets of Port au Prince?

Dr. SYLVAIN. The streets were good, and you may, up to the present, verify the good effect. Since the occupation nothing more has been done.

Q. All of these streets were paved before the occupation, were

A. There was a contract in course of execution, which was completed in short time after the occupation.

Q. What sort of a system of schools did you have before the

A. Do you speak of the special schools or the schools throughout the administration of the country?

A. Both.

Q. The general organization of the schools of the country includes public and the private schools, and the State prescribed a program throughout the country for the schools, both public and private.

Q. Were those rules lived up to? Were the schools conducted according to that program?

A. Yes. There are three degrees of instruction—the superior secondary school, and the primary school.

Q. And the children all go to school, do they?

A. The greater portion, because instruction is obligatory.

Q. Let me ask the witness a question, will you, Senator? If I, for example, to the north, put 100 adult peasants, men and women, to the test, many of them will be able to read and write?

A. That depends upon the region.

Q. Well, if I begin asking the questions 10 kilometers north of the capitol, until I reach the cape and ask the question of 100 men and 100

A. I have said that that depends upon the region. If you take it from the capitol and some a greater distance from the capitol, it is probable that the responses will be very different from those which might be obtained in regions which have been devastated by the American military occupation. For example, in all the region where there took place the revolution and the repression by the military occupation it is certain that for years they could not have been able to give instruction as before; in those places you will find a very large proportion illiterate.

Q. Just a moment. Let me point out to the witness that in the question to adults—grown people—the education of the last generation would make very little difference. If the witness does not care to answer the question directly, I will not press it.

A. Independently of the instruction they have received at the capitol, it is a state of mind which maintains its instruction, even though the primary, by the general state of the country. A peasant who has received elementary instruction sufficient for the peasant to take care of his family gives you an impression of an illiterate person.

Q. I have not any desire, let me say to counsel, to press this question. The witness does not care to answer it directly. I am seeking from the witness the literacy of the total adult population of the country. It is impossible to make the direct answer, I will not ask for the direct

A. I think, Senator, we might, subject to your approval, leave the question to the other members of the Union Patriotique, who has prepared a report to leave with the committee on just such subjects. Mr. Sylvain has interested himself with the idea of being a formal witness in any sense

Q. I will discontinue my examination.

Q. How long have you had compulsory education in this country?

A. Exactly, I believe it is, since 1864, because at that time we had a law in and Minister Dubois, who made a reform in public instruction, and the situation is much the same as exists at the present time.

Q. Have the children all been going to school since 1864?

A. All the children; no; but a large proportion of the children.

Q. What proportion of the children go to school and have been attending during these years of compulsory education?

A. It may be estimated on the whole for the cities, 50 per cent, and for the country 20 per cent. There is still another proposition. There are the children left out among families who do not go either to public or private schools, which augments the proportion.

Q. How long does the law require that they shall attend school

Dr. SYLVAIN. That depends upon the schools. For the primary school shorter time than for the secondary schools, because there are fewer classes go through according to program. Schools of primary instruction give education for four years and schools of secondary education for eight or nine years.

Senator JONES. And how many months during each year are these sessions?

Dr. SYLVAIN. There are two months of vacation each year, and then the days and public ceremonies during the year.

Senator JONES. Then, for 10 months in the year you have schools all over the country, do you?

Dr. SYLVAIN. Yes.

Senator JONES. And the children are attending about in the proportion you gave a while ago?

Dr. SYLVAIN. Yes.

Senator JONES. And that has been going on since about 1864?

Dr. SYLVAIN. Yes.

Senator JONES. Well, the people ought to be pretty well educated, do they?

Dr. SYLVAIN. I said that was the proportion for the inhabitants of a city may say that it is a country that in proportion to the number of inhabitants from the time at which they arrive as a people, free and independent, the high rank among educated people.

Senator JONES. How are the schools now?

Dr. SYLVAIN. I don't understand very well.

Senator JONES. Are the schools as good now as they were before the American occupation?

Dr. SYLVAIN. The occupation has had no effect upon the functioning of schools, except, as I said before, in those portions of the country which have sorely tried one may say that the situation is less good, because the civil authorities who have functioned by virtue of the convention and contrary to the terms of this convention, have not ceased to thwart the Haitian Government which concerns the funds necessary for the functioning of the schools, and the accumulation of the material and the schoolhouses, as well as for the training of professors.

Senator JONES. The American occupation has nothing to do with the schools, has it?

Dr. SYLVAIN. There has been to my knowledge, at Port au Prince, a superintendent of public instruction, who was not, it is well understood, a military functionary, who was a sort of civil functionary outside of the military, but the superintendent of public instruction has done nothing for the schools which is appreciable. It is not astonishing, because it appears he has more to learn from the high Haitian functionaries and the public instruction than he could give in any instance whatever. It is thus that, recognizing that he was not an expert in the law, he commenced studying at our law school, and then commenced to study. He was interrupted because he had to return to the States, where I hope he has finished his studies.

Senator JONES. You say that only 50 per cent of the children in the country go to school. Do not the others go? If not, why not?

Dr. SYLVAIN. Either because their relatives have a false idea of the fashion in which their children should be clothed, and because of their preference to keep their children at home, or because one part of them is forced to send their children at a very early age to apprenticeship at work in order to have at an early age the means of a livelihood.

Senator JONES. During what years are the children required to attend school?

Dr. SYLVAIN. From the age of 7 years, but more often they commence at an earlier age.

Senator JONES. How many years after they are required to begin attending school must they continue to attend school each year, under the law?

Dr. SYLVAIN. I have told you that the primary instruction lasts four years, the secondary instruction from eight to nine years.

Senator JONES. That would make 12 or 13 years of school?

Dr. SYLVAIN. All together.

Senator JONES. And the children must begin attending school at the age of 7?

Dr. SYLVAIN. That is the age at which they should commence, but even before that they commence.

ES. Then they must attend school for 10 or 15 years after they are  
e, then?

. No.  
ES. Well, then, what age are they permitted not to attend school?

. There is no age at which they are permitted to not go to school.

ES. Well, how does the law require them to attend then? At  
they quit school and not attend school?

. The law does not prescribe the time at which they must quit  
ram does prescribe a certain time during which they should follow  
gram.

ES. Now, you understand that that answer is inconsistent with  
are the provisions of your compulsory law? You are a lawyer?

minimum number of years that the children must go to school?

. There are two degrees of education.

ES. Repeat my question, please.

on was repeated to the witness by the interpreter.)

. If it is a child who takes only primary education, he may  
12 years.

ES. It is optional with the child whether it will take primary  
?

. It is the families who decide that.

ES. They decide when the children will start to school, do they?

. No; there is an age from which they must start to school, but  
them before that time. As soon as a child can follow the class;  
ve infantile schools.

ES. How much schooling must a child get? What is your com-  
r education?

. Four years. I have told you four years for primary instruction.

ES. And all the children must attend for four years?

. For the primary school.

ES. Then are they required to go to any school after the primary

. No.  
ES. Well, then, you have only four years of compulsory education,

. It is the primary school which has compulsory education.  
e are secondary State schools.

ES. I am trying to get at the compulsory period of them all.  
to understand that your compulsory period for going to school  
our years of primary school, is that it?

. Yes.  
ES. And beyond that there is no compulsory law at all?

. As I was going to say to you, there are no secondary State  
the child may continue his primary status.

ES. But he is not required to do it. I don't want a speech. I  
er to my question. Is the child required to attend any school  
ary school? Are they required to go to any school after the  
or not? You need not make a speech in answer to that question.  
er that yes or no.

. No.  
ES. Now, then, they start in at 7, or perhaps a little before 7,  
required to go to school four years only; that is, until they are  
of age, and then there is no compulsory law after that?

. No.  
ES. And only about half the children in the towns attend the  
se four years?

. That is the proportion.

ES. Why is not the other portion required to attend for these

. I have already answered.

ES. Take the period of time, say, of 50 years prior to the occu-  
any political revolutions did you have in Haiti?

. You are asking for the history of Haiti. But, any way, I may  
as possible, but you may know that, taking them President by

ES. You mean to say that practically every new President came  
tution?

Dr. SYLVAIN. No; I have not said that. Will you please read your question? (The question was read by the stenographer, as follows: "Take the past time, say, of 50 years prior to the occupation, how many political revolutions did you have in Haiti?")

Dr. SYLVAIN. In order to respond I shall have to reflect, in order to remember the names of the Presidents. Without saying, however, that each of those incidents came to power by means of a revolution.

Senator JONES. There were a number of revolutions, were there not?

Dr. SYLVAIN. Yes.

Senator JONES. And there were revolutions started which did not occur there were a number of those, weren't there?

Dr. SYLVAIN. There were certain attempts, as happen in all countries, call them revolutions, but in the United States they have another name, as in countries of Europe.

Senator JONES. What other name do they have in the United States?

Dr. SYLVAIN. They call them riots, uprisings, affrays.

Senator JONES. In these revolutions here in Haiti, what is done? What they do? Do they just simply have an uprising in one section of the country?

Dr. SYLVAIN. For instance, when the governmental authorities violate the law the citizens, after having ascertained that by using legal means they cannot obtain justice, call the population to arms to recover their violated rights. They engage then in battle with the governmental forces, and either the governmental forces overpower them or else it is the governmental forces that are beaten. If in all parts of the country they gain the upper hand, the Government is forced to retire, and a call is made upon the population in all parts of the country to send their delegates to the capital, which delegates characterize the Government, after having proceeded with the election of the Chamber of Deputies or the General Assembly, which names a new President of the Republic and which gives sometimes a new constitution.

Senator JONES. Did not your laws provide for change of government at intervals?

Dr. SYLVAIN. Yes.

Senator JONES. Then why did not the people change their officials unlawfully, instead of by revolution?

Dr. SYLVAIN. I have already explained to you that the revolutions were provoked only by the bad actions of the Government. They tried to correct these bad actions by legal measures, at first. Then, after seeing the Government, taking advantage of its authority, did not execute the laws, were forced to take up arms.

Senator JONES. Then your Government has very frequently been a bad government?

Dr. SYLVAIN. Yes.

Senator JONES. Well, now, what reason have you to believe that if the American occupation were withdrawn that you would have any better Government than you had in the past?

Dr. SYLVAIN. I believe the experience would have benefited the Haitian people. When they have seen that the domination of foreigners did not do for them either more prosperity or better education or the general amelioration of their situation they will understand that it would be better to have a Government, directed by a different class of men from those which there have been in the habit of placing in power.

Senator JONES. I don't understand what he means. Then, it is your judgment that if the people of Haiti had an opportunity to absolutely control their affairs they would have a better Government than they did have prior to American occupation?

Dr. SYLVAIN. I think so.

Senator JONES. And you think so solely by reason of the lessons that are learned during the American occupation?

Dr. SYLVAIN. I think so, first, for the reason and also because people change naturally with the times.

The CHAIRMAN. Mr. Angell, if the memoirs are not ready, the member of the committee might rise. Mr. Interpreter, will you announce that the committee will meet to-morrow at 2. In the meantime the chairman of the committee, the president of the commission, will remain for a few minutes to read the memoirs to be placed in the committee's hands by Mr. Angell.

(The memoirs to be presented by Mr. Angell will be filed with the committee.)

(Whereupon, at 3.30 p. m., the committee adjourned until 2 p. m. Tuesday, Dec. 1, 1921.)

# TO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

THURSDAY, DECEMBER 1, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO.  
*Port au Prince, Haiti.*

resumed its hearing at 2.30 p. m., pursuant to adjournment.  
ator McCormick.

N. Mr. Interpreter, will you say that I have received the eight  
have been given to me for the consideration of the commission;  
sonally read all of them. The other members of the commission,  
ed in making independent investigations, have not been able to  
f these memoirs touch historical subjects of an incontestable  
ers bear upon disputed questions. Others, in turn, deal with  
problems. In my judgment, after conversing with Mr. Angell,  
seem to me such as we can discuss informally and personally,  
mit me to converse in French and not in English—the official  
e Senate, which, of course, I must employ if I proceed at a

Therefore I have asked Mr. Angell to request a small number  
men, each responsible for the consideration of a single particu-  
remain with Mr. Angell, and I beg the company assembled, there-  
er the session of the commission adjourned and to excuse me,  
use the interpreter and the stenographer for the rest of the

e I formally adjourn the session of the commission, ask counsel,  
he cares to say anything before the record for to-day is closed.  
Thank you, Senator, for the opportunity. I do wish to make  
uest. We made a request yesterday, or the day before, for the  
f Mr. Jolibois, now in prison, and it was stated at that time by  
siding that a decision would be taken as to whether or not Mr.  
be brought from prison to appear here as a witness, and, if so,  
ould like to ask if any decision has been taken, and, if so, in  
whether he will be heard to-morrow.

N. I think no decision has been taken. I left the matter with  
pers of the commission when I parted company with them.  
are going to meet informally this afternoon to consider several  
among them.

We consider Mr. Jolibois as a very important witness.

N. Do you want to say anything about the priest?

Yes. One other matter also. We have here a priest, a French  
s lived a great many years in the islands, working among the  
s come from a long distance at considerable inconvenience to  
ent himself voluntarily as a witness before the committee. I  
efly with this priest and regard him as an important witness.  
that he must, if humanly possible, leave at 6 o'clock to-morrow  
er to get back to his parish. I should like, if possible, to have  
witness this afternoon.

N. That is not possible. Will you give the stenographer the  
address of the priest, in order that we may notify him at what  
heard to-morrow morning?

Mr. ANGELL. The priest is here now.

The CHAIRMAN. But I have told you he can not be heard this afternoon. I will consult the other members of the commission about their plans for the full meeting of the commission to-morrow morning.

Mr. ANGELL. I have his name, but I have not at this instant his address.

The CHAIRMAN. That you can obtain. Give the stenographer his name.

Mr. ANGELL. His name is Le Sidaner. He can be reached at the Arc de Triomphe, the Copal Palace.

The CHAIRMAN. Mr. Interpreter, will you announce that, having received from Mr. Angell, the counsel, the information that he has a witness who wishes called to-morrow, the session of the commission is adjourned for to-morrow until 9.30 to-morrow morning?

(Whereupon the committee adjourned until 9.30 a. m., Friday, December 1, 1900.)

# INTO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

FRIDAY, DECEMBER 2, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Port au Prince, Haiti.*

Committee resumed its hearing pursuant to adjournment, at 9.30 a. m.  
Senators Pomerene, Oddie, and Jones, Senator Pomerene presiding.  
Present: Mr. Howe and Mr. Angell.

CHAIRMAN. The committee will come to order. Senator McCormick, our  
witness is detained in another branch of the investigation which we are  
conducting on the island, as the other members of the committee were on  
the island. Now, proceed with the first witness. Let him be sworn.  
The witness suggest that the witness give his full name, his location, length  
of time he has been on the island, and the length of time he has been officiating  
and then proceed with his statement.

**WITNESS: ABBE LOUIS MARIE LE SIDANER, PRIEST,  
THOMAZEAU, HAITI.**

Q. Give your full name, where you are located, your occupation,  
and how long you have been in that occupation on the island of Haiti.

A. Abbe Louis Marie le Sidaner, curé of Thomazeau; 16 years

Q. You are a French citizen?

A. Yes.

Q. Born in France?

A. Yes.

Q. And you are the priest at Thomazeau?

A. Yes.

Q. How long have you been the priest at Thomazeau?

A. Five years and a half.

Q. And to what territory do your activities extend?

A. The commune of Thomazeau.

Q. And how large an area is that?

A. Does the father speak English?

A. No.

Q. How large an area is that?

A. I do not know the extent of the commune.

Q. Have you been familiar with the sentiment and the life of the  
Commune of Thomazeau during the past five and a half years?

A. All of the priests in the communes here live intimately  
with the people.

Q. Will you tell us briefly and exactly what were the sentiments  
of the commune of Thomazeau at the time of the American  
occupation and landing in 1915?

A. The people were very peaceable in this place and full of  
confidence. They were in full sympathy with the American occupation.

Q. Did they or did they not have confidence in the Americans  
Gendarmerie organized by the Americans?

A. At the beginning they had full confidence.

Q. Now, will you tell us what are their sentiments toward the  
American occupation at the present time?

A. They no longer have confidence.

Mr. ANGELL. Will you tell us briefly, if you can, why there has been a change in their sentiments?

Father LE SIDANER. Because of certain cruelties which were committed in the mountains of Crochus especially.

The CHAIRMAN. Is that in your parish?

Father LE SIDANER. Yes; in my parish.

Mr. ANGELL. To what do you refer when you speak of cruelties?

Father LE SIDANER. It came about in this way: Fulfilling my ministry in Crochus, several parishoners came to me crying, denouncing crimes which had been committed toward their husbands. I told them that I wished to take statements in writing.

The CHAIRMAN. Cruelties committed by whom?

Father LE SIDANER. They said that these cruelties were committed by marines and gendarmes.

Mr. ANGELL. Did you make any personal investigation yourself?

Father LE SIDANER. I gathered certain honorable witnesses whom I know to be perfectly reliable.

Mr. ANGELL. Were these witnesses parishoners that you had known yourself?

Father LE SIDANER. Yes; I knew them perfectly and knew them to be perfectly honorable.

Mr. ANGELL. Did these cruelties of which you speak relate to the burning of houses in the region of the Crochus?

Father LE SIDANER. Yes; in the Crochus itself.

The CHAIRMAN. What is that?

Mr. ANGELL. That is the name of a little place—Crochus.

The CHAIRMAN. Will you tell us now what you know yourself—that is, what you have seen and heard yourself—of the burning of houses at Les Crochus?

Father LE SIDANER. Personally, I saw after the fire the houses still smoking.

Mr. ANGELL. What was the approximate date of this event?

Father LE SIDANER. I can not say exactly, but it was the first two weeks of August, 1919.

The CHAIRMAN. How many houses?

Father LE SIDANER. I didn't count them exactly, but I believe there were about 250 or 300 houses.

Mr. ANGELL. To whom did these houses belong?

Father LE SIDANER. These houses belonged to inhabitants who lived there.

Mr. ANGELL. What was the occupation of these inhabitants?

Father LE SIDANER. Agriculturalists.

The CHAIRMAN. Let me ask, so that we get the situation: Were these houses in a little village or town or were they scattered throughout the country over what amount of territory?

Mr. ANGELL. Were these houses all close together in a single village, or were they scattered about over the countryside?

Father LE SIDANER. It was all over a region.

The CHAIRMAN. How large a region? Give us some notion about it.

Father LE SIDANER. The dimensions are very difficult to give, since it was in the mountains, and it is very difficult to give the size of the region.

Mr. ANGELL. Will you give us some approximate idea; that is, was it from one end of the region to the other, 5 kilometers or 20 kilometers?

Father LE SIDANER. About 5 kilometers, I should say.

Mr. ANGELL. You mean from one end of the region to the other?

Father LE SIDANER. Yes.

Mr. ANGELL. Did you yourself see these 250 or 300 houses which you just stated were burned?

Father LE SIDANER. I saw them still smoking.

Mr. ANGELL. Did you make a personal tour through this whole region and see these several houses burning, or after having been burned?

Father LE SIDANER. I saw all the houses burn and some of them still smoking.

Mr. ANGELL. Tell us what you know, if anything, of the person or persons who burned or were responsible for the burning of these houses.

Father LE SIDANER. It was a company of marines and Haitian gendarmes.

Mr. ANGELL. Commanded by whom, if you know?

Father LE SIDANER. By one named Wedor.

The CHAIRMAN. Now, read that. I don't think he has that all.

(The record was read by the stenographer.)

The CHAIRMAN. Give his full name, and rank, and location.

Father LE SIDANER. I know no more than that.

Q. Do you know this Lieut. Wedor personally?

SIDANER. Yes; he came to my house afterwards to make excuses.

Q. How long a time after the burning did Lieut. Wedor come there?

SIDANER. I don't know exactly how many days, but I think it was a few days that followed the burning.

Q. Where was your house?

SIDANER. My house was in the center itself of the burning.

Q. Was your house burned?

SIDANER. Yes.

Q. Was your chapel and presbytery burned?

SIDANER. Yes. As were all other houses. No houses remained.

Q. What did Lieut. Wedor say to you on the occasion of his visit?

SIDANER. I don't remember exactly his words, but I do recall that he made excuses.

Q. Excuses for what?

SIDANER. Excuses for having burned the chapel, which he said he had burned as a chapel.

Q. Did he say anything to you about the burning of other houses in the region?

SIDANER. It is more than a year and a half ago, and I don't remember his words.

Q. Do you remember whether or not he did say anything about the burning of other houses in the region?

SIDANER. He spoke of them, but I don't recall his words. I re-

Q. Reproached him with what?

SIDANER. For having burned these houses unnecessarily.

Q. Now, let me suggest, you are simply giving conclusions, "He made excuses" and "I reproached him." Give us as nearly as you can the substance of those excuses, and what you said to him in those remarks, so that we can understand that as an American lawyer. Under our practice we want the substance.

Yes.

Q. Let me say, explain to him, if he doesn't remember the substance of it, under the rules of practice as we have them.

SIDANER. I have already said that I don't know his exact words.

Q. If you are unable to give us the exact words, will you give us the substance of what he said on that occasion?

SIDANER. I don't know exactly his words. I know only that he made excuses to me. That is all I recall.

Q. When you say that he made excuses to you, do you or do you not mean that he made excuses for having burned or caused the burning of other houses in the region at that time?

SIDANER. No. It was because he had put fire into my presbytery and he excused himself for that.

Q. What reason did he give for the burning of the houses?

SIDANER. I don't recall his excuses. He was sent there against

Q. Were there any Cacos in that region at that time?

SIDANER. There had been Cacos the day before and the day pre-

Q. Were these Cacos persons living in that region in those houses who were burned?

SIDANER. No; these Cacos were refugees from Mire Ballais.

Q. What were they doing up there, those Cacos?

SIDANER. They were hiding there only.

Q. Hiding in these houses that were burned?

SIDANER. No; they were hiding in the woods.

Q. Did the lieutenant give any reason for burning the houses?

SIDANER. It was because the Cacos were there. That is the only reason.

Q. Did you make up at that time a list of the houses burned?

SIDANER. I did not make the list, but a list has been sent. Here

It was not made by him. I will not offer it.

The CHAIRMAN. How many does it show?

Father LE SIDANER. I didn't count exactly, but I believe there are about .

The CHAIRMAN. Who prepared this list for him?

Father LE SIDANER. This list was prepared by a chief of the chapel.

Mr. ANGELL. Is this a religious officer under your authority?

Father LE SIDANER. No; it is a Haitian who is sacristan.

Mr. ANGELL. Was it prepared at your request or under your direction?

Father LE SIDANER. No. I did not know that the list was being prepared; it was sent to me without my knowledge.

Mr. ANGELL. Does this list give the names of the owners whose houses were burned and the number of houses in each case burned?

Father LE SIDANER. Yes; perfectly.

Senator JONES. You believe it to be a correct list, do you?

Father LE SIDANER. The list is correct.

Mr. ANGELL. Do the committee care to accept that list?

The CHAIRMAN. Oh, yes.

Mr. ANGELL. As made under the circumstances?

The CHAIRMAN. Yes.

(The list above referred to and presented by the witness is on file with the committee.)

The CHAIRMAN. Just in that connection, ask him this one question. Has he gone over this list carefully, and does he recall that any or all of these houses were in fact burned?

Father LE SIDANER. I have personally examined the list, and nearly all were burned.

Mr. ANGELL. Do you know many or all of the persons whose names appear on this list?

Father LE SIDANER. I don't know all of them, but I know a large part of them.

The CHAIRMAN. That we may understand this more fully, does that party to give the names of the owners or occupants or their location or address? Other words, was there a tenant or something of that kind?

Mr. ANGELL. Can you tell us whether these names appearing here are the names of the owners or of the tenants of these houses?

Father LE SIDANER. Ordinarily, they are all owners.

Mr. ANGELL. What was the number, if you knew, even approximately, of the Cacos who had appeared in this region the day before the burning of these houses?

Father LE SIDANER. I don't know the exact number, but it was a band of Benoit Batrville, who had passed by there the day before.

The CHAIRMAN. Did you see him or see this band?

Father LE SIDANER. No; I did not see him.

The CHAIRMAN. Did he may any inquiry, or did any of the people living in that vicinity tell him how many there were, or approximately how many there were?

Father LE SIDANER. The people of the place came and told me that the band had been there.

The CHAIRMAN. Well, that doesn't answer the question. Did they tell you how many there were, approximately?

Father LE SIDANER. No. They told me only that it was a band of Benoit Batrville.

Mr. ANGELL. Were all these houses burned at the same time? That is, within a period of a day or so, if you know?

Father LE SIDANER. All on the same day.

Mr. ANGELL. Were these houses situated so close together that the fire could have spread by natural causes merely from one house to another?

Father LE SIDANER. They were in various groups, and fire was put in one group.

Mr. ANGELL. That doesn't answer my question. Were the houses situated so close together that it would have been possible for the fire to have spread from one group of houses to another group?

Father LE SIDANER. That is to say, that when fire was put to one house it could have caught the other houses in the same group?

The CHAIRMAN. In other words, spread to the other houses by means of sparks.

Father LE SIDANER. Yes; they wanted it to spread.

The CHAIRMAN. Another question in that connection. How many groups of houses were there?

SIDANER. I can not tell the number of groups.

MAN. Well, you can tell approximately. We are not asking the

SIDANER. It is very difficult to say. In the mountains it is very

MAN. Were there 5 or 10 or 15 or 20?

SIDANER. Oh, there were at least 20 groups.

NES. What kind of houses were they?

SIDANER. They were houses covered with grass.

NES. How large was each house?

SIDANER. Ordinarily the houses in the mountains are about 30

NES. Of what material are the walls made?

SIDANER. The walls are made, as it is said in the country, in

NES. Is that the size generally of those houses, 12 by 30?

SIDANER. Ordinarily, those are the dimensions of the houses of the

NES. How many people live in a house?

SIDANER. That depends upon the families. There are families who

NES. Are those houses divided into rooms?

SIDANER. Ordinarily into two rooms.

NES. How are they furnished?

SIDANER. More or less well furnished, according to the means

NES. What became of the furniture that was in these houses when

SIDANER. According to the declarations of the inhabitants, the

NES. Do you mean that it was taken by the gendarmerie and carried

SIDANER. Yes. It was taken away. That is to say, it was stolen.

NES. Where was it taken to?

SIDANER. I don't know.

NES. Did you see the gendarmerie there?

SIDANER. No; they had gone. I didn't get there until sometime

NES. How many of them were there, according to the report of

SIDANER. I did not ask how many there were there, or if I did

NES. Were they Haitians or Americans?

SIDANER. Haitians and Americans.

NES. How many Americans?

SIDANER. I can not say.

NES. What became of the people after their houses were burned?

SIDANER. The people were dispersed; terrified.

NES. Where did they go to?

SIDANER. In the woods.

NES. Did they come back and rebuild the houses?

SIDANER. It was about eight months later when I went to France,

NES. Did the gendarmes have any wagons to take away the fur-

SIDANER. No.

NES. Do you believe that those gendarmes carried away all the

SIDANER. No; not the furniture, but the articles which were

NES. What became of the furniture?

SIDANER. The furniture was burned in the houses.

NES. Did the inhabitants try to save any of the furniture?

SIDANER. The inhabitants had fled.

NES. From whom did you gain your information about this occur-

Father LE SIDANER. From the inhabitants, the victims themselves.

Senator JONES. How far away had they gone?

Father LE SIDANER. In the woods and ravines around there where they were hidden.

Senator JONES. Did you go out where they were?

Father LE SIDANER. Yes.

Senator JONES. How long did they stay out in the woods?

Father LE SIDANER. They stayed out in the woods several months. Some of them returned, but the rest stayed out in the woods during several months.

Senator JONES. Why didn't they come back immediately? What were they afraid of?

Father LE SIDANER. They were terrified. They were afraid of a return by the gendarmes.

Senator JONES. Where had the gendarmes gone?

Father LE SIDANER. After the fire?

Senator JONES. Yes.

Father LE SIDANER. They returned to Mire Bealais probably.

Senator JONES. How far away is that?

Father LE SIDANER. Two hours on horseback.

The CHAIRMAN. Where was Father Le Sidaner when his house and chapel were burned?

Father LE SIDANER. I was in Thomazeau itself.

The CHAIRMAN. In the home?

Father LE SIDANER. At my house at Thomazeau.

The CHAIRMAN. Did you say anything to these men who burned your house and chapel at that time?

Father LE SIDANER. No. I was not there at the time. I have my house at Thomazeau, or my principal house. I have a house and chapel in the district of Crochus.

The CHAIRMAN. How far were you from this village of Crochus at the time of the burning?

Father LE SIDANER. It is about four hours on horseback.

The CHAIRMAN. Was your house and chapel in one of these groups of houses that was burned?

Father LE SIDANER. Separated in a big courtyard.

The CHAIRMAN. Were the people in that vicinity afraid of the Cacos?

Father LE SIDANER. They were not in the Cacos. They were afraid of the Cacos also.

The CHAIRMAN. While the Cacos were in that vicinity did they remain there?

Father LE SIDANER. In this connection, I have an explanation to make. I had said to the people of this region that when the Cacos came there to the American authorities, either at Thomazeau or at Mire Bealais, that the Cacos were there, in order to show that they did not make common cause with the Cacos.

Senator JONES. What did the Cacos do when they were there?

Father LE SIDANER. They did nothing bad. They did no harm.

Senator JONES. What was the occasion for the Cacos being there?

Father LE SIDANER. They had been driven out of Mire Balais and were hiding there.

Senator JONES. They were hiding in this village or this group of houses?

Father LE SIDANER. No; they had made a camp there.

Senator JONES. Where had they made their camp?

Father LE SIDANER. At a place called Marain, just before the chapel.

Senator JONES. How close to the chapel was that camp?

Father LE SIDANER. Just in front of the chapel. Only the road separated them.

Senator JONES. What sort of a camp did they make?

Father LE SIDANER. They just slept and ate there under the trees.

The CHAIRMAN. How long after or before the marines and gendarmes arrived did you learn that the Cacos were in that vicinity?

Father LE SIDANER. It was several days before the fire I had given the order to go and to notify.

The CHAIRMAN. Given whom the order?

Father LE SIDANER. The inhabitants, who had come and notified me.

The CHAIRMAN. Did they tell you about how many Cacos there were?

Father LE SIDANER. No. They only told me it was a band of Benoit.

ERMAN. Did you ask this informant how many were there?

E SIDANER. No, I did not ask.

ERMAN. Did not you think it was important that the American forces gendarmerie should know how many were there?

E SIDANER. The one who went to notify them must have told them there were.

ERMAN. Did you not want to know how many there were there when he told you?

E SIDANER. I did not think to ask him. He told me it was a band of

ERMAN. How many marines and gendarmerie came?

E SIDANER. I said awhile ago that I did not recall the exact number it was in the sixties.

ERMAN. Where did the Cacos get their food supplies which they ate near the chapel?

E SIDANER. They made requisition upon the inhabitants, stealing a good deal there, as was the custom.

ERMAN. And did the inhabitants there give food supplies to the Cacos?

E SIDANER. They were obliged to. The Cacos did not ask for it.

ERMAN. Were any of these people paid for this food supplies by the government? Don't they do that?

E SIDANER. No.

ERMAN. Had the Cacos been there before?

E SIDANER. No, no, never.

ERMAN. Did some of your people sympathize with the Cacos?

E SIDANER. No, not one. On the contrary.

ERMAN. Did not Lieut. Wedor say to you that the reason for the burnings of places was that the Cacos were being sheltered or supplied by the

E SIDANER. No; he did not give me any reason. I don't recall exactly. I reproached him for having put fire without asking for information.

ERMAN. What did Lieut. Wedor say to that?

E SIDANER. I don't recall exactly what he said beyond that. I talked a few minutes—not more.

ERMAN. Lieut. Wedor or the American forces offered to rebuild this house, did they not?

E SIDANER. No; and I did not ask either.

ERMAN. Are you opposed to the Americans continuing here on the

E SIDANER. No.

ERMAN. Do you want them to remain here?

E SIDANER. That is a question which I am not competent to answer. I do good and inspire confidence in all these people, which is necessary, in such a way that this population may return to their country in peace and continue to work without fear of being again molested by the Cacos or other authorities.

ERMAN. Did these Cacos have any horses with them or burros.

E SIDANER. Some of them had horses, and in order to get away they took their horses everywhere they had gone.

ERMAN. Did they take saddles also?

E SIDANER. They didn't tell me. The inhabitants didn't complain of anything stolen from by the Cacos, outside of foodstuffs.

ERMAN. Before the American forces came here, did the Cacos come in contact with the people in your section?

E SIDANER. No; perhaps in the past before my time, but in my time not at all.

ERMAN. They did, however, do a great deal of stealing and cause a great deal of rioting and disturbance throughout the island here, did they not, during the American occupation?

E SIDANER. Before the occupation there were no Cacos in my country, in my time there.

ERMAN. That does not answer my question. I did not limit my question to your time. I said throughout the island.

E SIDANER. I do not know for the past, not having been in charge of the island at that time.

The CHAIRMAN. You know that as a matter of general information, do you not? As to matters in the island prior thereto?

Father LE SIDANER. What conditions? I can't answer that question. I do not know the Cacos before.

The CHAIRMAN. Well, I will not press that any further.

Senator JONES. What do these Cacos do, and why do they call them Cacos? Father LE SIDANER. I can not answer that question. I am a foreigner and do not know why they call them Cacos.

Senator JONES. What do the Cacos do?

Father LE SIDANER. They don't exist any more. But they made war among the Cacos there were those who made war purely and simply, and with them there were many people who formed in groups to pillage and so on. Those I do not call Cacos, in my opinion. They are thieves.

The CHAIRMAN. Didn't the political leaders or some of the political leaders join forces with the Cacos at different times during the revolutions in the island?

Father LE SIDANER. I don't know. I am not informed on that question. I have seen the Cacos in the mountains; that is all. I have never seen any of the city people with them at all; never.

The CHAIRMAN. Was it understood among the American forces and the gendarmerie that the people in this burned region sympathized with the Cacos?

Father LE SIDANER. That is to say, if I understand that, they were not informed. It is that I reproached them for; because I myself, exactly, as I reported to the authorities, Haitian and American, as often as I saw them in Crochus and in all of the Commune of Thomazeau there were no Cacos at all. The Cacos which they found in the mountains of Crochus were forced to the commune, coming from Mira Balais or Los Coabas. At Crochus I was after making an investigation myself, that there were not more than a dozen of our bad people who were joined with the band of Cacos.

The CHAIRMAN. Do I understand that you say that you think there were more than a dozen of your people who joined with a band of Cacos?

Father LE SIDANER. There were not more than a dozen whom I knew of the Cacos. That is one dozen in 6,000 people.

Senator JONES. Where do those 12 live?

Father LE SIDANER. This dozen were rather vagabonds, having no precise place to live, and I myself denounced them to the gendarmerie.

The CHAIRMAN. Did you give their names to the gendarmerie or to the marines?

Father LE SIDANER. Yes.

The CHAIRMAN. Now, let me ask you another question: Do not you feel that whatever was done there was done under the orders of Lieut. Wedor, a matter of military necessity, and not because there was any malice or animosity of destruction toward the people?

Father LE SIDANER. I can not judge the sentiments, the intimate sentiments of Lieut. Wedor. That for which I reproached him was to have burned, caused to have burned, the houses of the population absolutely peaceable, without asking any information previously.

Senator JONES. How do you know that he did not ask for information previously?

Father LE SIDANER. I know because he set the fire upon his arrival.

Senator JONES. Who told you that that is what he did?

Father LE SIDANER. The inhabitants themselves.

Senator JONES. Did they tell you that he had no information regarding the presence there of the Cacos?

Father LE SIDANER. I have just said exactly that it was the inhabitants themselves, from the places burned—

Senator JONES. Were the inhabitants there when you returned and saw the houses?

Mr. ANGELL. Pardon me, he has not finished his answer.

Father LE SIDANER. Who themselves sent one of the notables to the proper authorities of Mira Balais that the Cacos were there in their houses and they did that in order to do their duty and show that they did not make common cause with the Cacos.

Senator JONES. Why did not the people there run the Cacos away themselves?

Father LE SIDANER. With what? They were not armed and they were peaceable people; very peaceable. They had not the habitude of arms.

Senator JONES. Have you any idea how many Cacos there were there?

SIDANER. No. I have told you that it was a band of Benoit, but of the band of Benoit changed from time to time as to its number. I had never seen the band of Benoit. The largest band that I Crochus was 17.

DDIE. I want to ask if some of those Cacos that you say were in might not have been part of the band of Benoit, or sympathizers and?

SIDANER. I don't know to which band of Benoit they belonged. they were vagabonds who profited by these orders to pillage and

DDIE. Might not they have been the ones who burned the houses e?

SIDANER. No; they did not exist at that time. It was later.

DDIE. Don't you believe that the Cacos had a practice of trying to lizers in the various villages?

SIDANER. Yes; by big promises; but they never succeeded in this

DDIE. Would not they have desired, in the case of members which have secured, to keep it secret from the other inhabitants of the

SIDANER. No; that could not exist. That would have been always

MAN. Is that all?

DDIE. I have nothing further to ask this witness.

MAN. Call the next witness.

L. I offer in evidence the list that the witness had.

MAN. Yes.

# MENT OF MR. POLIDOR ST. PIERRE, ST. MARC, HAITI.

L. Your name is Polidor St. Pierre?

ERRE. Polidor St. Pierre.

L. You were born at St. Marc?

ERRE. At St. Marc.

L. North of Port au Prince on the coast?

ERRE. Upon the coast north of Port au Prince.

L. Where do you live?

ERRE. At St. Marc.

L. How long have you lived in St. Marc—all your life?

ERRE. Since my birth.

L. What was your occupation in 1918?

ERRE. I was clerk in the justice court.

L. Is that still your occupation?

ERRE. No.

MAN. He was at what time?

L. In 1918, sir. And you were clerk of the justice court in Jan-

ERRE. Yes.

L. In your capacity as clerk of this court were you, in general, a legal procedure in that court?

ERRE. Naturally.

L. Now, will you tell us—confining your story to what you yourself d heard—will you tell us the story of your arrest at St. Marc?

ERRE. You see it is with indignation that I tell you this. It was uary, 1919, I was at my house after leaving the court. I saw endarmerie sergeant, who told me that Capt. Brown asked for me.

L. Do you know the full name of this Capt. Brown?

ERRE. I know his name is Brown; that is all.

L. Who was Capt. Brown?

ERRE. He was the captain at St. Marc.

L. Captain of what?

ERRE. Captain of the gendarmerie.

L. Was he an American?

ERRE. Yes.

L. Continue.

ERRE. I arrived at his private house. He had me conducted to

Mr. ANGELL. By whom?

Mr. St. PIERRE. The same sergeant. Arriving there he put me in iron hand and foot, and hanged me. I passed five days hung thus without food or drinking.

Mr. ANGELL. How were you hung up?

Mr. St. PIERRE. By the aid of a cord over one of the rafters of the prison.

Mr. ANGELL. Were your hands or feet tied during this period?

Mr. St. PIERRE. No.

Mr. ANGELL. Where did the rope by which you say you were hung up—was it attached to your body?

Mr. St. PIERRE. They attached it to the chains of the handcuffs.

Mr. ANGELL. Have you still on your wrists the marks of these handcuffs?

Mr. St. PIERRE. Yes.

Mr. ANGELL. Will you show them to the committee, if they care to see?

Mr. St. PIERRE. Yes.

Mr. ANGELL. There are other scars on his body, and this is so important that I will do it all at one time, I think. What happened at the end of this period when you say you were strung up?

Mr. St. PIERRE. The next morning this same Brown entered into prison.

Mr. ANGELL. You say the next morning. Do you mean the morning after you were taken to prison?

Mr. St. PIERRE. Yes.

Mr. ANGELL. Continue.

Mr. St. PIERRE. He entered, and he caused to be boiled a can of water then they took me and put me in a basin of cold water.

Mr. ANGELL. What was done with this can of hot water?

Mr. St. PIERRE. They put it on the fire.

Mr. ANGELL. What was done with it afterwards?

Mr. St. PIERRE. Afterwards they took a can of kerosene and a funnel, and he put in my mouth to make me drink the water, and I had three teeth broken.

Mr. ANGELL. Did they pour this water down this funnel thus put into your mouth?

Mr. St. PIERRE. Yes.

Mr. ANGELL. Who was the person who did that, if you know?

Mr. St. PIERRE. It was Brown and the gendarmes.

Mr. ANGELL. Was Brown in the room at the time this actually was done?

Mr. St. PIERRE. Naturally, he was there.

Mr. ANGELL. How many gendarmes were there?

Mr. St. PIERRE. There were four.

Mr. ANGELL. Do you know the names of those gendarmes?

Mr. St. PIERRE. Yes.

Mr. ANGELL. Give them.

Mr. St. PIERRE. André Jean Baptiste, Kernison Raymond, Charlemagne Perceval.

Mr. ANGELL. Was this Capt. Brown in the room all the time while this punishment was going on of putting this funnel in your mouth and pouring water down?

Mr. St. PIERRE. Yes; because it was he who caused it to be done.

Mr. ANGELL. Did you hear him give orders to the gendarmes to do this?

Mr. St. PIERRE. Yes.

The CHAIRMAN. Tell us what was said.

Mr. ANGELL. Can you tell us now the words which Capt. Brown was giving any such orders to these four gendarmes?

Mr. St. PIERRE. I was so indisposed that I could not understand his words, only I heard him say this, "Kill him."

Mr. ANGELL. Are those the only words that you can remember?

Mr. St. PIERRE. Yes.

Mr. ANGELL. These four gendarmes were all Haitians?

Mr. St. PIERRE. Yes; Haitians.

The CHAIRMAN. Was Capt. Brown of the marine force or of the gendarmerie?

Mr. St. PIERRE. He was the captain of the gendarmerie at St. Marc.

Mr. ANGELL. At this point may I just suggest to the committee that in the already considerable testimony in the record, the testimony of Mr. Evans, Capt. Fitzgerald Brown, in command of the prison at St. Marc in January 1919?

What happened after you say this water was poured down your mouth through this funnel?

Mr. St. PIERRE. After he caused to be heated a big, hot iron.

Was it this same day or another day?

RE. Two days afterwards; which he placed upon various parts

You say "he." Whom do you mean?

RE. Capt. Brown.

Where were you when you say he applied this hot iron to of your body?

RE. In prison.

Whereabouts in the prison?

RE. One of the rooms of the prison.

Was it a cell in which you were confined?

RE. Yes; in a cell.

How large was this cell, approximately? Was it as large as

AN. Is that important?

I was trying to find out whether there was room for other peo-

AN. Put that question direct.

Were there other persons present at the time you say Capt. this hot iron to your body?

RE. Yes; there were several.

Who, if you can say?

RE. Men and women.

You don't understand my purpose. I asked you what persons, if ne particular room at the time when this was done to you.

RE. The prisoners; men and women prisoners.

About how many?

RE. About 20 in that room.

And we are to understand that these approximately 20 per- plication of this hot iron to your body?

RE. Yes, naturally.

What time of day did this happen?

RE. At 12 midday.

AN. Were these men and women inhabitants of that vicinity, ive their names?

Were any or all of these 20 prisoners men and women who t this time inhabitants of St. Marc?

RE. Of St. Marc and of the city and the country.

Can you give the names of any of those 20 persons?

RE. Yes.

How many names can you remember?

AN. And let me suggest if he knows where they are living now, sent addresses.

You have given me on this sheet of paper two names. Will you

RE. Idora Donacien, and Mede, a man.

Do you know where this woman and this man live now?

RE. Yes; the woman is at St. Marc and the man is here in

Could you give us some description of the—

AN. What is he in the prison here for?

RE. He was condemned at St. Marc and I think they sent him

Condemned by what tribunal?

RE. The court of the first instance; at that time the civil court. That is the Haitian court.

RE. Yes.

And he is serving now in a Haitian prison?

AN. What was the charge against him on which he was con-

RE. He was a gendarme.

You have not understood my question. On what charge was

RE. Because of a man whom he had killed while he was a

Mr. ANGELL. Can you tell us how Idora Donacien, the woman at St. Marc, could be found? That is to say, the house where she lives in St. Marc?

Mr. ST. PIERRE. She lives in the city of St. Marc.

Mr. ANGELL. Can you tell us where in the city, what house?

Mr. ST. PIERRE. In the Rue Marine.

Mr. ANGELL. And you believe she is now in St. Marc?

Mr. ST. PIERRE. I think so.

Mr. ANGELL. These are the only names which you can remember of the persons whom you say were in the room at that time?

Mr. ST. PIERRE. Yes.

Mr. ANGELL. Do you remember now whether or not you knew or rec- any other of those 20; that is, at that time if you know any others of the

Mr. ST. PIERRE. Yes; at that time.

Mr. ANGELL. Besides these two?

Mr. ST. PIERRE. Yes.

Mr. ANGELL. And have you now forgotten their names?

Mr. ST. PIERRE. Yes; since I stayed in prison six months the others had to go home.

The CHAIRMAN. Now, let me suggest there is one very important matter that you have not touched on. What was the charge against him? What trial did he have?

Mr. ANGELL. I will come to it. Were you tried—

The CHAIRMAN. Put the question first. What charge was made against

Mr. ANGELL. What charge, if any, was made against you at the time you put in prison?

Mr. ST. PIERRE. Capt. Brown himself said that a theft had been committed at St. Marc, and I was among the number.

The CHAIRMAN. Public funds, was it?

Mr. ST. PIERRE. No.

Mr. ANGELL. Was the charge written, so far as you know?

The CHAIRMAN. Try to find out what kind of a theft; the stealing of

Mr. ANGELL. Did you see any written charge against you?

Mr. ST. PIERRE. None.

Mr. ANGELL. Now, tell us what this theft was of which you were being concerned with.

Mr. ST. PIERRE. The theft of money.

Mr. ANGELL. From where and at what time?

Mr. ST. PIERRE. It was the 24th of December.

Mr. ANGELL. Of what year?

Mr. ST. PIERRE. 1919.

Mr. ANGELL. You say you were imprisoned—

The CHAIRMAN. Oh, no; there is a mistake there of some kind. He was arrested on January 3, 1919. It could not have been for theft committed December, 1919.

Mr. ANGELL. You have just said you were put in prison in January. Then the theft to which you have referred could not have been committed December, 1919.

Mr. ST. PIERRE. Now, from whom was this money stolen, if you were charged?

Mr. ST. PIERRE. Yes; Capt. Brown afterwards said it was another.

Mr. ANGELL. I asked you from whom was the charge that you had money?

Mr. ST. PIERRE. From a man named Daniel.

Mr. ANGELL. Where was the theft alleged to have taken place?

Mr. ST. PIERRE. At St. Marc.

Mr. ANGELL. And a theft from the house of this Mr. Daniel?

Mr. ST. PIERRE. Yes.

Mr. ANGELL. Was anyone ever actually tried for this theft from Mr. Daniel?

Mr. ST. PIERRE. Yes.

Mr. ANGELL. Do you know his name?

Mr. ST. PIERRE. Yes.

Mr. ANGELL. Give it.

Mr. ST. PIERRE. Christian, he is called.

Mr. ANGELL. Was he at St. Marc?

Mr. ST. PIERRE. Yes.

Mr. ANGELL. Where was he tried?

Mr. ST. PIERRE. In the criminal court at St. Marc

ANGELL. When if you know?

ST. PIERRE. I don't know exactly the year.

ANGELL. Give it approximately as near as you can. Was it in 1920.

ST. PIERRE. I think it was in 1919.

ANGELL. And do you know what sentence he received?

ST. PIERRE. I was sick at that time.

ANGELL. Do you know now what the sentence was imposed on this man?

ST. PIERRE. He was liberated.

ANGELL. Was he found guilty, or was he acquitted of the charge of having from Daniel?

ST. PIERRE. He was acquitted by the jury.

CHAIRMAN. You said something about his being burned with this iron. Is what parts of his person.

ANGELL. I will have it put in the record by his question and answers, and I want him to show those marks.

ANGELL. Was anybody ever convicted of that crime?

ANGELL. Do you know, yes or no, whether or not any person was ever convicted of having stolen this money from Daniel?

ST. PIERRE. Yes; because Capt. Brown brought the money to the prison presence, declaring it was Christian who stole it.

ANGELL. Do you know whether any person was tried before a court and guilty of having stolen this money?

ST. PIERRE. No.

ANGELL. Now, will you tell us the number of places on your body where this hot iron was applied by Capt. Brown. Tell us first approximately number of places and then describe briefly the parts of your body.

ST. PIERRE. I can not tell, because I would have to undress.

CHAIRMAN. Let him indicate by pointing. Stand up and indicate with fingers where.

ANGELL. Tell us generally where the iron was applied.

ST. PIERRE. All over my body. On the back and on the legs.

ANGELL. Were these several applications made at the same time?

ST. PIERRE. Yes.

ANGELL. Did you receive medical treatment for these burns at the time, after your liberation from prison?

ST. PIERRE. While I was in prison; yes.

ANGELL. Were these several applications made at the same time?

ST. PIERRE. Yes.

ANGELL. Did you receive medical treatment for these burns at the time, after your liberation from prison?

ST. PIERRE. While I was in prison; yes.

ANGELL. Did you receive any medical treatment afterwards?

ST. PIERRE. Yes; afterwards; by Capt. Brown.

ANGELL. You say that you received medical treatment by Capt. Brown himself?

ST. PIERRE. Yes. When he found that I was not guilty.

ANGELL. Did you receive medical treatment from any doctor?

ST. PIERRE. A doctor of the gendarmerie.

ANGELL. Do you know what his name is?

ST. PIERRE. I have forgotten his name.

ANGELL. Where did he live?

ST. PIERRE. I believe he is here at Port au Prince.

ANGELL. Where did he live at the time that he gave the medical treatment?

ST. PIERRE. He was a gendarme at St. Maro.

ANGELL. This gendarme was a doctor. Tell us briefly the nature of the medical treatment which you received, either from Capt. Brown or from this gendarme doctor.

ST. PIERRE. They gave me treatment every two or three days. They gave me dressings every two or three days, and Capt. Brown told me that as I was perfectly healed he would put me at liberty.

ANGELL. Have you tried to locate this gendarme doctor recently?

ST. PIERRE. No.

ANGELL. When did you come to Port au Prince?

ST. PIERRE. Wednesday.

Mr. ANGELL. And what did you come down here for?

Mr. ST. PIERRE. To place my case before the investigating committee.

The CHAIRMAN. If he locates this doctor or finds out where he is, to furnish the names for the committee.

Mr. ANGELL. I have a written statement by the doctor, signed by him on stamped paper here, and I was just about to ask him whether the name signed here he can state whether that is the name.

The CHAIRMAN. That is all right.

Mr. ANGELL. Can you state whether or not this gendarme doctor is Claymore Lamer?

Mr. ST. PIERRE. It was after I came out of prison that I consulted Claymore Lamer, because I was still suffering.

Mr. ANGELL. Where did Dr. Claymore Lamer live?

Mr. ST. PIERRE. He was living at St. Marc.

Mr. ANGELL. Does he still live there?

Mr. ST. PIERRE. Yes; but he is not in St. Marc. He is in France.

The CHAIRMAN. What is this statement you have, Mr. Angell?

Mr. ANGELL. The statement is technically a medical description of the condition in which the doctor claims to have found the body of Mr. St. Pierre.

The CHAIRMAN. What is its date?

Mr. ANGELL. June 13, 1919.

The CHAIRMAN. At whose instance was this procured; do you know?

Mr. ANGELL. I don't know.

The CHAIRMAN. Who handed you this?

Mr. ANGELL. This is a folio of several papers handed to me by a French gentleman here.

The CHAIRMAN. By whom? Let us trace it down.

Mr. ANGELL. It was handed up to me this morning. I was trying to find which one it was.

The CHAIRMAN. Who is there here who knows about it? Let us see if we can.

Mr. ANGELL. Do you want to excuse this witness now?

The CHAIRMAN. No; I simply want to trace it down. You said it was handed to you?

Mr. ANGELL. Yes, sir.

The CHAIRMAN. Now, is there anybody in the audience who handed it to you or who knows who handed it to you?

Mr. ANGELL. Yes; it is Mr. Thoby, the gentleman down there, who handed it to me. I had forgotten which one of them it was.

The CHAIRMAN. Just for the record here now give us the full name of how he got possession of it.

Mr. ANGELL. Perceval Thoby. Mr. Thoby says it was not he who handed it to me, but he can tell me who did.

The CHAIRMAN. Let him tell who gave it to him.

Mr. THOBY. When I went to St. Marc, in February, 1919, a relative of Polidor came to me and asked me to go to Port au Prince and get Mr. Lamer released.

The CHAIRMAN. That does not answer my question. Let us be brief.

Mr. ANGELL. Just tell me who handed me this dossier. Who gave the dossier to me?

Mr. THOBY. This dossier had been given to two others and that is all in it. I brought them to Mr. Lamer.

Mr. ANGELL. Do you know who gave the dossier to me this morning?

Mr. THOBY. This morning?

Mr. ANGELL. Who handed me the dossier?

Mr. THOBY. Mr. Nau.

The CHAIRMAN. Let me ask you, so as to hurry it along, does this give a description of the wounds?

Mr. ANGELL. Yes; it is a technical medical description.

The CHAIRMAN. Is it under oath, or simply a signed statement?

Mr. ANGELL. It is a signed statement on stamped paper, but I never saw it until this morning.

The CHAIRMAN. Can you read it over; so that you can say how it corresponds to the description he gives of his own injuries?

Mr. ANGELL. Generally speaking, yes, sir.

The CHAIRMAN. You desire to incorporate this?

ANGELL. I do. I ask to offer this in evidence.

CHAIRMAN. Very well.

The document referred to is on file with the committee.)

ANGELL. Can you remember during what period of time you received from Dr. Claymore Lamer?

St. PIERRE. Immediately after coming out of prison, for I was sick.

ANGELL. And for what period of time thereafter?

St. PIERRE. No.

ANGELL. During what period of time after your liberation did Dr. Clay-Lamer give you physical attention?

St. PIERRE. During seven months.

ANGELL. Can you tell us in what prison in Port Au Prince Mede is now held?

St. PIERRE. I don't know the prisons of Port Au Prince.

CHAIRMAN. What is the man's first name?

St. PIERRE. Medelus Valet.

ANGELL. Can you remember now the approximate date or time that you freed from prison?

St. PIERRE. It was in June, but I can not recall the date.

ANGELL. June of what year?

St. PIERRE. June, 1919.

ANGELL. The doctor's certificate is dated June 13, 1919?

CHAIRMAN. Is that in French?

ANGELL. Yes, sir.

CHAIRMAN. Let me see it, will you?

ANGELL. During this period, from January to June, were you confined all that time in the prison of St. Marc?

St. PIERRE. Yes.

ANGELL. Did you at any time during that period, from January to June, see any foreigner or foreigners confined in that prison?

St. PIERRE. Those who were in prison—the men and women who were

ANGELL. You don't understand my question. I said, do you know any foreigners—were there any foreigner or foreigners among the prisoners in prison at that time?

St. PIERRE. Yes. One foreigner.

ANGELL. Who was he, if you know?

St. PIERRE. It was Pastor Evans, who was present at all this scene.

CHAIRMAN. Does he mean by this that he saw this iron applied?

ANGELL. Do you know the first name of Pastor Evans?

St. PIERRE. No. Evans only.

ANGELL. Did Mr. Evans speak French and Creole?

St. PIERRE. No. He spoke English only.

ANGELL. Do you know whether or not he is the pastor who has been at least six times in Haiti working among the people?

St. PIERRE. Yes.

ANGELL. Can you state whether or not Pastor Evans was present among the prisoners who witnessed the application of this hot iron by Capt. Lamer?

St. PIERRE. No; he was closed in another cell.

ANGELL. Did you make any complaint when you were released from prison?

St. PIERRE. No. While I was in prison.

ANGELL. To whom did you make the complaint, if any?

St. PIERRE. I made the complaint first to the President of the Republic, then to the Minister of the Interior.

ANGELL. Did you do that verbally or in writing?

St. PIERRE. No; my relatives in writing to the minister of justice and to the minister of the interior.

ANGELL. Were these complaints—

CHAIRMAN. To identify this, let him say what relatives. Give their names and in what form this complaint was made, and the names. There may not have been changes in these different ministers. Give the names of the ministers to whom these complaints were made.

ANGELL. Tell us now the names of the relatives by whom the complaints were made, you say, to the President of the Republic.

St. PIERRE. Mr. Christian Noel.

Mr. ANGELL. Is Christian Noel a relative of yours?

Mr. ST. PIERRE. Yes.

Mr. ANGELL. What relation?

Mr. ST. PIERRE. Yes; he is my nephew, the son of my sister.

Mr. ANGELL. Where does he live?

Mr. ST. PIERRE. In St. Marc.

Mr. ANGELL. Does he live at St. Marc now?

Mr. ST. PIERRE. Yes.

Mr. ANGELL. Do you know the date of the complaint which you say to the President of the Republic.

Mr. ST. PIERRE. I don't know. I was in prison. Mr. Perceval took some steps on my behalf with the minister of justice and the minister interior.

Mr. ANGELL. And when did Mr. Thoby take these steps, if you know it before you were liberated from prison, or afterwards?

Mr. ST. PIERRE. Before my liberation.

Mr. ANGELL. Tell us briefly the circumstances under which you were released from prison in June, 1919.

Mr. ST. PIERRE. After many steps had been taken by Mr. Thoby: Capt. Brown sent me to the juge d'instruction, who put me at liberty having heard me or tried me.

Mr. ANGELL. Did you ascertain at the time that you were put at liberty whether the juge d'instruction had in his possession or among the papers of your case any written charges? I will put it more simply. Do you know whether or not there was any written file? Was there a written file case?

Mr. ST. PIERRE. Yes.

Mr. ANGELL. Who had this file?

The CHAIRMAN. You mean the public files, do you?

Mr. ANGELL. Yes; that is what I am trying to get at.

The CHAIRMAN. Ask him the question direct. Was it a public file?

Mr. ANGELL. Was it a public file?

Mr. ST. PIERRE. Yes.

Mr. ANGELL. Was it among the public records held by the juge d'instruction?

Mr. ST. PIERRE. I have only one document of the juge d'instruction.

Mr. ANGELL. Have you got that with you?

Mr. ST. PIERRE. I believe it is in that file.

Mr. ANGELL. I hand you file and ask you if you can pick out from among the papers in there the paper to which you refer. What is this paper? Are you now handling me?

Mr. ST. PIERRE. It is a copy of the ordinance which discharged me.

The CHAIRMAN. I thought it was an original record.

Mr. ANGELL. It is, sir.

The CHAIRMAN. He said it was a copy?

The INTERPRETER. A certified copy.

Mr. ANGELL. On duly stamped paper and authenticated.

The CHAIRMAN. You want to introduce it in the record?

Mr. ANGELL. Yes.

The CHAIRMAN. Can you give us the substance of it?

Mr. ANGELL. It was simply handed me this morning.

The CHAIRMAN. It will be received in evidence, but meanwhile permit me to adjourn at the recess, if you will read it over, so you can give the substance of it for our guidance.

Mr. ANGELL. After you were put at liberty, did you have any conversation with Capt. Brown regarding any complaint made by you or in your name?

Mr. ST. PIERRE. No; never.

The CHAIRMAN. Your question was limited to after his release.

Mr. ANGELL. Did you have any such conversation with him prior to your release?

Mr. ST. PIERRE. No; never. It was in prison.

Mr. ANGELL. Did you have any conversation with him on this subject while you were in prison?

Mr. ST. PIERRE. Yes. He came to the prison.

The CHAIRMAN. Now, find out when this was and who, if anybody, was present and then let him go on and tell it.

Mr. ANGELL. Was anybody present at any such conversation that you had th Capt. Brown while you were in the prison?

Mr. St. PIERRE. Yes; the prisoners.

The CHAIRMAN. Can you give us the names of any prisoners who were sent?

Mr. St. PIERRE. No; that is three years and I have forgotten.

Mr. ANGELL. What was the approximate date, if you can remember, of the conversation with the captain in the prison?

The CHAIRMAN. Let us not make a mistake about that. He does not mean three years, because he said he was arrested in January, 1919.

Mr. ANGELL. It is two and a half years ago, though. We are in December, 21, now.

The CHAIRMAN. I know, but this is toward his release, and he was there six months. Get the facts. I don't want any advantage taken of it in any way. I want the exact facts, whatever they are.

Mr. ANGELL. To come back to your answer a moment ago, calling your attention to the fact that you said just now that you could not remember these names, since all this took place three years ago.

Mr. St. PIERRE. Yes; I can not recall the names.

Mr. ANGELL. Do you mean to say that this conversation took place actually three years ago?

Mr. St. PIERRE. No; it is not three years.

Mr. ANGELL. Tell us what time it was, then.

Mr. St. PIERRE. It was in May, 1919.

Mr. ANGELL. Now tell us the conversation.

Mr. St. PIERRE. He came to the prison. He said to me that he was waiting til I was perfectly cured before putting me at liberty, only he had heard at my family had written letters for me, and if they continued he would not me.

Mr. ANGELL. Were those his words?

Mr. St. PIERRE. Yes; his very words.

Mr. ANGELL. Can you remember any other words, if any, that he said?

Mr. St. PIERRE. Yes; there were other words, but I can not recall them, for, I have told you, I was sick in prison.

Senator JONES. Did Capt. Brown speak French?

Mr. St. PIERRE. Yes; he speaks French.

Mr. ANGELL. I think that is all I have to ask the witness on direct examination.

The CHAIRMAN. It is now a quarter after 12. Just before we go to that, the committee has been furnished with a petition here presented by the engineers Porto Rico, and it may be incorporated in the record; and I suggest that the stenographer print the original and print the translation of it, also.

(The document referred to is on file with the committee.)

The CHAIRMAN. Here is a letter from a physician with respect to this witness, which has already been incorporated in the record. The committee also has a memoir presented by certain physicians of Haiti, and this likewise may be incorporated in the record.

(The document referred to is on file with the committee.)

Mr. ANGELL. A similar document presented by an organization here, the Hait Cercle of Port Au Prince.

The CHAIRMAN. Tell us what the character of it is.

Mr. ANGELL. Requesting full investigation by the committee.

The CHAIRMAN. It may be incorporated in the record.

(The document referred to is on file with the committee.)

The CHAIRMAN. I think now we will recess until 2 o'clock, and let us be here promptly. How many other witnesses have you here?

Mr. ANGELL. There are several others who are here who will be ready. May I ask the committee at this time, though, about the witness Jolibois. Having this in mind, in view of my conversation just before the official opening of the hearing that I have not a written statement to give at this particular moment of the facts on which Mr. Jolibois would testify if called here, apart from his own case, the article for which he was confined for a considerable time in prison and condemned to pay a fine. If the committee does not consider this until 2 o'clock and then considers it, it will be physically impossible to get Mr. Jolibois here before the close of the examination.

The CHAIRMAN. The committee never crosses bridges until we get to them. We have had no statements from you as to what you expect to prove by this witness, and until we do have that, we do not feel that we are called upon to

decide whether he shall be brought here or not. He is now in prison here are not prejudging the case or the character of his testimony at all. Counsel will present to the committee a brief memorandum indicating what is expected to prove by this witness, we will then determine what we want in regard to it.

Mr. ANGELL. At 2 o'clock?

The CHAIRMAN. Well, or as soon thereafter.

Mr. ANGELL. Not before 2 o'clock.

The CHAIRMAN. Oh, no; we don't ask that. We stand recessed until 2 o'clock. (Whereupon the committee took a recess until 2 o'clock p. m.)

(During the recess, the witness Polidor St. Pierre, upon the suggestion of counsel and at the request of the committee, showed scars on the front of his left leg above the knee and on the rear of his legs and hips, and also showed handcuffs on his wrists. Witness says scars on his buttocks and rear of his legs were caused by the application of a hot iron. Witness also showed scars on his legs above ankles which he said were made by shackles.)

#### AFTER RECESS.

The committee met, pursuant to adjournment, at 2 p. m.

Present: Senators Pomerene (presiding), Oddie, and Jones.

The CHAIRMAN. Mr. Angell, I think we will inquire of Mr. Thoby for the information we wanted.

Mr. ANGELL. You asked me in the meantime, sir, to look over that letter which I said I had here and which the witness testified came from the court up here. I have looked it over, and as nearly as I understand effect, under Haitian law, it is a certificate duly legalized by the clerk of court at St. Marc as an exact copy of the original document in the archives of the court of the dismissal of charges against the witness Polidor on the ground of this theft, and dismissal by the juge d'instruction, which corresponds to the prosecuting attorney and which corresponds to an indictment by the same d'instruction, of a man named Christian, whom the witness said was accused of the crime, tried and acquitted. This certified copy, which I call evidence, is dated the 26th day of June, 1919, long before this investigation was thought of.

The CHAIRMAN. Does it show that a charge was preferred against the witness?

Mr. ANGELL. It does. It refers to the witness by name.

The CHAIRMAN. Is it an entry of dismissal?

Mr. ANGELL. It is an entry of dismissal. It is a legal document.

The CHAIRMAN. Very well. The record will be received in evidence.

(The document referred to is on file with the committee.)

Mr. ANGELL. You also asked me yesterday, Senator—asked Mr. Sylvain to prepare a statement of the membership, organization, and disbursement of funds of the Union Patriotique. I am informed that it has been made up as quickly as possible. If completed before the leaving of the committee, it will be handed to them by me. If not, it will be forwarded.

(The document was subsequently furnished to the committee and is on file.)  
The CHAIRMAN. And I also at the same time asked for a complete copy of these inscriptions on the banners which were circulated here.

Mr. ANGELL. I will make a note of that to obtain it for you.

The CHAIRMAN. And have that sent to us.

(The document was subsequently furnished to the committee and is on file.)

The CHAIRMAN. I think Mr. Thoby is here, and is simply going to test the measure which he took to present these charges to the Haitian authorities, and perhaps to the military authorities—if such a case—and I think, in the absence of the notary, we will hear his statement.

Mr. ANGELL. Mr. Thoby, by the way, was not his attorney. Mr. Thoby is an attorney. He simply interested himself.

#### STATEMENT OF MR. PERCEVAL THOBY.

The CHAIRMAN. What is your name?

Mr. THOBY. Perceval Thoby.

The CHAIRMAN. Your business?

Mr. THOBY. Diplomat.

The CHAIRMAN. You are a native Haitian?

Mr. THOBY. I am a native Haitian.

The CHAIRMAN. And except when away on public service, you live here?

Mr. THOBY. I was born in Jamaica.

The CHAIRMAN. And you know this witness

Mr. THOBY. Very well.

The CHAIRMAN. How long have you known him?

Mr. THOBY. I have known him since he left the prison, the 13th of June, 1919.

The CHAIRMAN. Did you see him in prison?

Mr. THOBY. No, sir. I did not know him before. I would like to testify in

renew. The CHAIRMAN. You are getting along all right. You are a better English-

man than you think you are. When did you first meet this witness?

Mr. THOBY. The first time I met Polidor was the 13th of June, 1919, when

he left the prison. I was before the door of the prison when he went out.

The CHAIRMAN. And did he talk with you then about it?

Mr. THOBY. Yes; I talked to him.

The CHAIRMAN. And when did you take the matter up of his case with the

Haitian authorities or with the military authorities? Just state briefly what

happened. Mr. THOBY. I was in St. Marc, the 7th of February, 1919, when a cousin of

Mr. Polidor came to me and asked me to see the Haitian authorities or the

American authorities to get his cousin out of prison, because he was illegally

detained. He was tortured in prison. I left St. Marc the 26th of February. I

went to Port au Prince, and I saw, on the 27th, in the evening, Mr. André

Faubert. The CHAIRMAN. Who was he?

Mr. THOBY. Mr. Faubert was the secretary of the council of the ministers.

The CHAIRMAN. What ministers?

Mr. THOBY. The secretary of state, the Haitian minister, and I asked him

to see the President, Dartiguenave, in the case of Mr. Polidor, and he told me

he would talk of it to the President the next day—

The CHAIRMAN. Now, just before you get to that. Did you tell the ministers

what you understood the cause of the complaint was?

Mr. THOBY. I saw no minister that day. It was Mr. André Faubert.

Mr. ANGELL. The secretary of the council of state?

Mr. THOBY. No; the council of secretaries.

The CHAIRMAN. Did you tell the secretary what you wanted to see the Presi-

dent about? Mr. THOBY. I did not want to see the President. I did not see him.

The CHAIRMAN. Did you tell him what you wanted to see the President

about? Mr. THOBY. Yes; I told him the whole story of Mr. Polidor.

The CHAIRMAN. Without going into the details, did it correspond substan-

tially to what he said here?

Mr. THOBY. Perfectly well.

The CHAIRMAN. Did you see the minister afterwards?

Mr. THOBY. Afterwards I remained a few days, seeing that the President

was doing nothing.

The CHAIRMAN. What was the minister's name?

Mr. THOBY. Mr. Faubert.

The CHAIRMAN. Let me get that straight. I understood you to say this was

the secretary of the ministers. Mr. ANGELL. The secretary of the cabinet, Mr. Faubert. The witness has

just referred to him, I believe, inaccurately as the minister. He should refer

to him as the secretary. The CHAIRMAN. Well, proceed and tell us who you saw in connection with

the administration. Mr. THOBY. When I saw that Mr. Faubert could not succeed in releasing

Mr. Polidor I went to Mr. Louis Roy, minister of public works.

The CHAIRMAN. Now, proceed and tell us what was said.

Mr. THOBY. He promised me to see the minister of the interior, Mr. Bernard

Dartiguenave. The CHAIRMAN. What did you say to him?

Mr. THOBY. I told him the story of Polidor and his torture in prison.

The CHAIRMAN. Tell me what you said to the minister.

Mr. THOBY. I told the minister that Mr. Polidor had been arrested illegally

and tortured in prison by Brown, and I asked him to see the secretary of

the interior to write to the gendarmerie to make an inquiry of the case. That

was promised, but I remained until the 9th of June here, and nothing been done to relieve Polidor. Then I went to St. Marc the 10th of June. The juge d'instruction was a clerk in the department of foreign relations. I was chief of the division, 10 or 12 years ago, and I asked him as the d'instruction to instruct the case of Polidor, that it was his duty. He me that he could not do it because Fitzgerald Brown was interfering justice at all times. I told him that I—I made a little lie—I told him. I was very friendly to Gen. Catlin, and if he did not do his duty I would obliged to write to the latter and expose to Gen. Catlin the case of Polidor, that he should be ashamed for a Haitian judge to be a coward.

Mr. ANGELL. What else was said?

Mr. THOBY. He said he would do as I told him; and he took the case up the attorney for the Government, Mr. Malherbe Perpignan, and Mr. Polidor the 13th of June was released provisionally from the prison. I met him as he was going out.

The CHAIRMAN. Now, after that did you have any further talk with the Americans?

Mr. THOBY. No talk at all with the authorities.

The CHAIRMAN. Now, let us understand one another. When I say the authorities, I mean either the Haitian authorities or the American authorities.

Mr. THOBY. None of them. When he was liberated provisionally the 13th of June they could take him back again in prison, you see; so I went to J. Sanz. I told him that Mr. Polidor will be under the hands of justice; I didn't also send him out, and to make what they call in the French an ordonnance de non lieu.

The CHAIRMAN. What would be the English of it?

Mr. ANGELL. Dismissal of charges.

Mr. THOBY. The 26th of June that was done. I left St. Marc for Port au Prince the 27th of June.

(The witness was here sworn.)

The CHAIRMAN. You have just been qualified by the notary. You understand the statement you just made prior thereto to the committee the truth?

Mr. THOBY. It was absolutely the truth.

The CHAIRMAN. And the whole truth?

Mr. THOBY. The whole truth.

The CHAIRMAN. And nothing but the truth?

Mr. THOBY. And nothing but the truth.

The CHAIRMAN. That is all. Do you want to ask anything?

Senator JONES. I don't think so.

Mr. ANGELL. May I ask one question of the witness, please?

The CHAIRMAN. Yes.

Mr. ANGELL. Will you state whether or not the documents which I offered in evidence just before your statement, the ordonnance de non lieu, the dismissal of charges, the document which you got from Judge Sanz to give to the witness Polidor?

Mr. THOBY. Yes; to settle the matter.

#### STATEMENT OF J. JOLIBOIS, FILS, PORT AU PRINCE

Mr. ANGELL. What is your name?

Mr. JOLIBOIS. J. Jolibois, fils.

Mr. ANGELL. You live in Port au Prince?

Mr. JOLIBOIS. Yes.

Mr. ANGELL. Let me say, if I may, before examining this witness, that he has, as I understand, been released from prison only this morning. I saw the witness until I came into the room five minutes ago, I have never any opportunity of conversing with him.

What is your occupation?

Mr. JOLIBOIS. Director of the Courier Haitien; a merchant, tradesman.

Mr. ANGELL. You have just been released from prison in Port au Prince?

Mr. JOLIBOIS. Just about two hours ago.

Mr. ANGELL. You have been serving sentence in the prison of Port au Prince?

Mr. JOLIBOIS. Yes.

Mr. ANGELL. Since what time?

Mr. JOLIBOIS. I was arrested the 28th of May at 1 o'clock in the afternoon.

Mr. ANGELL. In what year?

Mr. JOLIBOIS. 1921.

Mr. ANGELL. And you were arrested by whom?

Mr. JOLIBOIS. By the provost marshal, accompanied by Maj. Rupertus.

Mr. ANGELL. Who is the provost marshal?

Mr. JOLIBOIS. I don't recall his name.

Mr. ANGELL. On what charge were you arrested?

Mr. JOLIBOIS. According to the judgment which was rendered against me for having—

The INTERPRETER. He says I was the interpreter in the court and I can tell. I was the interpreter in the provost court in which he was tried.

The CHAIRMAN. That may be, but he had better tell it in his own way.

Mr. ANGELL. What was the charge against you?

Mr. JOLIBOIS. According to Col. Russell, for having infringed the order of the 26th of May, 1921.

Mr. ANGELL. What was that order?

Mr. JOLIBOIS. According to the report made by Col. Russell to the Navy Department of the United States, for having attacked the occupation of Ha'ti.

Mr. ANGELL. Were you tried by provost court of the American occupation here in Port au Prince?

Mr. JOLIBOIS. Col. Meade, assisted by Capt. Wood, who is here [referring to the interpreter].

Mr. ANGELL. The Capt. Wood you refer to is the gentleman sitting here acting as interpreter?

Mr. JOLIBOIS. Yes; that is he.

Mr. ANGELL. Are we to understand that the court which tried and condemned you was composed of Col. Meade alone?

Mr. JOLIBOIS. Only Col. Meade, assisted by Capt. Wood as clerk and interpreter.

Mr. ANGELL. What was the basis of the charge, of having violated the order referred to?

The CHAIRMAN. Let me suggest, before that question is answered, this, was there a report of the testimony taken? Was the testimony reduced to writing in that case?

The INTERPRETER. Yes, sir.

The CHAIRMAN. Is that record in existence at the present time?

The INTERPRETER. The record was delivered to Col. Meade as provost court officer by me, and after that I don't know.

The CHAIRMAN. And no doubt that record can be produced?

The INTERPRETER. It was an official record, sir.

The CHAIRMAN. Let me suggest that the record, of course, is the best evidence of what occurred there, and if that record is to be had it may be regarded as introduced into the record, and if there is anything, then, outside of that in addition to that which you desire to call the attention of the committee to we shall be glad to hear it. And there may be included in this record—if you will get that for us, Mr. Angell, get the order of Col. Russell, and the record, I assume, may show that—if that is the fact—that the island was under martial law at that time. Is that right?

Mr. ANGELL. It is my understanding that the order for martial law was given the day before the alleged offense—that is, the 26th of May.

The CHAIRMAN. I am trying to shorten this if I can.

Then have the record also show what the finding of Col. Meade was or the provost court and what the sentence was.

Now, that will give all of that record, and if there is anything in addition to that which you desire to present by this witness the committee will be glad to have it.

Mr. ANGELL. I suppose that order can be obtained.

The INTERPRETER. It should be part of the official record of the occupation.

(The record was subsequently produced and is on file.)

Mr. ANGELL. Let me identify the issue of newspaper in question to be received in evidence, if I may.

The CHAIRMAN. Do I understand that this copy was the subject of the charge?

Mr. ANGELL. That is my understanding, sir. I ask you to identify this.

I hand you what purports to be a copy of *Le Courier Haitien*, published in Port au Prince on Friday, May, 27, 1921, and ask you if on glancing at that newspaper it is a copy of the issue of that paper put out on that day?

Mr. JOLIBOIS. Yes.

Mr. ANGELL. This is a copy of the issue of the newspaper of which you are one of the editors? Is it or is it not a fact that you were tried and found guilty by the provost court, as you have just testified, for having infringed the order referred to by publishing or being responsible for the publication of *Le Courier Haitien* of the 27th of May, 1921?

Mr. JOLIBOIS. Yes.

The CHAIRMAN. Now, let me make this suggestion further in connection with that. I take it there are other things in this paper besides this particular article about which the military authorities were complaining. We will receive the whole of it, but I wish you would indicate that part of the paper which was the subject of this prosecution, so that when it comes to the printing of the record we will have that part of it only, and therefore avoid unduly encumbering the record.

Mr. ANGELL. In order that the witness may identify the article, sir—handing you a copy of *Le Courier Haitien*, May 27, 1921—I ask you to indicate the portion therein for the publication of which you were condemned by the provost court.

Mr. JOLIBOIS. As well as I can give account of the condemnation it was for having published an article in blank lines.

Mr. ANGELL. Indicate the article.

The CHAIRMAN. Let him mark with pencil all of the article concerned.

Mr. ANGELL. The witness has now indicated by pencil line three places in the paper and document which I have offered in evidence; two on the first page and one on the second page, which will be the part received in evidence.

(The parts were indicated by the witness, and the document is on file with the committee.)

The CHAIRMAN. Now, let me ask the witness two or three questions about that line. How long had he, prior to this, been editing this paper or been connected with it? How long did he edit the paper?

Mr. JOLIBOIS. About three months.

The CHAIRMAN. Did you found the paper yourself, or was it an old established paper?

Mr. JOLIBOIS. It was a newspaper established one year.

The CHAIRMAN. By the witness?

Mr. JOLIBOIS. I was one of the founders.

The CHAIRMAN. Who was the other?

Mr. JOLIBOIS. Joseph Lanoue & Vieux.

The CHAIRMAN. And for how long had you been responsible for the publication of the paper?

Mr. JOLIBOIS. I was responsible for it from the month of March, if my memory is good.

The CHAIRMAN. March 21, do you mean?

Mr. JOLIBOIS. March 21, if my memory is good.

The CHAIRMAN. And during this time you had been opposing, through the columns of the paper, the American occupation here?

Mr. JOLIBOIS. I was mistaken a while ago; it was from the month of January that I was responsible for the newspaper.

(The question was repeated as follows: "And during this time you have been opposing, through the columns of the paper, the American occupation here?")

Mr. JOLIBOIS. Against the methods of the occupation; yes, and in principle, against the occupation.

The CHAIRMAN. Are you opposed to continuing the occupation now?

Mr. JOLIBOIS. Since I have come out of prison, still more so.

The CHAIRMAN. Is it due to your general opposition to the control by the American Government, or is your position due to what you are pleased to call the methods of those who are responsible for the administration?

Mr. JOLIBOIS. At the bottom I am opposed to the occupation, because having been born free and independent I wish to transmit to my children the same freedom and independence and the same sovereignty. And, furthermore, before going to prison I had said, according to reports made to me—now, I can swear before God having seen with my own eyes, I was beaten in prison.

Mr. ANGELL. The witness is now going ahead to the other matter about which he wishes to testify, if you are ready to come to that, Senator.

The CHAIRMAN. I was not quite certain that I understood the word—

Mr. ANGELL. He was starting to branch off from the explanation of his belief to the committee to testify about what has happened in prison while he has been there.

Senator JONES. Before we go to that I would like to ask him a few questions. You stated a while ago that you were put in prison for printing some blank lines. That was your statement, was it not?

Mr. JOLIBOIS. Yes; but here is one of my lawyers here that took part in my trial; he can give information as to the trial, because the cause escaped me. I don't know why I was tried.

Senator JONES. You referred to some blank lines in here. What do those blank lines mean?

Mr. JOLIBOIS. When the order of Col. Russell was given to me the newspaper was already on the press. In order not to infringe this order I did my real duty in going at once to the print shop where the journal was edited to take out these parts which, according to me, might be considered as offensive toward the occupation.

Senator JONES. Has any such matter as you took out of this article been previously published?

Mr. JOLIBOIS. No; the newspaper had not yet appeared.

Senator JONES. Why did not you take out the whole article?

Mr. JOLIBOIS. It was my chief article, and according to my belief this article had nothing offensive in it.

Mr. ANGELL. Does Capt. Wood know whether the record of the trial contains a translation of the article as well as the original in print?

Capt. WOOD. I don't remember exactly.

Mr. ANGELL. May we reserve the privilege of submitting a translation of the article?

The CHAIRMAN. Yes; if it has not already been translated, so we will have a complete record of it.

Senator JONES. Had this article been published previously?

Mr. JOLIBOIS. Never.

Senator JONES. Anything like this article been published previously?

Mr. JOLIBOIS. Yes.

Senator JONES. How many days before the 27th of May had this article appeared in your paper?

Mr. JOLIBOIS. Yes; since the 15th of November, 1920, Le Courrier Haitien considered it its full duty to denounce all the crimes and misdeeds committed by the military agents of the United States and Haiti.

Senator JONES. You have answered my question. Do you mean to say that one article set up in this way had been published for some months prior to the 27th of May?

Mr. JOLIBOIS. No; only the 27th of May; that was never published before.

Senator JONES. Was not this article with these blank lines published before the 27th of May?

Mr. JOLIBOIS. No; never.

Senator JONES. Was there any article similar to this published for the previous days—days previous to May 27, 1921?

Mr. JOLIBOIS. Yes.

Senator JONES. How near like this article were they?

Mr. JOLIBOIS. I can not recall.

Senator JONES. Were any other papers besides this publication of May 27 used in evidence at the time you were tried by the provost?

Mr. JOLIBOIS. No.

Senator JONES. I understand that there were, and I don't believe that this witness understands my question. Did they use in evidence any other issues of your paper?

Mr. JOLIBOIS. No.

Senator JONES. Any of your papers printed on other days?

Mr. JOLIBOIS. No; no. Mr. Hudicourt may serve as a witness. That was the only one.

Senator JONES. Mr. Wood, does the witness understand what I am trying to get at?

Capt. WOOD. He must have understood the last question. If you wish to I will ask him myself and try and put it clearly. I understand what you were trying to say.

Senator JONES. I wish you would.

(The interpreter here spoke to the witness in French.)

The INTERPRETER. He says no. He understands, and he says no. And he says that I can say no, too; but I say yes, there were.

The CHAIRMAN. Let me understand that. That there were other issues his paper introduced?

Capt. WOOD. Yes; there was an issue previous to that was introduced, and then that paper was compared with it. Mr. Jolibois says no, but there was. It was all made a part of the record.

The CHAIRMAN. Then this record will show the fact, whatever it is.

Mr. ANGELL. Now, may I proceed?

The CHAIRMAN. Yes.

Mr. ANGELL. In this connection will you state, if you can remember it, the date of the imposition of martial law?

Mr. JOLIBOIS. The proclamation, the order of the day was given to me on 27th of May, between 10 and 11 o'clock in the morning.

Mr. ANGELL. I understand, Mr. Jolibois, that you have certain evidence to offer as to conditions or particular facts that you have seen or observed yourself in prison.

Mr. JOLIBOIS. Yes.

The CHAIRMAN. Identify the prison, so there will be no doubt as to what you mean.

Mr. ANGELL. As I have had no opportunity to discuss this matter with you beforehand, I wish you would tell briefly the experience, what you have seen and observed in this prison during the time of your imprisonment, stating where the prison is where you were confined.

Mr. JOLIBOIS. After having been arrested Saturday, the 28th day of May at 1 o'clock, I was taken to the prison.

Mr. ANGELL. What prison?

Mr. JOLIBOIS. The military prison in the Rue du Centre.

Mr. ANGELL. In Port au Prince?

Mr. JOLIBOIS. In Port au Prince.

Mr. ANGELL. Is that a prison in charge of the American military authorities?

Mr. JOLIBOIS. Yes.

Mr. ANGELL. Now, proceed with whatever you have to say in this connection.

Mr. JOLIBOIS. Upon entering I gave my personal effects to Lieut. Considine of the prison, and I was shut in cell No. 1 of the first square. They gave me to sleep on a light mat, which was at least a year old and dirty. The mat was laid upon the concrete floor; each morning at 6 o'clock they came and opened the cell and washed the concrete and locked me up again, and I was obliged to sit down upon the wet cement. The following Tuesday Gen. Meunier came to visit me in the cell, and during this visit he wished me to designate an American officer for my defense, and I refused. The same day my wife came to see me with a special authorization from the gendarmerie. I asked Lieut. Considine to give my wife the personal property which had been delivered to him, and he grossly refused, and in the presence of the detective Polynice told my wife to do the impossible, in order that the *Courier Haitien* should continue its publication.

The CHAIRMAN. Now, before he goes to that, he made a statement a moment ago that his wife came with a special authorization. What does he mean by that?

Mr. JOLIBOIS. Sunday is the regular visiting day at the prison, and since they had refused to let my wife visit me, and upon the appeal of friends the gendarmerie was kind enough to give a special authorization that she should come on Tuesday. On Wednesday they seized the books which my wife had given to Lieut. Considine to be given to me. I was called before the prison court Friday, the 3d of June, and several days afterward, on the following Tuesday, I was told that I had been condemned to six months' hard labor and \$300 fine. Then Lieut. Considine came to my cell, opened it, and invited me, as well as my colleague Lanoue, to follow him.

Mr. ANGELL. Who is this Lieut. Considine? Is he an Haitian officer or American officer?

Mr. JOLIBOIS. A sergeant of the police corps and the first lieutenant of the gendarmerie.

The CHAIRMAN. That does not answer the question. Is he an American or Haitian?

Mr. JOLIBOIS. An American. I was taken to the third square in the first square there Lieut. Considine told me to dress myself, and gave me a coat.

convict clothes. I had a shirt on, and he said, "No, no, take off the shirt." I asked the lieutenant to let me keep my shirt on, but he said, "No, take off the shirt." He told me that I was to be sent to the tailor shop, but going out to the courtyard Lieut. Sullivan asked me—I can not remember the words—"Come on, come here." It was in English that he spoke to me, and I don't remember his exact words. He gave to my colleague Mr. Lanoue and myself two tampers, and told us to go out and tamp the ground in the courtyard.

Mr. ANGELL. Now, Mr. Jolibois, come as quickly as you can to the most important matter, which you think is important to testify before these gentlemen. Mr. Jolibois. Friday, the 17th of June, at 3 o'clock in the afternoon, I was awing, and a lieutenant came up behind me—

Mr. ANGELL. Lieutenant who?

Mr. JOLIBOIS. Lieut. Sullivan; and at a time when I did not expect him, and upon the pretext that I had sewed badly a part of a pair of trousers, called gette, he gave me two blows in the face—two heavy blows in the face, two blows of his fist—causing me to fall over backward to the ground. I was sitting upon a small bench, and in falling my two legs were caught in the legs of the bench, and as I started to get up, my eyes and my face bathed in blood, Lieut. Sullivan threw himself upon me and took me by the throat and struck me all over the body. Then taking me by the throat, he wished in any case to throw me down, he struck me with his foot, as he had done Lelio Peralte and to other prisoners. Fortunately for me, I was not thrown down. Then I died, "Assassin! Coward!" A moment after he told me, "Don't you want to keep on working?" Then he went out and got Lieut. Considine. Lieut. Considine, then appearing at a small door which opened into his room, was surprised to see me in that condition. After explanation had been made to Lieut. Considine by me, I was taken to the first square and locked in a cell where the cement had been previously wet. Here I was locked in. Being thirsty, I asked the lieutenant to give me a drop of water. He responded with an insult, telling me that he had no water to give me. I told Lieut. Considine that I had not even a mat to lie down on. He told me to lie down upon the cement.

They left me all night locked up in that cell, without even a drop of water and without even a thin mat, which ordinarily they had given me. Saturday, early in the morning, he came to the cell and told me, "You will die where you are. You will never get out. I will never let you out. First of all, I am going to make a report against you to the gendarmerie." Sunday it was not permitted my wife to come and see me. Monday, I don't know for what reason, but about 1 o'clock he came and let me out of the cell. But, however, it was forbidden to me to lie down, because at that time my body was very sore; I was sick. He told me that I must stay in the courtyard. Tuesday the same way, and Tuesday afternoon three officers of the gendarmerie came to the prison and made an investigation. I told all the truth to these three officers, and in the meantime Capt. Wood, here present, came to the tailor shop and asked the tailors who were present at the scene not to avow that they had seen Lieut. Sullivan striking me. He promised one of them to have him put at liberty; to another he told him, "This man is a thief. You must not concern yourself with him."

Mr. ANGELL. Were those remarks which you say Capt. Wood, the gentleman opposite, made, in French or in English?

Mr. JOLIBOIS. In good Creole. I should say to you that that, however, has been told to competent authority. It is not here only. This is not the first time that that has been called to the attention of American authorities. Lieut. Considine and Capt. Woods did their best to induce the witnesses to deny the act, and Lieut. Sullivan was tried. The next day, the day after the investigation was, Lieut. Considine sent for me. He gave me a bucketful of lime. He said, "Now, we are going to see. You are going to whitewash the entire courtyard of the prison." I had nothing to say. I took the bucket and went to work whitewashing. He told me to take charcoal out of the bucket with my hands. I took them out. The following Saturday, Gen. McDougall and Gen. Mead came to visit the prison, and seeing me from the balcony of the hospital of the prison, where they were working whitewashing the prison, it was forbidden to me to stand up. I was ordered to bend over all day long without a hat or anything, from 6 o'clock in the morning until midday and from 1 o'clock until 5. If I had pressing need to go somewhere it was necessary for me to report to the chief of the prisoners. He in turn would ask a corporal, and the corporal would ask Lieut. Considine, and then corporal would be delegated to accompany me to this place. Thursday, the 7th of July, I was

called to Caserne Dessalines to witness in the trial of Lieut. Sullivan counsel of Lieut. Sullivan put this question to me: "Knowing the truth, being that the revelation of the truth would condemn you, would you ever reveal this truth?" I made this response to the court: "Even if I knew my head was to be put into the knife, knowing the truth, I would tell the truth, content thereafter—"

Senator JONES. Ask him if these things were reported. Was there a photographer there to report these proceedings?

Mr. JOLIBOIS. Yes.

Senator JONES. And that is all in the record of that trial?

Mr. JOLIBOIS. Yes.

The CHAIRMAN. Let me suggest, if there is a court proceedings and the testimony has been taken down, we will see that the record of that court proceeding is incorporated in this record.

Mr. JOLIBOIS. Thank you. I hold to this question. Even knowing the revelation of this truth might cause my death, I would tell that truth—

The CHAIRMAN. He need not go on and tell anything more about that.

Mr. JOLIBOIS. That same day at 1 o'clock in the afternoon, upon my way to the prison, they made me pay for that declaration. Upon my return to the prison I found Lieut. Sullivan. Lieut. Considine came and found me in the mess hall. It was raining that day. It was a torrential rainfall. Lieut. Considine said to me, "Go out and work." And that day I broke rocks and went and sat down in the mud, and again I broke rocks. And half an hour afterwards he sent for me by Sergt. Pierre Louis. He told me, "Go and cut the limbs of that tree." It was a sublim, a tree covered with thorns. I was given a machette and from 1 o'clock until 5 I remained out there in the beating, cutting the limbs off that tree. I have seen a great deal at the prison. I give you a detailed account of the régime of the prison.

Mr. ANGELL. May I make a suggestion there? Without knowing what to say on that subject. You gentlemen might ask him if it can not be put in written form without having to cross-examine the witness. I don't know how important it is.

The CHAIRMAN. Let me ask him one or two questions. There was a martial proceedings held against Lieut. Sullivan, was there not?

Mr. JOLIBOIS. Yes.

The CHAIRMAN. You testified to that proceeding?

Mr. JOLIBOIS. Yes.

The CHAIRMAN. Have you told or did you tell in that proceeding the facts as they occurred at the time of the trouble between you and Lieut. Sullivan? Did you tell all the facts at that time?

Mr. JOLIBOIS. Yes. But I was told by the court to keep entirely to the facts of the 17th of June.

The CHAIRMAN. Is that the day when he claims to have been struck by the Lieutenant?

Mr. JOLIBOIS. Yes.

The CHAIRMAN. It was claimed, was it not, that you first attacked him with the scissors?

Mr. JOLIBOIS. That was not true.

The CHAIRMAN. Was it not claimed—did not somebody testify to that?

Mr. JOLIBOIS. If anyone did say so, he was either induced to say that by Wood or Lieut. Considine.

The CHAIRMAN. Now, that doesn't answer the question. Did anyone testify before the court-martial that you had first attacked the lieutenant with the scissors, and what he did was after you had attacked him?

Mr. JOLIBOIS. I asked the court-martial to communicate to me the testimony given by the witnesses, and they refused to do so.

The CHAIRMAN. Were you asked any question at that time as to whether or not you had attacked with the scissors?

Mr. JOLIBOIS. They asked me if I had made use of a pair of scissors on myself, if my memory is good.

The CHAIRMAN. The record will show what the testimony was at that time and that entire record—I take it my colleagues agree with me—will be incorporated in this.

(The record referred to is to be filed with the clerk to the committee.)

Mr. JOLIBOIS. I have something else to say to the court. That is, this man Wood, here present, caused to be called from the prison one named Davis, asked of Mr. Davis to sign a paper.

The CHAIRMAN. Were you present at this time when you say Capt. Wood asked Mr. Davis to do this?

Mr. JOLIBOIS. No. But Capt. Wood was at the court and was sent to call Mr. Davis from the prison.

Mr. ANGELL. How do you know that Capt. Wood put such a question to Mr. Davis?

Mr. JOLIBOIS. It was Mr. Davis who upon coming from the court told that to Mr. Sauveterre, also a prisoner, and in my presence. As it is an affair very important, I make this declaration before the court.

The CHAIRMAN. Counsel must agree that that evidence is not competent.

Mr. ANGELL. I agree entirely. I had no knowledge about it.

The CHAIRMAN. Is there anything further of this witness?

Mr. ANGELL. I don't think so. Anything else could be put in a deposition.

The CHAIRMAN. You can furnish more memorandum for the committee if there is anything else. We will determine then what shall be done with him. Who is this Mr. Davis?

Capt. Wood. He is the biggest swindler who ever struck Haiti. He swindled me of the most prominent people in Port au Prince—not only Port au Prince but all over Haiti. He swindled some of the best Haitians out of several hundred thousand dollars, claiming to be able to locate buried treasure in the ground, and he induced them to burn enormous sums of money, and in doing so he just worked the sleight-of-hand change and burned false money in its place, and they were ashamed to tell it, and he was sent to prison.

The CHAIRMAN. What is Davis's first name?

Capt. Wood. Juan Baptiste Ramirez. He is wanted by the Cuban Government for theft and forgery. He is a Cuban, and has been in Haiti about three years; and it was one of his own statements that a man who was pretending to be a candidate for the presidency of Haiti had made some arrangement with him by which he was, for \$15,000, to kill President Dartiguenave by magic; and the man paid the money, so I am informed by Davis himself. That man is a senator of the Republic of Haiti. He nicked the best of them.

Mr. ANGELL. Is he wearing stripes now?

Capt. Wood. No; he is waiting trial; and, incidentally, there are a lot of Haitians awaiting trial along with him. Two of them are foreigners.

#### STATEMENT OF MR. VOLNY PAULTRE, ST. MARC.

Mr. ANGELL. State your name.

Mr. PAULTRE. Volny Paultre.

Mr. ANGELL. Do you live in St. Marc?

Mr. PAULTRE. Yes.

Mr. ANGELL. When did you come down from St. Marc to Port au Prince?

Mr. PAULTRE. Wednesday.

Mr. ANGELL. You came down to testify at this investigation?

Mr. PAULTRE. Yes.

Mr. ANGELL. What is your occupation?

Mr. PAULTRE. I am a merchant.

Mr. ANGELL. Engaged in business at St. Marc?

Mr. PAULTRE. Yes.

Mr. ANGELL. For how many years have you been engaged in business there?

Mr. PAULTRE. Yes; I am engaged in commercial affairs.

Mr. ANGELL. For how many years have you been engaged at St. Marc?

Mr. PAULTRE. About 14 years.

Mr. ANGELL. Were you engaged in business at St. Marc and living there in March, 1919?

Mr. PAULTRE. Yes.

Mr. ANGELL. Did you know at that time Capt. Fitzgerald Brown?

Mr. PAULTRE. Yes.

Mr. ANGELL. Was he in charge of the gendarmerie at St. Marc?

Mr. PAULTRE. He was captain of the gendarmerie at St. Marc at that time.

Mr. ANGELL. He is an American?

Mr. PAULTRE. Yes; I think so.

Mr. ANGELL. Now, will you tell as briefly as possible what you saw at the prison in St. Marc on a certain day in March, 1919, and the necessary events immediately preceding that.

Mr. PAULTRE. Capt. Brown called me in March and asked me to accompany him to prison to be present at an interrogation of three persons, accused, arrested and put in prison for having committed a crime upon the property of my uncle, Madame Oreus Paul. Upon reaching the prison I saw several people from Haiti and the three people accused.

Mr. ANGELL. Can you tell us the names of the three persons who are accused?

Mr. PAULTRE. It was Salnave Fabre, Yoyo, and Nicholas. After the interrogation of the witnesses who had accused these three persons, Capt. Brown called the three accused people to be questioned, all of whom denied the facts.

Mr. ANGELL. Were you present when you heard him ask these witnesses whether or not they were guilty of this charge?

Mr. PAULTRE. Yes.

Mr. ANGELL. This took place at the gendarmerie prison in St. Marc?

Mr. PAULTRE. Yes. In the presence of the justice of the peace, Florian U. Charles, now dead. I asked the judge why he did not take the written statements of these witnesses, and he told me it was not necessary.

Mr. ANGELL. Were the three accused persons interrogated at the same time in the presence of each other?

Mr. PAULTRE. One after another.

Mr. ANGELL. Were you present at the interrogation of each of these three men?

Mr. PAULTRE. Yes.

Mr. ANGELL. Was the juge du paix also present at the interrogation of the three?

Mr. PAULTRE. Yes.

Mr. ANGELL. Were the questions put by Capt. Brown himself?

Mr. PAULTRE. No; they were put by Duval Lorquet, one of Brown's auxiliaries.

Mr. ANGELL. Was he a gendarme?

Mr. PAULTRE. No.

Mr. ANGELL. A civilian?

Mr. PAULTRE. Yes.

Mr. ANGELL. A Haitian?

Mr. PAULTRE. Yes.

Mr. ANGELL. Was Capt. Brown present at the interrogation of all of the three accused?

Mr. PAULTRE. Yes.

Mr. ANGELL. Were other persons besides yourself, Capt. Brown, and the juge du paix, and this Haitian auxiliary also present?

Mr. PAULTRE. Yes. There were the other witnesses from Pivet.

Mr. ANGELL. And about how many were they in number?

Mr. PAULTRE. About 10.

Mr. ANGELL. Any others?

Mr. PAULTRE. No.

Mr. ANGELL. Now, tell us just what took place after the interrogation of the accused.

Mr. PAULTRE. The accused having been questioned denied the facts. Capt. Brown said, "I am going to make you talk. I have a little machine which will make you talk."

Mr. ANGELL. Did you hear him say those words?

Mr. PAULTRE. Yes.

Mr. ANGELL. Before all these people to whom you have just referred?

Mr. PAULTRE. Yes.

Mr. ANGELL. Continue.

Mr. PAULTRE. He took a telephone box. He fastened one of the wires to the teeth and the other he wound around the top and Duval gave the current.

Mr. ANGELL. Did you yourself see the wires attached to the teeth and the top of each of the three accused persons?

Mr. PAULTRE. Yes.

Mr. ANGELL. And did you see Duval turn the crank and apply the current?

Mr. PAULTRE. Yes.

Mr. ANGELL. What effect did you see produced as the result of this action?

Mr. PAULTRE. Upon the action of the electric current, one after the other admitted that they were the authors of the crime charged to them.

Mr. ANGELL. Was the current applied to these three men at the same time or in succession?

Mr. PAULTRE. One after the other.

Mr. ANGELL. And were the three all together during the entire time when each one of them was in turn given this treatment?

Mr. PAULTRE. No.

Mr. ANGELL. Were all three of them in the room?

Mr. PAULTRE. One in the room and the other two were out in the yard.

Mr. ANGELL. And then after they finished with one was he taken out of the room?

Mr. PAULTRE. Yes; and they brought another in.

Mr. ANGELL. And the same as to the third?

Mr. PAULTRE. Yes.

Mr. ANGELL. Do you know of your own knowledge what happened to each of these three afterwards?

Mr. PAULTRE. I believe that two or three days afterwards, the guardian of the same property came and told us that Capt. Brown had shot upon the property, the two youngest, and that he hanged the third, the oldest one.

Mr. ANGELL. Did you see these two being shot, or did you see the third being hanged?

Mr. PAULTRE. No; not personally.

Mr. ANGELL. Did you see their bodies?

Mr. PAULTRE. The bodies are still on the property.

The CHAIRMAN. Let me see. If I understand him correctly, somebody told him this?

Mr. ANGELL. That is all.

The CHAIRMAN. And who was the man who told him this?

Mr. PAULTRE. Mr. Emilcar, watchman of the property.

The CHAIRMAN. Where did this man live?

Mr. PAULTRE. He is at the present time upon that same property.

Mr. ANGELL. Where is that property?

Mr. PAULTRE. At Pivet, near St. Marc.

Mr. ANGELL. In the village of Pivet?

Mr. PAULTRE. It is not a village. It is a habitation called Pivet.

The CHAIRMAN. When did this man tell him this story about the killing of these men?

Mr. PAULTRE. He came the same morning to tell us of the facts.

The CHAIRMAN. Fix the date as nearly as you can.

Mr. PAULTRE. It was about—let us say the 4th or 5th of March.

The CHAIRMAN. What year?

Mr. PAULTRE. 1919.

The CHAIRMAN. Where did he tell you this?

Mr. PAULTRE. He came to my house and told me there at my house.

The CHAIRMAN. Who was present at that time?

Mr. PAULTRE. I do not recall.

The CHAIRMAN. Did anybody hear him tell this story about the captain?

Mr. PAULTRE. I don't remember. I may tell you that it was in a measure a duty to come and tell me, because he is the watchman of my property.

The CHAIRMAN. Was anyone else present at the time this story was told to the witness?

Mr. PAULTRE. I have told you that I don't remember.

The CHAIRMAN. Did you ever talk to Capt. Brown about this?

Mr. PAULTRE. No.

The CHAIRMAN. When you say that Capt. Brown went with you to this office of the peace—

Mr. PAULTRE. No; in the prison.

The CHAIRMAN. Went with Capt. Brown—did I say to the justice of the peace—to the prison. Why did Capt. Brown take you to hear him question these men?

Mr. PAULTRE. It was because these men were accused of having committed a crime upon this same property.

The CHAIRMAN. What did you say to Capt. Brown when he attached this telephone wire that you have described to the teeth of the men and to the thumb?

Mr. PAULTRE. I did not say anything to him.

The CHAIRMAN. How long after this was it that you were informed that these men were dead?

Mr. PAULTRE. About three days after that.

The CHAIRMAN. Did you tell anybody else about this after you had heard the story about the way in which they were killed?

Mr. PAULTRE. Yes; it was talked of all over St. Marc.

The CHAIRMAN. Did you say anything to the American authorities or the Haitian authorities about it?

Mr. PAULTRE. No.

The CHAIRMAN. And you have not from that time until this day?

Mr. PAULTRE. No.

The CHAIRMAN. Have you had any trouble with Capt. Brown?

Mr. PAULTRE. Personally, no.

The CHAIRMAN. How long had you known Capt. Brown before the day you visited the prison with him?

Mr. PAULTRE. Ever since the arrival at St. Marc I have seen him from time to time.

The CHAIRMAN. About how long was that?

Mr. PAULTRE. I can not fix the time.

Senator JONES. How did you happen to come down here at this time to testify before the committee?

Mr. PAULTRE. I was invited by the Union Patriotique to come and give testimony about this affair, which was a matter of my knowledge.

Senator JONES. What member of that organization invited you to come?

Mr. PAULTRE. The secretary.

Senator JONES. Had you previously talked to him about it?

Mr. PAULTRE. We had talked about it at St. Marc some days ago.

Senator JONES. You stated that those men were still on that property you mean that they were buried on the property?

Mr. PAULTRE. Yes.

Senator JONES. Do you know where the graves are?

Mr. PAULTRE. Yes.

Senator JONES. Have you been to them?

Mr. PAULTRE. No; I have not been right at the graves myself, but I have seen them in passing.

Senator JONES. Can you describe the graves, where they are?

Mr. PAULTRE. They are near a river; passing just about the center of the property.

Senator JONES. Is there a road goes near the place where their graves are?

Mr. PAULTRE. There is a trail passing near there.

Senator JONES. A trail between what places?

Mr. PAULTRE. A trail from the property.

Senator JONES. What makes the trail; why is the trail there?

Mr. PAULTRE. It is a small road which has existed for a long time. There are a number of small roads.

Senator JONES. By whom is it traveled? By whom is that particular road traveled, ordinarily?

Mr. PAULTRE. Those who pass upon the property. The workmen, visitors.

Senator JONES. Does it lead from one settlement to another settlement?

Mr. PAULTRE. No.

Senator JONES. What makes a trail of it; why is it frequently traveled? It is?

Mr. PAULTRE. A field that is being cultivated can not be used as a road; therefore there are small trails leading into all parts of the property.

Senator JONES. What property is this?

Mr. PAULTRE. It is a property at St. Marc, in the region called Piver.

Senator JONES. It is a cemetery?

Mr. PAULTRE. No; a garden.

Senator JONES. Whose garden is it?

Mr. PAULTRE. My mother Madame Arias Ball. It was a female property.

Senator JONES. How far are these graves from the house?

Mr. PAULTRE. I can not say exactly.

Senator JONES. More or less?

Mr. PAULTRE. It is very difficult really to estimate this distance, but it is quite a distance.

Senator JONES. You are an intelligent man. You can indicate in some way that distance from the house on the property.

Mr. PAULTRE. My mother had no house upon this property. The guardian has a little house upon the property.

Senator JONES. How far from the guardian's house are these graves?

Mr. PAULTRE. About 10 minutes' walk.

Senator JONES. What does the guardian do there?

Mr. PAULTRE. He works upon the property.

Senator JONES. Does he work on that part of the property where those graves are?

Mr. PAULTRE. Yes.

Senator JONES. The land around these graves is cultivated?

Mr. PAULTRE. Yes. The ground around that.

Senator JONES. What is there to indicate that they are graves?

Mr. PAULTRE. As is done always in Haiti, there is a little mound of earth.

Senator JONES. Is there any other mark there?

Mr. PAULTRE. No; that is all.

Senator JONES. Are the three graves near together?

Mr. PAULTRE. There are not three graves. There are two.

Senator JONES. Are they near to each other?

Mr. PAULTRE. They are close together.

Senator JONES. How close are they?

Mr. PAULTRE. There is not any real distance, only about 2 feet.

Senator JONES. Could you show us those graves to-morrow when we are up in that country?

Mr. PAULTRE. Yes.

Senator JONES. When are you going back to St. Marc?

Mr. PAULTRE. To-morrow at noon, by train.

Senator JONES. Is there anyone else up there who could show us those graves?

Mr. PAULTRE. Yes; there is the watchman, Emilcar.

Senator JONES. What is his first name?

Mr. PAULTRE. I don't know.

Senator JONES. Is he the one who told you that these men were buried there?

Mr. PAULTRE. Yes.

Senator JONES. And he has been on the property ever since?

Mr. PAULTRE. Always.

Senator JONES. Did Emilcar ever show these graves to you?

Mr. PAULTRE. It was not necessary to show them to me, since in passing I could see them.

Senator JONES. How did you know they were graves?

Mr. PAULTRE. Emilcar had told me that these three people had been buried here.

Senator JONES. Do you mean three to two?

Mr. PAULTRE. Three individuals, but two graves.

Senator JONES. How far did Emilcar live from St. Marc?

Mr. PAULTRE. About 10 minutes' walk.

Senator JONES. Perhaps I misunderstood you or you misunderstood me awhile ago. How far is it from the Emilcar house to these graves?

Mr. PAULTRE. I can not estimate distance exactly, but I have told you that you leave the house of Emilcar on foot, it will take you about 10 minutes to reach the graves.

Senator JONES. Does Emilcar live in the town of St. Marc?

Mr. PAULTRE. He lives at Pivet, near St. Marc.

Senator JONES. And it is about as far from Pivet to the graves as it is from St. Marc to the graves, is that the truth?

Mr. PAULTRE. No; it is farther from St. Marc to Pivet.

Senator JONES. No; he doesn't understand me. He says it is 10 minutes' walk from St. Marc to the graves and it is 10 minutes' walk from Pivet to the graves. Is that what he means to say?

Mr. PAULTRE. No; that is not what I said. I said that it was 10 minutes' walk from the house of Emilcar to these graves. But if we say from St. Marc to the house of Emilcar, it is a matter of half an hour's walk.

Senator JONES. How soon after these men were killed did Emilcar tell you about it?

Mr. PAULTRE. About an hour or an hour and a half afterwards.

Senator JONES. Did he tell you who killed them?

Mr. PAULTRE. He told me that the execution had been ordered by Capt. Brown.

Senator JONES. Who did the killing?

Mr. PAULTRE. The gendarmes.

Senator JONES. How were they killed?

Mr. PAULTRE. Two shot and the third hanged.

Senator JONES. Of what crime had they been accused?

Mr. PAULTRE. They were accused of having murdered one of the watchmen that I had on the property.

Senator JONES. Did you believe that they had murdered the watchman your property?

Mr. PAULTRE. Upon the declaration of other people at Pivet, one must believe it.

Senator JONES. Did you believe it?

Mr. PAULTRE. Yes.

Senator JONES. And you went with Capt. Brown to try to have them convicted, did you not, of having murdered your watchman?

Mr. PAULTRE. Capt. Brown had invited me to go along as one interested in the affair, to be present at their interrogation.

Senator JONES. And your watchman had been murdered, had he?

Mr. PAULTRE. Yes.

Senator JONES. How long before this examination of these three men?

Mr. PAULTRE. About five days, perhaps.

Senator JONES. For what reason did they murder your watchman?

Mr. PAULTRE. In order to steal, because they had stolen from the property and had killed the watchman.

Senator JONES. If they had killed your watchman, as you believed, then they should have been executed themselves, should they not, in your opinion, after a trial?

Mr. PAULTRE. According to my opinion, having put anyone in prison, he is in the hands of the law, and justice should have followed its course, and they should have been tried by a criminal court; that is the custom of Haiti and is the law.

Senator JONES. Were those three men arrested?

Mr. PAULTRE. I don't know.

Senator JONES. Did you ever hear where they were arrested?

Mr. PAULTRE. They were people of those parts, but I don't know where they had been arrested.

Senator JONES. Who informed on those people?

Mr. PAULTRE. The other people of those parts.

Senator JONES. Did they come and tell you that your watchman had been murdered before these people were arrested?

Mr. PAULTRE. Yes, certainly.

Senator JONES. Then what did you do after you heard that your watchman had been murdered?

Mr. PAULTRE. I called the justice of the peace to make an official report on the affair.

Senator JONES. And did he do that?

Mr. PAULTRE. Yes.

Senator JONES. Made a report to whom?

Mr. PAULTRE. To his chief.

Senator JONES. Who was his chief?

Mr. PAULTRE. He is under the civil court, the juge d'instruction and prosecuting attorney.

Senator JONES. What is his name?

Mr. PAULTRE. It was Judge Florian Ulysses Charles.

Senator JONES. What did he do after he was informed that these three had murdered your watchman?

Mr. PAULTRE. The first day of the crime, he knew nothing about it.

Senator JONES. After you told him about it, what did he do?

Mr. PAULTRE. He went to the property, where he drew up an official report verifying the crime.

Senator JONES. Did he view the body of your dead watchman?

Mr. PAULTRE. Yes.

Senator JONES. What did he do after that regarding the matter?

Mr. PAULTRE. Nothing.

Senator JONES. Why didn't he?

Mr. PAULTRE. I don't know. We had information about the people who committed the crime.

Senator JONES. When did you first learn who committed the crime?

Mr. PAULTRE. When I was asked to go to the prison with Capt. Brown five days after.

Senator JONES. Did that justice of the peace take any part in trying to find out who those men were?

Mr. PAULTRE. It was not the attribution of the juge du paix. It was not that of the police.

Senator JONES. Did the judge report the matter to the police, or did you do it?

Mr. PAULTRE. The judge reported it directly. I did not.

Senator JONES. Who was the policeman to whom the judge reported it?

Mr. PAULTRE. To the chief of the gendarmerie.

Senator JONES. What was his name?

Mr. PAULTRE. Capt. Brown.

Senator JONES. Then the judge requested Capt. Brown to find out who the men were who had murdered your watchman, did he?

Mr. PAULTRE. He did not ask that this be done. He simply announced to the police that there had been a crime committed at Pivet. It is thus that things are done.

Senator JONES. That statement was made for the purpose of having Capt. Brown find out who did the murder, was it not?

Mr. PAULTRE. Assuredly.

Senator JONES. What other evidence was there produced to show that those were the three men who had murdered your watchman?

Mr. PAULTRE. They had been arrested upon being denounced by other people at Pivet, but these people had not been seen at the time of the murder.

Senator JONES. But they convinced you that the right men had been arrested, did they not?

Mr. PAULTRE. Yes.

Senator JONES. What date was your watchman murdered?

Mr. PAULTRE. Among the first days of March.

Senator JONES. 1919?

Mr. PAULTRE. 1919.

Senator JONES. Is that justice of the peace still living or is he dead?

Mr. PAULTRE. He is dead.

Senator JONES. Who was the policeman? What was his name, to whom the matter was reported? Was that Capt. Brown?

Mr. PAULTRE. I don't know.

Senator JONES. You said the justice of the peace reported it to the policeman.

Mr. PAULTRE. To the gendarme who fills the rôle of police at the present time. He made a report to the officers of the gendarmerie.

Capt. Woods. I wish to make a statement for the record. Mr. Jolibois made statement that 22 days ago I was at the courtyard and called a man by the name of Davis to the court and tried to make him sign a paper and that Mr. Davis told that to another prisoner in his presence. The judge of instruction is present here. The judge of instruction could tell whether or not I have been to the court in the last 22 days, and whether at any time anybody has ever called Davis but him. Because he is the only man who is authorized to call Davis.

Mr. ANGELL. I accept that entire statement as the truth, absolutely.

I wish to present a deposition in English, to be sworn to.

The CHAIRMAN. Have you read it?

Mr. ANGELL. I have, sir. It is in due form. Sworn to before a notary public.

The CHAIRMAN. It may be, I take it, received under advisement, and after we look after it I have no doubt it will be incorporated.

Mr. ANGELL. It is by Mrs. Harris Lipschitz, an American citizen, concerning the murder of her husband here in Haiti.

(The deposition is as follows:)

"My husband, Mr. Harris Lipschitz, an American citizen, residing in Haiti, was found murdered on the road leading from Cayes to St. Louis du Sud on June 7, 1921. His murderer has never been discovered, and I know of no steps taken by the American occupation in Haiti to solve the mystery surrounding my husband's death. Therefore I am anxious that the members of the commission be fully informed on the circumstances preceding and surrounding the time in order that justice may be done.

"Mr. Lipschitz, Russian by birth, became an American citizen in 1918. He first came to Haiti in 1902 and established himself in business at St. Louis du Sud. Until 1916 he lived in complete tranquillity. Then he began to experience ill treatment at the hands of various officers of the Haitian gendarmerie and of the United States Marine Corps. Many officers purchased supplies from him and failed to pay for them. Many also borrowed money which they did not return. When he sought the money due threats were made against him by these officers.

"Finally Lieut. Grant, of the gendarmerie, one of the officers who owed my husband money, falsely accused my husband of threatening the corporal with

a revolver and caused him to be confined in prison for a month. At the of this time he was released on bail. And two days later, while returning Cayes to his home in St. Louis with provisions, he was arrested by Lieut. Grant on the ground of having left St. Louis. No instructions had been given to his husband not to do so. Mr. Lipschitz sent a telegram to Gen. Williams, stating that he had been illegally arrested by Lieut. Grant, and Gen. Williams promptly ordered his release.

"While my husband was in prison Lieut. Grant came to my house and told me that my husband had been arrested. He said that he believed my husband would never see the sun shine again and that everything was finished for him. He advised me to sell the properties of my husband, and offered to help in disposing of them. I told him that I thought my husband would be released from prison, since he had committed no crime. Lieut. Grant became angry and exclaimed, 'Do not argue with me; you had better believe me.'

"Then he asked me to give him something to drink, and when I refused he helped himself to liquor. He made advances to my sister and myself, attempted to assault us. I sent a servant girl for the notary public, and when he appeared Lieut. Grant left the house. I made a deposition before the notary public of the treatment that had been accorded us by the lieutenant.

"Another time Col. Buckley, of the Marine Corps, came to my house and my husband was in Aquin. He made inquiries concerning my husband's business affairs and said that he would do his best to have him deported, so that the occupation would be rid of him. After this episode threats were constantly against my husband's business interests and even against his person by American officers stationed in the section of the country where we lived.

"Consequently it was no surprise to us when an order was issued expelling my husband from Haitian territory. This order stated that Mr. Lipschitz was to be deported on the first vessel leaving the country. Instead he was detained in prison while three vessels left, and was finally placed on a vessel bound for Cuba. When he arrived in Cuba he found that the American minister in Havana Prince had cabled the American Legation at Habana saying that Brigadier Commander Russel had advised him that Mr. Lipschitz's deportation was irregular and he was entitled to a passport to return to Haiti if he so desired.

"From Cuba my husband proceeded to Washington, where he placed his case before Congressman Siegel, who in turn called the matter to the attention of Gen. Barnett. Gen. Barnett authorized Mr. Lipschitz to return on a Government vessel to Haiti and instructed Brigadier Commander Russel to make a thorough investigation of the deportation of Mr. Lipschitz.

"When my husband returned to Haiti he was detained in Port au Prince, refused permission to go to his home in St. Louis. His property was confiscated while he was thus detained and his business suffered severely. His protests were of no avail. When he complained to Maj. Turner that he was in financial distress he was informed that he could obtain medicine and food free of charge in national prison.

"The board of inquiry appointed by Col. Russel investigated the circumstances of my husband's deportation and subjected my husband to a severe examination, the details of which he was warned not to divulge.

"Although Lieut. Grant was one of the officers against whom my husband made the most serious charges, he was permitted to act as interpreter and adviser to the board. Many witnesses whom my husband requested to be summoned before the board were never called. Nothing was accomplished by this board of inquiry and no one punished.

"When the Mayo board of inquiry came to Haiti my husband appeared before the board. My husband told me that Judge Advocate Dyer, in a private interview with him, tried to intimidate him by threatening him with prosecution for perjury. Letters which my husband wrote the board preferring charges against American officers and others were never answered.

"A second order was issued expelling my husband from Haiti, and he was given until June 30, 1921, to settle his affairs. He encountered many difficulties inspired by officers while engaged in the task. He appealed to Col. Russel for protection time and time again. He wrote Congressman Siegel that he was being afforded the proper protection and feared for his life.

"On the 7th of June my husband, myself, and two servants were returning from Cayes to St. Louis. As we approached Cavaillon my horse and the two servant boys were not as tired as those of my husband's and the two girls', and we rode on ahead. As we left him my husband said he would try to get fresh mules in the neighborhood.

"Twenty minutes after I arrived home the girl appeared. When I asked her here Mr. Lipschitz was she informed me that a Haitian had stopped him on the road and she had left them conversing together. I began to feel anxious when half an hour passed my husband did not appear. The servant girl began to act strangely, refused supper, and cried continually. She explained that he was feeling ill and thought she had caught cold.

"In about an hour's time I heard a horse approaching the house and thought was my husband. I called out and was told that it was Mr. Barber, a friend of ours. I asked him in and inquired if he had seen Mr. Lipschitz. He replied the negative. He and the servant girl returned to the spot where I had left my husband but failed to find him.

"I notified the corporal of the gendarmerie in St. Louis that my husband was missing. He returned in the morning and said, 'Well, Mrs. Lipschitz, I think you had better make up your mind that your husband has been murdered, though I have not yet found his body.' A Haitian who lived near the place where my husband's body was later found brought my husband's mule to our use and told me he had found him wandering around loose. He recognized the mule and was surprised to see my husband nowhere in sight. He called my husband's name several times, but had no response.

"The corporal of the gendarmerie informed me in the afternoon that my husband's body had been found. I immediately telephoned the authorities at Cayes, asking them to investigate the crime. The servant girl and the man who found the mule were examined and placed in jail. Whether they are still there or not I do not know. I have been informed that they are. The murderer has never been fixed upon any individual, although the authorities are well aware of the identity of several persons who made threats against my husband's life. I myself do not claim to know who was the murderer.

"In view of the above facts, I beg the commission to determine why the murder of an American citizen has not been investigated by the American authorities, or, if such an investigation has been made, why the results have not been published.

"Mrs. HARRIS LIPSCHITZ."

#### STATEMENT OF MEDELUS VALET, ST. MARC, HAITI.

Senator POMERENE. What is your name?

Mr. VALET. Medelus Valet.

Senator POMERENE. Where is your home?

Mr. VALET. At St. Marc.

Senator POMERENE. How long have you lived there?

Mr. VALET. Seven years.

Senator POMERENE. Are you confined in prison here at Port au Prince now?

Mr. VALET. Yes; at this time.

Senator POMERENE. Sentenced on what charge?

Mr. VALET. I was a gendarme. My rifle went off in my hands and killed some one.

Senator POMERENE. Killed whom; a Haitian?

Mr. VALET. Yes; a Haitian.

Senator POMERENE. Do you know Polidor St. Pierre?

Mr. VALET. Yes.

Senator POMERENE. How long have you known him?

Mr. VALET. A long time.

Senator POMERENE. Did you ever see him in prison at St. Marc?

Mr. VALET. Yes.

Senator POMERENE. What were you doing there?

Mr. VALET. I was a prisoner.

Senator POMERENE. Do you know Capt. Fitzgerald Brown?

Mr. VALET. Very well.

Senator POMERENE. Did you at any time see Capt. Brown in this prison?

Mr. VALET. Yes; I saw him come to the prison sometime. He was captain.

Senator POMERENE. Did you at any time see him do anything to Polidor St. Pierre?

Mr. VALET. No.

Senator POMERENE. Did you see him talking with Polidor St. Pierre?

Mr. VALET. No.

Senator POMERENE. Did you see anybody else do anything to Polidor St. Pierre?

Mr. VALET. Yes.

Senator POMERENE. Who was it?

Mr. VALET. Detectives and gendarmes.

Senator POMERENE. Do you know the detectives' names?

Mr. VALET. No.

Senator POMERENE. Were they Americans or Haitians?

Mr. VALET. Haitians.

Senator POMERENE. The detectives were Haitians?

Mr. VALET. Yes.

Senator POMERENE. Were the gendarmes Americans or Haitians?

Mr. VALET. Haitians.

Senator POMERENE. What did these people do to this man Polidor St. Pierre?

Mr. VALET. Capt. Brown arrested Polidor St. Pierre, putting him in prison. They came and mistreated him in prison in the absence of the captain.

The CHAIRMAN. Who came and mistreated him?

Mr. VALET. A gendarme.

The CHAIRMAN. And what did they do?

Mr. VALET. They beat him; they burned him.

The CHAIRMAN. Burned him what?

Mr. VALET. Burned him with a hot iron.

The CHAIRMAN. What kind of an iron was it?

Mr. VALET. An iron with which they make the prison bars.

The CHAIRMAN. Tell all that you saw done up there by these men to man Polidor St. Pierre.

Mr. VALET. They came and mistreated him when the captain was not. When the captain came he was angry because they had mistreated him. Capt. Brown came he took Polidor out of the cell in the prison and put him in a room belonging to the sergeant of the prison, and after he had put him in this room he sent gendarmes to go and tell his relatives to bring food to him and had the doctor treat him three times a day.

The CHAIRMAN. How long were you in that prison after the gendarmes mistreated Polidor St. Pierre?

Mr. VALET. I had already two years in prison.

The CHAIRMAN. How long after that did you stay in prison?

Mr. VALET. I was three years and five months in the prison at St. Marc. I have been in prison 15 months here.

The CHAIRMAN. Did you see the gendarmes or anyone else do anything to Polidor St. Pierre?

Mr. VALET. After they put him in the sergeant's room they did nothing to him.

The CHAIRMAN. Now, before this burning did you see him with handcuffs?

Mr. VALET. Yes.

The CHAIRMAN. Tell what, if anything else, they did to this man.

Mr. VALET. They burned him with hot irons and beat him.

The CHAIRMAN. Did you see them use any hot water with him?

Mr. VALET. That is not true.

The CHAIRMAN. Did they have him tied up with handcuffs on his wrists in any way?

Mr. VALET. Yes; in the beginning, when they arrested him, he was handcuffed so [indicating].

The CHAIRMAN. Who did this?

Mr. VALET. The prison sergeants and gendarmes.

The CHAIRMAN. Did you see them hang him up in this way?

Mr. VALET. The gendarmes were questioning him for what he had done. They really did hang him up.

The CHAIRMAN. Was Capt. Brown there at the time that he was hanging him up?

Mr. VALET. I did not see him there.

The CHAIRMAN. Did you see Capt. Brown mistreat this man in any way at all?

Mr. VALET. With his own hands; no.

The CHAIRMAN. Or in his presence?

Mr. VALET. No; Capt. Brown was not present.

The CHAIRMAN. How long was this Polidor St. Pierre hung up by the wall in this way?

Mr. VALET. At times when they were talking to him they would hang him up for half an hour at a time, and then after that take him down.

The CHAIRMAN. How often did they hang him up in that way?

Mr. VALET. About three times.

The CHAIRMAN. Just tell how they would hang him up.

Mr. VALET. He was handcuffed, and there was a rafter in the prison, a rope was fastened around the chain of the handcuff, thrown over the bar, and he was drawn up until he was standing on his toes.

The CHAIRMAN. Did he have shackles about his ankles?

Mr. VALET. No; that is not true. He did not have irons on his feet.

The CHAIRMAN. Let the witness stand up and indicate on his own person the parts of the body of Polidor St. Pierre which were burned in the way he is described.

(The witness stood up and indicated certain parts of his body.)

Mr. VALET. He was burned over his back, over the back of his legs, and his buttocks.

The CHAIRMAN. I think that is all we care to inquire.

Senator JONES. Was he also burned on the front of the left leg?

Mr. VALET. He was burned in several places. I can not tell you whether it was the right leg or the left leg.

Senator JONES. Was he burned on the front of the leg?

Mr. VALET. I can not tell that. That was a long time ago and I have been in prison all the time.

Senator JONES. Well, unless there is something further, we will excuse the witness.

#### STATEMENT OF MR. JOSEPH LANOUE, PORT AU PRINCE.

Mr. ANGELL. Give your name.

Mr. LANOUE. Joseph Lanoue.

Mr. ANGELL. Do you live in Port au Prince?

Mr. LANOUE. Yes.

Mr. ANGELL. What is your occupation?

Mr. LANOUE. I am a newspaper man.

Mr. ANGELL. Have you lately been in the prison of Port au Prince?

Mr. LANOUE. Yes.

Mr. ANGELL. Were you liberated to-day or yesterday?

Mr. LANOUE. I was set free this morning.

Mr. ANGELL. Do you know Medelus Valet, the witness who has just testified?

Mr. LANOUE. Yes.

Mr. ANGELL. Have you been in prison with him lately?

Mr. LANOUE. Yes.

Mr. ANGELL. Were you confined in the same prison with him at the same time?

Mr. LANOUE. When I went to prison I found him there. That has been six months ago.

Mr. ANGELL. Did you ever hear Medelus Valet tell of what he had seen or heard concerning Polidor in prison in St. Marc?

Mr. LANOUE. Yes.

Mr. ANGELL. You were in the room just now when the witness, Medelus Valet testified?

Mr. LANOUE. Yes.

Mr. ANGELL. You heard what he said?

Mr. LANOUE. I understood what he said.

Mr. ANGELL. What were you serving in prison for? Under what sentence?

Mr. LANOUE. I was put in prison for having written in my newspaper articles of an incendiary nature.

Mr. LANOUE. What was your newspaper?

Mr. LANOUE. The Courier Haitian.

Mr. ANGELL. Now, tell us whether you have at any time heard Medelus Valet recount a different story concerning the treatment accorded to Polidor in the son at St. Marc.

Mr. LANOUE. Yes.

Mr. ANGELL. Did you ever hear Medelus Valet say that he had seen Capt. Brown apply hot irons to Polidor?

Mr. LANOUE. He even said that it was he, Medelus Valet, who heated the iron for him.

The CHAIRMAN. You have no personal knowledge about this matter at all?

Mr. LANOUE. As a newspaper man I had some reports of this affair, I never had all of its details.

The CHAIRMAN. That does not answer the question. Do you know of your own personal knowledge anything about this, or is your knowledge limited simply hearsay or what others have told you?

Mr. LANOUE. I have an idea of the facts, from the story that has been told to me by Medelus Valet. We were confined in the same cell in the prison.

The CHAIRMAN. I want a direct answer. This is an intelligent witness and what I want to know is, does he know personally anything about the facts from his own knowledge, from what he saw.

Mr. LANOUE. No.

Senator JONES. What is the nature of the testimony of this next witness whom you are about to call?

Mr. ANGELL. The nature of his testimony would be alleged facts concerning his arrest by one Lieut. Jackson, confinement in prison for one month, with any charge against him, and other facts in connection with that.

The CHAIRMAN. Does this show where he was confined, and what the nature of the charge was?

Mr. ANGELL. No, I just said that it was without charge.

The CHAIRMAN. I think you did, and I stand corrected. Does it show where he was confined, what prison?

Mr. ANGELL. In the gendarmerie prison at Miragoane.

The CHAIRMAN. Does his name appear on the prison rolls or records up to the name under which he now appears before us?

Mr. ANGELL. I don't know. I shall have to have him sworn and answer that question. He would not know anything about it probably.

The CHAIRMAN. You may go ahead. Let me suggest, however, that we have an affidavit here showing the facts as you claim them to be, we will take that affidavit as a part of the record. It is in French, I take it.

Mr. ANGELL. It is in French. An affidavit to a judge du paix saying this man appeared before him and made claim to these facts. This affidavit is dated December 10, 1917, four years ago. I have here also—

The CHAIRMAN. Now, let me ask you further. Is this justice of the peace still living?

Mr. ANGELL. I shall have to ask that of the witness.

Senator JONES. Where does the witness live? Where is his home?

The CHAIRMAN. Oh, have him sworn, and we will have him go on and briefly what he has to say.

#### STATEMENT OF MR. DILON VICTOR, OF MIRAGOANE

Mr. ANGELL. Your name is Dilon Victor?

Mr. VICTOR. Yes.

Mr. ANGELL. Do you live in Miragoane?

Mr. VICTOR. Yes.

Mr. ANGELL. You have lived there for a long time?

Mr. VICTOR. Thirty-seven years.

Mr. ANGELL. Were you arrested and confined in the prison at Miragoane?

Mr. VICTOR. Yes.

Mr. ANGELL. Was this in 1917?

Mr. VICTOR. The 3d of November, 1917.

Mr. ANGELL. And how long were you confined in the prison?

Mr. VICTOR. Twenty-seven days.

Mr. ANGELL. Do you know for what reason you were confined?

Mr. VICTOR. Yes.

Mr. ANGELL. What?

Mr. VICTOR. I am an inhabitant—a planter. I have two pieces of property, one piece of property in the first rural section of the Commune of Miragoane and the other in the fourth section in the plain of Fond des Nègres. Last year I spent six months on one property and six months on the other.

The CHAIRMAN. Now, what is all this about? What is the pertinency of this?

Mr. ANGELL. I asked why he was arrested and put in prison.

The CHAIRMAN. Yes; but I don't see the connection of this.

Mr. ANGELL. It has something to do with a horse, Senator.

The CHAIRMAN. Go directly to the question as to what the charge was.

Mr. VICTOR. I was arrested by Lieut. Jackson. He wished to borrow my horse. I told him no; before lending him my horse I wished it to be

o rest, for it had gone 9 leagues distance. I told him this in a polite manner. He invited me to come to the village for a question which would interest me. When I came to the provotal office he told me that I had been making bad reports about him. He caused me to go to the justice court—to the office of the justice of the peace. When we got to the justice court the juge du paix could not find any reason for trying me. Lieut. Jackson, therefore, took it upon himself to send me to prison.

Mr. ANGELL. What treatment did you receive in prison?

Mr. VICTOR. I was put in handcuffs.

Mr. ANGELL. Well, proceed as to any other manner in which you were treated in prison.

Mr. VICTOR. He handcuffed me and hanged me up.

Mr. ANGELL. How were you hung up and where?

Mr. VICTOR. To an iron bar.

The CHAIRMAN. Who hanged you up?

Mr. VICTOR. The lieutenant himself.

Mr. ANGELL. To what were you hung up?

Mr. VICTOR. He hanged me up to an iron bar.

Mr. ANGELL. By a rope or by a chain?

Mr. VICTOR. By a chain.

Mr. ANGELL. And where was the chain attached to your body?

Mr. VICTOR. On my wrists.

Mr. ANGELL. Have you still the marks of them on your wrists?

Mr. VICTOR. Yes. [Exhibiting his wrists to the committee.]

Mr. ANGELL. When you came out of prison, did you see a doctor in Miragoane?

Mr. VICTOR. Yes.

Mr. ANGELL. What was his name?

Mr. VICTOR. Dr. Dejean, who gave me a certificate.

Mr. ANGELL. Did Dr. Dejean give you medical treatment?

Mr. VICTOR. No. When I came out of prison he gave me a certificate. He did not want to receive me.

Mr. ANGELL. The certificate I should like to offer in evidence is apparently signed by Dr. Dejean, to which this witness has just referred, and is dated December 2, 1917, and recites in French—I am giving the substance of it very briefly—that he has just examined Dillon Victor, this witness, and he has found contusions and scars and marks upon his body, including specific marks upon his wrists. I would like to offer in evidence the statement of the doctor, and also the document of the juge du paix, dated December 10, 1917.

The CHAIRMAN. Did you fix the date, or does the affidavit fix the date when he was confined there?

Mr. ANGELL. He stated that he was confined—he gave the date November, 1917, for 27 days.

The CHAIRMAN. Ask him this question, as to what was the reason for hanging him up by the hands in the way he has described.

Mr. VICTOR. For my horse.

The CHAIRMAN. What does he mean by that? That is not very definite.

Mr. VICTOR. For my horse, which I refused to lend him.

The CHAIRMAN. That is, to Lieut. Jackson?

Mr. VICTOR. Yes.

The CHAIRMAN. What was Lieut. Jackson's first name?

Mr. VICTOR. I can not tell you.

The CHAIRMAN. Where were his headquarters?

Mr. VICTOR. At Miragoane.

The CHAIRMAN. How often had you seen him before this time?

Mr. VICTOR. That was the first time I had ever seen him.

The CHAIRMAN. Was he an American?

Mr. VICTOR. Yes.

The CHAIRMAN. Was he a white man?

Mr. VICTOR. Yes, a white American.

The CHAIRMAN. I think that is all.

Senator JONES. What did he want with the horse?

Mr. VICTOR. I don't know; but he took my horse for the service of the gendarmerie.

Senator JONES. What had your hanging up to do with the horse?

Mr. VICTOR. After I got out of prison, Dr. Dejean gave me a certificate.

Senator JONES. Make him understand. I want to have him explain what connection there was between his being hung up and that horse.

The INTERPRETER. He says, "Evidently he wanted to finish with me in order to take my horse."

Senator JONES. Could not he have taken the horse without hanging you up?

Mr. VICTOR. That was his will.

Senator JONES. Did he take the horse?

Mr. VICTOR. Yes.

Senator JONES. How long did he keep you hung up?

Mr. VICTOR. About 24 days.

Senator JONES. Did you get the horse back?

Mr. VICTOR. Yes.

Senator JONES. Who brought it back?

Mr. VICTOR. He told me to come and get the horse, and it was I who came and got it.

Senator JONES. Where did you get it?

Mr. VICTOR. At Port Mallet.

Senator JONES. Was it claimed that you had stolen the horse?

Mr. VICTOR. No; never.

Senator JONES. You mean to say that he wanted to borrow the horse, because you said the horse was tired he hung you up and kept you in jail 27 days? Is that right?

Mr. VICTOR. Yes.

Senator JONES. How long did he keep you hung up?

Mr. VICTOR. Twenty-four days.

Senator JONES. Twenty-four days?

Mr. VICTOR. Yes; and gave me a bath every day.

Senator JONES. Did he give you anything to eat?

Mr. VICTOR. He gave me a piece of bread every 24 hours.

Senator JONES. That was all he gave you, was it?

Mr. VICTOR. Yes.

Senator JONES. Did anybody else see you hanging there for 24 days?

Mr. VICTOR. Yes; there was Corpl. Cambrompe.

Senator JONES. Who else saw you hanging there?

Mr. VICTOR. No one else.

Senator JONES. Was Corpl. Cambrompe a Haitian or an American?

Mr. VICTOR. A Haitian.

The CHAIRMAN. Anything more, Mr. Angell?

Mr. ANGELL. The word was passed to me that delegation of doctors is here.

The CHAIRMAN. Well, they said they wished to pay us a courtesy call and said that we would receive them at 5 o'clock.

Mr. ANGELL. There are a considerable number of dossiers filed in the former depositions which I should like to offer. I make mention of them at that time. (The documents referred to will be filed with the clerk to the committee.)

The CHAIRMAN. Have you any further witnesses?

Mr. ANGELL. That is all for this afternoon. Other witnesses are coming all the time from outlying districts. Word is passed up to me every half hour that some one has come in to testify.

The CHAIRMAN. The chairman desires to state before adjourning now. The committee is very much grieved to hear that there is any evidence of cruelties or torturing of any kind toward any persons, for any cause whatever. This committee is authorized only to make inquiry about these charges and to report the facts to the United States Senate. Necessarily some of these things come to us here for the first time. They will be more thoroughly investigated by the American authorities here on the island. And I want to say to the people of Haiti that neither the United States Government nor its Army nor its Navy nor its Marines will ever permit, knowingly, the torture of prisoners. It may be that some of these things have happened. We are passing judgment now, but these matters are going to be investigated, and that justice may be done to all parties concerned. It may be that some of these charges that those who present them will want to present other evidence confirmatory of what may be said here. It may be that those who are accused will want to present further evidence. And I want to assure the people of Haiti that this committee and the Government of the United States desire the good of the people of Haiti, nothing else, and we want to have a free expression with you. We shall probably have to leave in the morning.

her sections of Haiti, because our time is necessarily limited, but these investigations will go on, whether we are here or not.

And allow me to suggest, further, that if we are not here, if the people who have these charges to present will present them to Col. Russel, the commandant, they will be thoroughly inquired into, and this information will be forwarded to us at Washington if we are not here.

I want the Haitian people to believe that that is what we want to do.

This committee and its attachés more than appreciate the many very great courtesies which have been shown to us, not only by the Haitian Government, but by the citizens of Haiti as well.

Let me add this further. If the people of Haiti desire to send any other evidence in the form of affidavits or depositions to the committee, let them be sent to the Hon. Medill McCormick, the chairman of this committee, in Washington. I ask now that the interpreter may interpret what I have said.

The committee will now stand adjourned.

(Whereupon, at 5.45 p. m., the committee adjourned subject to the call of the Chair.)



# INQUIRY INTO OCCUPATION AND ADMINISTRATION OF HAITI AND SAN DOMINGO.

MONDAY, DECEMBER 5, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Hinche, Haiti.*

The committee met at 11.15 o'clock a. m. at the gendarmerie, Hinche, Haiti, Senator Medill McCormick presiding.

Present: Senators McCormick (chairman), Pomerene, Oddie, and Jones.  
Also present Mr. Walter Bruce Howe, and Mr. Ernest Angell, in their respective capacities as heretofore indicated.

## STATEMENT OF MADAME EXILE ONEXILE.

The CHAIRMAN. What is your name?

Madame ONEXILE. Madame Exile Onexile.

The CHAIRMAN. Where do you live?

Madame ONEXILE. Section La Guajon.

The CHAIRMAN. Will you explain to the witness that she is to tell only what she herself has seen or heard? Let her begin to tell then.

Madame ONEXILE. The first atrocity was a mule that I had tied up in my garden. I went to take this mule. I did not find him. When I did not find him I came in and made a report to the magistrat communal that I did not find the mule in the yard.

The CHAIRMAN. Then, what happened?

Madame ONEXILE. I took the stamp of this mule from the magistrat and went to Tamocque or anywhere that I could find him. I found the mules in the hands of Capt. Kelly, who was then at Cercle La Source. When I presented my certificate for the mule the mule was not there, he had sent it to Aquiat to carry food for the gendarmes. When the mule returned Captain Aquiat used to turn the mule over to me and demanded 130 gourdes for it. I came back to Hinche to get the 130 gourdes. Capt. Kelly then locked me up in the prison of Cercle La Source and two days later Capt. Kelly went out to release me—

The CHAIRMAN. How long did you stay in prison?

Madame ONEXILE. I entered the prison Saturday and they turned me loose Sunday at 3 o'clock in the afternoon, and then he did whatever he wished with the mule.

Mr. ANGELL. When did all this take place?

Madame ONEXILE. Three years and five months ago.

The CHAIRMAN. After putting you in prison did he keep the mule?

Madame ONEXILE. I came back here on a Wednesday.

Mr. ANGELL. Came back here to Hinche?

Madame ONEXILE. Yes; to Hinche. Then, when I went away I stayed at home with my infant and I took sick and could not come back here.

The CHAIRMAN. Wait a minute. You had come back here?

Madame ONEXILE. I had come back and returned.

The CHAIRMAN. You had come back here to stay with the children?

Madame ONEXILE. And went back with my children.

The CHAIRMAN. Where were your children?

Madame ONEXILE. At my habitation. When I came back to my habitation, Capt. Kelly came out in charge of a patrol. He took my husband and hung him from the rafters. He took our little bag of money and set fire to the house. Hung me to the rafters, and then set fire to the house. A little brother of mine was

Mr. ANGELL. Do you know anyone who saw the marines or gendarmes bury her?

The CHAIRMAN. With your own eyes.

The INTERPRETER. The same thing. He says they buried her.

The CHAIRMAN. All right.

Senator POMERENE. How far is it from Hinche here where you were? In what place where the wife was killed?

The INTERPRETER. He can not calculate it, but he says it is about the same distance as from here to the second crossing of the river, coming in the Malssade. That is about an hour's horseback ride, and about an hour and a half on foot.

Senator JONES. How old was that child?

Mr. SOLOND. About 14.

Senator JONES. Was it buried with the mother?

Mr. SOLOND. Yes.

The CHAIRMAN. This happened during the epoch of the Cacos?

Mr. SOLOND. Yes.

The CHAIRMAN. And he had run into Hinche to get away from the cacos?

Mr. SOLOND. The cacos ran after me and stole what property I had and ran into Hinche to save my life.

Senator POMERENE. How do you know that it was not the cacos that were killing?

Mr. SOLOND. The cacos at that time were far away.

Senator POMERENE. Where? You were not there.

Mr. SOLOND. I was here.

Senator POMERENE. Were these neighbors who told you about the burying of your wife and child—were they cacos?

Mr. SOLOND. I do not know.

#### STATEMENT OF MR. CHARLES BUSSEY ZAMOR.

The CHAIRMAN. What is your name?

Mr. ZAMOR. Charles Bussey Zamor.

The CHAIRMAN. What is your profession?

Mr. ZAMOR. Former senator of the Republic.

The CHAIRMAN. Where do you live?

Mr. ZAMOR. At Hinche.

Senator POMERENE. Are you a brother of the former President?

Mr. ZAMOR. Yes.

The CHAIRMAN. Will you proceed to give this commission facts which you know of your own knowledge?

Mr. ZAMOR. What I know personally and that which came to my knowledge.

The CHAIRMAN. Give first those which you know personally.

Mr. ZAMOR. What I have to say is that I have very much suffered from the occupation here at Hinche. First, I was brutally dispossessed and driven from my house.

Mr. ANGELL. When?

Mr. ZAMOR. About the 27th of March, 1919.

Mr. ANGELL. By whom were you chased out of your house?

Mr. ZAMOR. I have never concerned myself with the officers of the occupation, and I can not tell you exactly the name, but it was by order of Col. Hooker.

The CHAIRMAN. Continue.

Mr. ZAMOR. Col. Hooker asked first to rent my house, and I refused that day at noon, if between noon and 1 o'clock I did not give him my house, that he would take it by force, which he did. At the same time my mules and one of my burros were taken by the marines under Col. Hooker.

Mr. ANGELL. Where were you at that time?

Mr. ZAMOR. I was here at my house.

Mr. ANGELL. Did you see the marines come and take the mules and burros?

Mr. ZAMOR. I not only saw it, but I even fought with one of the marines myself one evening. In spite of my efforts toward the military commander even toward the President of the Republic and the minister, I was not able to obtain any satisfaction. After two years of the occupation I was able to regain my house, having process-verbal drawn up by the Juge du Paix here present. As I have said, I have suffered greatly from the occupation.

Mr. ANGELL. Were you ever paid for the use of your house by the marines here?

Mr. ZAMOR. Never, never, not until this day.

Mr. ANGELL. Did you ever demand payment?

Mr. ZAMOR. Yes; I have made many efforts to receive payment, and up to the present time I have never succeeded.

Mr. ANGELL. Can you tell the names of the marines who lived in your house during that period?

Mr. ZAMOR. I can not tell you their names. I was so indignant against them that I never even tried to find out who they were.

Mr. ANGELL. Did you remain in Hinche during the time your house was occupied by the marines?

Mr. ZAMOR. No; they put me out, and I had other houses and I found lodging in other places.

Mr. ANGELL. Did you remain in Hinche?

Mr. ZAMOR. Yes; I was in Hinche. I had never left Hinche.

Mr. ANGELL. Have you actually seen the marines coming in and out of your house during the period of occupation of it?

Mr. ZAMOR. Yes; often. All of the society here can attest to that fact, the *jeu du paix* and the magistrat communal.

The CHAIRMAN. From whom of the occupation did you demand rent for your house?

Mr. ZAMOR. I asked the minister of the interior and the President of the republic, since they are my chiefs.

Mr. ANGELL. Did you ever make a demand for rent or for restoration of your house to any of the American military authorities in the occupation?

Mr. ZAMOR. No. I merely asked that they give me back my house and rent for the months it had been occupied, but the Government kept my letter without giving any answer.

Senator POMERENE. What Government do you mean?

Mr. ZAMOR. The present Government.

Senator POMERENE. You mean by that the Haitian Government?

Mr. ZAMOR. The Haitian Government during the occupation.

The CHAIRMAN. Was there any officer of the American forces of whom you asked your rent?

Mr. ZAMOR. I could not address such a request to any of the officers, since it was Gen. Hooker himself who took my house by force, and I could not ask him.

The CHAIRMAN. Are there other matters of which the witness wishes to speak?

Mr. ZAMOR. Yes; there are other things, but it is so long that I prefer to amplify it in order to defend these poor inhabitants.

The CHAIRMAN. I wonder if that would not better be reduced to paper. He wants to engage in a general defense.

Mr. ANGELL. Ask him if he can not make a memoir.

The CHAIRMAN. That is what I mean. Would that be satisfactory to you?

Mr. ZAMOR. If you will permit me to add, there is Mr. Marests Woolley, who is a long list of the victims; and after he has given you this list, if you wish to hear me again, I have much to say.

The CHAIRMAN. I ask you to give to the commission a memorandum on the condition of the people and the cruelties from which they have suffered, which you may remit through Mr. Stenlo Vincent or Judge Nau, who will transmit the memoirs to the commission through the hands of Mr. Angell, counsel for the nation, of which they are members.

(The papers referred to will be filed with the clerk to the committee.)

#### STATEMENT OF MR. ODALIS TELISMA.

The CHAIRMAN. What is your name?

Mr. TELISMA. Odalis Tellisma.

The CHAIRMAN. Where do you live?

Mr. TELISMA. Section 1a Guajon.

The CHAIRMAN. What do you have to tell the committee?

Mr. TELISMA. I came here to make complaints of my father-in-law and son-in-law. The Americans killed both at their homes in the month of October, 1920.

The CHAIRMAN. Was it during the time of the Cacos?

Mr. TELISMA. At the commencement of the Cacos. The first Haitian or American killed in Haiti was my father-in-law.

The CHAIRMAN. Who saw the marines kill him?

Mr. TELISMA. When the marines came in the house they arrested all the who were in the house. When they arrested these people the white men (marines) told my father-in-law that he could remain in the house. They not appear to be all white men. It was gendarmes and two officers—two white men—who arrested all these people.

Mr. ANGELL. Where was this man at the time?

Mr. TELISMA. I was at my own home.

Mr. ANGELL. How far was your home from the place where these relatives were arrested?

Mr. TELISMA. About from here to the river, about 10 minutes' walk. I was a man that was present. When the gendarmes and the two officers arrived they killed this man (indicating a man present in the room). I asked him to talk and he is afraid. He would not say anything. When he saw the gendarmes and the white men with their rifles he was afraid, and he opened the side of his house and he ran. They shot at him. The gendarmes and the officers shot at him when he was running.

Mr. ANGELL. Shot at whom?

Mr. TELISMA. Shot at this man here (indicating the same man).

The CHAIRMAN. Did this man himself see the gendarmes enter the house? did he see them raise their guns to fire?

Mr. TELISMA. No.

The CHAIRMAN. Then he is excused.

Senator POMERENE. Does he know what these men who were at his father-in-law's were arrested for?

Mr. TELISMA. I do not know.

Senator POMERENE. Were they Cacos?

Mr. TELISMA. No.

The CHAIRMAN. Inasmuch as there is present, according to this witness, an individual who saw what happened, speaking for myself, I see no reason for continuing the examination of this witness.

Mr. ANGELL. I think you are right.

Senator POMERENE. You might just ask one question here. He said nothing about his son-in-law being killed.

The CHAIRMAN. No; it was his brother-in-law.

Senator POMERENE. I think he said his father-in-law and his son-in-law.

The CHAIRMAN. Were his father-in-law and son-in-law killed at the same time?

Mr. TELISMA. No; they did not die at the same time. They gave them to the gendarmes to bring in.

The CHAIRMAN. Were they arrested in the same habitation?

Mr. TELISMA. No, sir.

The CHAIRMAN. Did he see with his own eyes the arrest either of his father-in-law or his son-in-law?

Mr. TELISMA. No.

The CHAIRMAN. Then I am ready to release this witness. Is that satisfactory to you, Mr. Angell?

Mr. ANGELL. Yes; I agree.

The CHAIRMAN. The committee unanimously and Mr. Angell the clerk agrees that there is no further examination to be made of this witness. Him sit down.

#### STATEMENT OF MR. DORCELLIUS JOSEPH.

The CHAIRMAN. What is your name?

Mr. JOSEPH. Dorcellius Joseph.

The CHAIRMAN. Where do you live?

Mr. JOSEPH. Section La Guaion.

The CHAIRMAN. Did you see the gendarmes arrest the father-in-law or son-in-law of Odalis Tellisma?

Mr. JOSEPH. Yes. They arrested these people in front of me.

The CHAIRMAN. How many gendarmes were there?

Mr. JOSEPH. Eleven.

The CHAIRMAN. And how many white officers?

Mr. JOSEPH. And two white men.

The CHAIRMAN. Who were they?

Mr. JOSEPH. I don't know their names.

The CHAIRMAN. How long ago was this?

Mr. JOSEPH. About two years ago.

The CHAIRMAN. At the beginning of the Cacos time?

Mr. JOSEPH. Yes.

The CHAIRMAN. Have you given the name of your habitation, of the section?

Mr. JOSEPH. Yes.

The CHAIRMAN. About how far from Hinche is that?

Mr. JOSEPH. If you leave now you would get there about 4 o'clock in the afternoon.

The CHAIRMAN. About three and a half hours, about 9 miles. Will you tell me the commission where you were when the gendarmes arrived?

Mr. JOSEPH. I was at my father's house.

The CHAIRMAN. How near is that to the house of the father-in-law of Odalisma?

Mr. JOSEPH. About from here to the other side of the river, about 1,000 yards.

The CHAIRMAN. What did you do when you saw the gendarmes coming?

Mr. JOSEPH. Nothing.

The CHAIRMAN. Did you stay in your own habitation and watch the gendarmes enter the other house?

Mr. JOSEPH. I was right at my house and I saw the gendarmes tie and beat these people, so I ran.

The CHAIRMAN. After they tied and beat these people, what did you next see?

Mr. JOSEPH. I didn't see another thing.

The CHAIRMAN. Did you see the gendarmes at any time shoot the father-in-law or the son-in-law with your own eyes?

Mr. JOSEPH. No, sir; I didn't see it with my own eyes—the shooting.

Senator POMERENE. What was done with these men after they were burned and beaten, as you say?

Mr. JOSEPH. I ran away and I don't know.

The CHAIRMAN. When did you hear that they were dead?

Mr. JOSEPH. My mother saw the shooting.

The CHAIRMAN. What did your mother say to you?

Mr. JOSEPH. She didn't tell me anything.

The CHAIRMAN. Did she tell you that she saw the shooting?

Mr. JOSEPH. The mother didn't see this. The killing was done on the road going here.

Senator POMERENE. Where is his mother now?

Mr. JOSEPH. Section La Guajon.

Senator POMERENE. What's her name?

Mr. JOSEPH. Madame Axcelius Joseph.

The CHAIRMAN. Why isn't she here to-day?

Mr. JOSEPH. She is sick.

Senator POMERENE. Were these people who were arrested Cacos?

Mr. JOSEPH. No, sir; they were at their homes.

The CHAIRMAN. Will you give the names of anybody who saw these men killed on the road after they were taken?

Mr. JOSEPH. Perhaps my mother could, but I can not.

The CHAIRMAN. I don't know anything more to ask him.

Senator POMERENE. Are you related to the other man who was on the stand?

Mr. JOSEPH. Yes; I am the brother-in-law of this man.

The CHAIRMAN. You are a brother-in-law of this man?

Mr. JOSEPH. Yes.

The CHAIRMAN. But you are not the brother of the man who was killed?

Mr. JOSEPH. I am a son of the old gentleman that was killed.

Senator POMERENE. Who; this man?

Mr. JOSEPH. Yes; I was a son of his father-in-law.

The CHAIRMAN. Then you were the brother of the other man killed?

Mr. JOSEPH. It was this brother of mine who was killed.

Mr. ANGELL. Were you injured or hurt in any way at the time of this arrest?

Mr. JOSEPH. I was wounded.

Mr. ANGELL. Where?

Mr. JOSEPH. There [indicating].

Senator POMERENE. How was he wounded?

Mr. JOSEPH. It came in here and out there. [Indicating a place above knee, a few inches above the right knee on the right side.]

The CHAIRMAN. Was that a bullet from a gun?

Mr. JOSEPH. I don't know. I was running. I don't know whether it was a bullet or not.

Mr. ANGELL. Do you know by whom you were shot?

Mr. JOSEPH. A white man; an American.

Mr. ANGELL. Did you see the white American fire his gun?

Mr. JOSEPH. No, sir.

The CHAIRMAN. There is one question I think we have not asked. Did you see the bodies of your father and brother after they were killed?

Mr. JOSEPH. No.

The CHAIRMAN. Can you give the names of anybody who saw the bodies?

Mr. JOSEPH. A man by the name of Anesiga.

The CHAIRMAN. Did Anesiga tell you that he saw the bodies?

Mr. JOSEPH. No. He told my mother that.

Senator POMERENE. Do you know where these men are buried?

Mr. JOSEPH. I know where the bodies are buried.

The CHAIRMAN. Do you know where Anesiga lives?

Mr. JOSEPH. Yes.

The CHAIRMAN. Tell where Anesiga lives.

Mr. JOSEPH. Section La Guajon.

The CHAIRMAN. Can you find him? Does he live there now?

Mr. JOSEPH. He is there; yes.

Senator POMERENE. Have we got this man's address, or where he lives?

Mr. ANGELL. Yes.

The CHAIRMAN. Any more questions, Mr. Angell?

Mr. ANGELL. No.

The CHAIRMAN. That is all.

#### STATEMENT OF MR. JOSE DEREBIER.

The CHAIRMAN. What's your name?

Mr. DEREBIER. Jose Derebier.

The CHAIRMAN. Where do you live?

Mr. DEREBIER. Los Pails.

The CHAIRMAN. How far is that from here?

Mr. DEREBIER. About an hour and a half's walk.

The CHAIRMAN. Tell your story.

Mr. DEREBIER. Two little brothers of mine were killed.

The CHAIRMAN. How old were they?

Mr. DEREBIER. One was 15 and the other 25.

The CHAIRMAN. How long ago?

Mr. DEREBIER. About two years in October or November.

The CHAIRMAN. At the beginning of the epoch of the cacos?

Mr. DEREBIER. Yes.

The CHAIRMAN. How did it happen that they were killed?

Mr. DEREBIER. The son that was 25 years of age was a cripple. He was on a bed of rice. The white man arrived with his revolver and killed him.

Mr. ANGELL. Where were you at the time this happened?

Mr. DEREBIER. I was at my own house when this happened.

The CHAIRMAN. How far was it from your own house to the place your son was killed?

Mr. DEREBIER. About from here to the market.

The INTERPRETER. About 300 yards.

The CHAIRMAN. Did you see it with your own eyes?

Mr. DEREBIER. No, sir; I did not see that. I saw them pass in front of my house.

Senator POMERENE. Let us make this clear. I understood him in the part of his examination to say his two little brothers, but it turns out talking about his son. Make sure it is clear about that.

Mr. DEREBIER. Two brothers is right. They killed the crippled one with a revolver.

The CHAIRMAN. If he did not see the marines shoot him with a revolver, did he know that he was killed by white men with a revolver?

Mr. DEREBIER. The wife of the cripple saw this.

The CHAIRMAN. Where is she?

Mr. DEREBIER. She is there.

The CHAIRMAN. Why is she not here to-day?

Mr. DEREBIER. She has a small child.

The CHAIRMAN. Is she married again?

Mr. DEREBIER. She did not marry, but she has a baby.

The CHAIRMAN. She is not married, but she has a man there?

Senator POMERENE. How about the other brother?

Mr. DEREBIER. After they killed the cripple that was on this bed, this other boy was in another room on another bed. The white man went in there and told him to get up, took him by the arm.

The CHAIRMAN. What is the name of the wife of the brother who was killed?

Mr. DEREBIER. Viergeline.

The CHAIRMAN. Where does she live?

Mr. DEREBIER. Muscien.

The CHAIRMAN. She was in the house, Viergelin?

Mr. DEREBIER. Yes.

The CHAIRMAN. She saw the other boy killed?

Mr. DEREBIER. Yes; she saw him. The same man that killed the cripple went into the next room and took the other boy by the arm and said "Come out of here, Garcon," and with the same revolver shot him twice.

The CHAIRMAN. Before these people were killed, did you see these men go by your house?

Mr. DEREBIER. Yes, I did.

The CHAIRMAN. Were the gendarmes with white officers?

Mr. DEREBIER. Three white men and many gendarmes.

Senator POMERENE. How many?

Mr. DEREBIER. I did not count the gendarmes.

The CHAIRMAN. Is there anybody besides Viergeline who saw the shooting?

Mr. DEREBIER. She was the only one. The neighbors heard the rifle shots and ran.

Senator POMERENE. We have not got that woman's address yet.

The CHAIRMAN. Where does she live now?

Mr. DEREBIER. Los Palis.

The CHAIRMAN. Did you see these brothers of yours after they were dead?

Mr. DEREBIER. Yes, I did. I buried them.

The CHAIRMAN. Where did you bury them?

Mr. DEREBIER. Where they were shot.

The CHAIRMAN. All right. What else have you to say?

Mr. DEREBIER. That is all.

Mr. ANGELL. Didn't you say something about the house being burned. I got part of that.

Mr. DEREBIER. They set fire to the house after they did this killing, and the cripple who was in the house had part of his foot and leg burned.

The CHAIRMAN. Did you see the house in ashes afterwards?

Mr. DEREBIER. Yes.

Senator ODDIE. Did you see it burning?

Mr. DEREBIER. I did not see the house burning.

#### STATEMENT OF MR. ERIA EMANUEL.

Senator POMERENE. What's your name?

Mr. EMANUEL. Eria Emanuel.

Senator POMERENE. Where do you live?

Mr. EMANUEL. Section La Guajon.

Senator POMERENE. What do you want to say?

Mr. EMANUEL. The same report I want to make. They are brothers of mine too, these boys that were killed, the cripple and the boy who was 15 years old.

Senator POMERENE. Where were you at the time of this killing?

Mr. EMANUEL. I was a short distance watching them, and ran and stopped a short distance and watched.

Senator POMERENE. Tell now what you saw with your own eyes.

Mr. EMANUEL. First, I saw the white man shoot the cripple. I saw him walk in. First I saw this white man walk in and take him off the bed, drag him up to the door and shoot him.

Senator POMERENE. Were you in the house at the time?

Mr. EMANUEL. No, no. I was behind at a short distance, behind a plantain tree, watching this.

Senator POMERENE. How far from the house?

Mr. EMANUEL. From here to the prison.

Senator POMERENE. About 30 feet?

Mr. EMANUEL. Yes.

Senator POMERENE. Could you see in the house?

Mr. EMANUEL. I could not see inside of the house, but I saw this killing.

Senator POMERENE. Did you see the second boy killed?

Mr. EMANUEL. I saw the second one.

Senator POMERENE. Where was he killed?

Mr. EMANUEL. He dragged him out of this room into the yard.

Senator POMERENE. How do you know he dragged him out, when you could not see in there?

Mr. EMANUEL. I saw him as he was coming out of the door, dragging him.

Senator POMERENE. You know the names of these white officers or men?

Mr. EMANUEL. No, sir, I do not.

Senator POMERENE. Were the gendarmes Haitians or were they two white men?

Mr. EMANUEL. Yes.

Senator POMERENE. How many of them were there?

Mr. EMANUEL. I didn't count them, but I think about 15.

Senator POMERENE. Do you know any of them?

Mr. EMANUEL. I did not recognize them. They were not men from this side of the country.

Senator POMERENE. Have you seen any of them since?

Mr. EMANUEL. No; no. They left and went to Thomonde.

Senator POMERENE. Did you or the other friends make any report of the killing to the Haitian Government or to the American soldiers or officers?

Mr. EMANUEL. My brother came in and made a report.

Senator POMERENE. A report to whom?

Mr. EMANUEL. I don't know. The chief of the white men here. I don't know his name.

Senator POMERENE. How long after the killing?

Mr. EMANUEL. Right away.

Senator POMERENE. Were there Cacos about here at that time?

Mr. EMANUEL. There were no Cacos near here at the time. They were away.

Senator POMERENE. How far away?

Mr. EMANUEL. I do not know. I was not with them.

Senator POMERENE. Were these brothers associated with or friends of the Cacos?

Mr. EMANUEL. One was a cripple, and the other was very sick in his legs—sore. They were not together with the Cacos.

Senator POMERENE. That doesn't answer the question. Were they friends of the Cacos?

Mr. EMANUEL. Never.

Senator POMERENE. Had the Cacos been stopping at that house?

Mr. EMANUEL. No.

Senator ODDIE. Would you know these men again if you saw them—these men that did the killing?

Mr. EMANUEL. No; I would not recognize them now.

#### STATEMENT OF MADAME MICHEL MAXINE.

The CHAIRMAN. What is your name?

Madame MAXINE. Madame Michel Maxine.

The CHAIRMAN. Where do you live?

Madame MAXINE. Section La Guaïon.

The CHAIRMAN. What have you to tell the commission?

Madame MAXINE. My mother and a brother that the Americans killed.

The CHAIRMAN. When?

Madame MAXINE. About two years and six months ago that they killed my mother.

The CHAIRMAN. And how long ago did they kill your brother?

Madame MAXINE. The brother was taken prisoner by the white men, maltreated and sent to Cape Haitien and died in prison.

The CHAIRMAN. When was that that the brother was taken to the cape?

Madame MAXINE. At the same time; they were taken at the same time.

The CHAIRMAN. Who saw your mother killed?

Madame MAXINE. A little brother.

The CHAIRMAN. Where is he?

Madame MAXINE. The little brother did not come. He is not here.

The CHAIRMAN. How old is he?

Madame MAXINE. About 30 years.

The CHAIRMAN. Where does he live now?

Madame MAXINE. My brother is in Section La Guajon now.

The CHAIRMAN. What is his name?

Madame MAXINE. Telo Favius.

The CHAIRMAN. Did you with your own eyes see your mother killed?

Madame MAXINE. Yes.

The CHAIRMAN. Were there white men and gendarmes together?

Madame MAXINE. There were no gendarmes—three white men.

The CHAIRMAN. How did they come to the habitation?

Madame MAXINE. They were passing; they were going along the road and came in.

The CHAIRMAN. What did they do when they came in?

Madame MAXINE. They came in and killed my mother.

The CHAIRMAN. How did they happen to kill your mother?

Madame MAXINE. I don't know. I had no husband. I was there alone. The mother was at his own house in the same habitation.

The INTERPRETER. What they mean by that is: They have one big house and five or six little houses around it.

The CHAIRMAN. Did they enter the house before they killed the mother?

Madame MAXINE. Yes.

The CHAIRMAN. How long were they in the house before they killed the mother?

Madame MAXINE. When they were arrived.

Senator POMERENE. Where were you when the mother was killed?

Madame MAXINE. I was at my home.

Senator POMERENE. Where was that? How far away from your mother's home?

Madame MAXINE. About an hour's walk.

Senator POMERENE. If you were an hour's walk away how could you see these people kill your mother?

Madame MAXINE. A little brother of mine came and called me.

Senator POMERENE. After she was shot?

Madame MAXINE. Yes. Came and called me after the mother had been shot.

The CHAIRMAN. Did you see your mother after she was shot?

Madame MAXINE. Yes; I buried her.

The CHAIRMAN. How was she wounded?

Madame MAXINE. Shot through the side and in both breasts.

The CHAIRMAN. Was the face crushed?

Madame MAXINE. And she was evidently shot in the house.

Senator POMERENE. Did you see the man who did the shooting?

Madame MAXINE. Yes; I saw them; I saw three white men.

The CHAIRMAN. And they took the mother off then?

Madame MAXINE. Yes.

The CHAIRMAN. Were there other men in the habitation besides the little brother?

Madame MAXINE. Yes. They ran.

The CHAIRMAN. How many men were in the habitation?

Madame MAXINE. A small brother and an aunt.

The CHAIRMAN. They ran away?

Madame MAXINE. They ran away.

Senator JONES. Did you not say at one time you saw them killed, and then at other that you were an hour's walk away?

The CHAIRMAN. Yes.

Senator JONES. Where were the Cacos at that time?

Madame MAXINE. I don't know.

The CHAIRMAN. Were the whites out chasing the Cacos?

Madame MAXINE. Yes.

Senator POMERENE. How old was this little brother who came and told you that this mother had been shot?

Madame MAXINE. About 30 years old.

The CHAIRMAN. And how old was the other brother who ran away?

Madame MAXINE. The one that ran away with the aunt, ran over the house.

The CHAIRMAN. How old was he?

Madame MAXINE. Thirty years old.

The CHAIRMAN. One of your two brothers?

Madame MAXINE. Yes.

The CHAIRMAN. How old was the one that was taken to the Cape?

Madame MAXINE. About 35.

Mr. ANGELL. Do you know where your mother is buried?

Madame MAXINE. I do. She is buried here in the habitation.

The CHAIRMAN. Have you anything more to say?

Madame MAXINE. No.

The CHAIRMAN. Mr. Interpreter, will you say that we regret the absence of those witnesses who with their own eyes are alleged to have seen the events. The American authorities, civil and military, are opposed to the treatment of the people. The American officers of the gendarmerie and Marines are under instructions from their chief to assure the good treatment of the people and to receive complaints. The American Government will do everything possible to assure the people of the country, to make it possible for the people to work, and to secure the prosperity of the people. There are no more witnesses to-day, but a further investigation will be made of the facts and the ill treatment of which the witnesses have told. The commission will urge the people to help the officers and inspectors in making these investigations. Any further investigation which is made will be forwarded to the commission at Washington.

We are going to adjourn the session, and we bid those who are assembled good-by, and are going on with our labors elsewhere.

(Whereupon the commission adjourned, subject to the call of the chair.)

#### MEMORANDUM OF INTERVIEW IN THE HOUSE OF THE PRIEST AT HINCHÉ.

His name was Duclos, and there were also several other priests present. Their names were as follows: Pere Leroue and ———.

These were here for the feast day next Thursday.

Present: All the Senators; Mr. Angell, Mr. Williams, and the rest of the party. The testimony from the priest at Hinche was the most emphatic we yet heard, and was agreed to by all the other priests.

(1) The occupation should not withdraw its marines or gendarmerie. The country could not be lived in during the disturbance. The priest himself would leave from time to time. He owes his safety to the occupation. The gendarmes and marine officers have done splendidly throughout. The priest here at Hinche is a man after the priest's own heart.

(2) There should be no national army.

(3) A local police force may come later, when the country can afford it. There then may be less petit larceny.

(4) Col. Hooker and his officers repeatedly offered Zamor rent for his house. They did not occupy it for long. Col. Russell said the house was used as a hospital.

(5) All the working people here are very content with the occupation. It has given them their first opportunity to work their land. In the town of Hinche there are perhaps only three or four who in their hearts are opposed to the occupation.

(6) All the priests believe that decent living conditions and industry can be achieved if the people depend on peace being maintained by the Americans, and that the country people began moving back into the plains immediately after the revolution was put down.

(7) A local priest told Mr. Angell that he had heard that the occupation was used from time to time up to 1918, but that it was common talk that the people who worked in the corvee then got three meals a day for the first time in their lives.

# INQUIRY INTO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

**TUESDAY, DECEMBER 6, 1921.**

UNITED STATES SENATE.  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Plantation of Atalape, Haiti.*

The committee met at 8 o'clock a. m., at the residence of Mr. Baker, superintendent of the American West Indies Co.

Present: Senator Oddie and Mr. Angell.

## STATEMENT OF MADAME PHILOSCAR JOSEPH.

Senator ODDIE. Where do you live?

Madame JOSEPH. Maïssade.

Senator ODDIE. Will you say what you have to say to the committee? We can only listen to things that you have seen yourself or have heard yourself.

Madame JOSEPH. I went to see my aunt and they almost killed me, and I have the marks on my head.

Senator ODDIE. Who did it?

Madame JOSEPH. Williams, with the gendarmes.

Senator ODDIE. The gendarmes or the marines, the white or the black?

Madame JOSEPH. Haitians.

Mr. ANGELL. When was this and where?

Madame JOSEPH. In January, two years ago.

Mr. ANGELL. Where was this?

Madame JOSEPH. At Maïssade.

Mr. ANGELL. Was this the time the Cacos were making trouble?

Madame JOSEPH. No; it was a white man, this same Williams who was going round killing people. The Cacos had not yet come.

Mr. ANGELL. Did the Cacos come soon afterwards?

Madame JOSEPH. Yes.

Mr. ANGELL. How long afterwards?

Madame JOSEPH. I can not tell exactly how long.

Mr. ANGELL. Was it soon?

Madame JOSEPH. Yes. I was suffering then and I can not tell.

Mr. ANGELL. What did Williams of the gendarmes do to you?

Madame JOSEPH. He gave me 15 blows with a stick on the arms and the head, and I was bathed in blood, and he asked Marcial if he was not going to kill anybody, and Marcial said "no," he didn't want to kill anybody.

Mr. ANGELL. Who was Marcial?

Madame JOSEPH. Marcial, who commanded Maïssade.

Mr. ANGELL. Was he a Haitian or an American?

Madame JOSEPH. A Haitian.

Senator ODDIE. Did the Americans know anything about this?

Madame JOSEPH. Yes; all the whites knew it.

Mr. ANGELL. Where were you when Williams came in and beat you like this? Were you in your house?

Madame JOSEPH. No; I had left my house and gone to see my aunt.

Mr. ANGELL. Where did you last live? Was it right in Maïssade, or how far from Maïssade?

Madame JOSEPH. It was outside of Maïssade, in the country.

Mr. ANGELL. How far from Maïssade? In which direction?

Madame JOSEPH. It was some distance from Maïssade, on the big road.

Senator ODDIE. How do you know that the Americans knew that Williams beat you?

Madame JOSEPH. I don't know, but I know that it was Williams who beat me. I did not have any right to make complaint, because if I had made complaint I would have been killed.

Senator ODDIE. Who would have killed you?

Madame JOSEPH. It was Williams with Marcial, who were big chiefs. They would have killed me.

Senator ODDIE. So the Americans would not have had anything to do with that?

Madame JOSEPH. No.

Senator ODDIE. Was any complaint made to the Americans about this?

Madame JOSEPH. No; I could not make complaint because there were many Americans here at that time.

Senator ODDIE. Was Williams an American or a Haitian?

Madame JOSEPH. Williams was a white man. I don't know whether he was an American or what.

Senator ODDIE. Was he a gendarme?

Madame JOSEPH. Yes.

Senator ODDIE. Was he working with the magistrat?

Madame JOSEPH. Yes.

Senator ODDIE. Were there many Americans there at the time?

Madame JOSEPH. What I know is what I say. What I don't know I have not said.

#### • STATEMENT OF MR. MENOSTHENE TIFOUR.

Mr. ANGELL. What is your name?

Mr. TIFOUR. Menosthene Tifour.

Mr. ANGELL. Where do you live?

Mr. TIFOUR. Savanne Grande, in the Commune of Maissade.

Senator ODDIE. Now, will you tell the committee your story of what you have seen yourself?

Mr. TIFOUR. The white man Williams killed my mother.

Senator ODDIE. When?

Mr. TIFOUR. It was in the month of February. The date I have forgotten.

Senator ODDIE. About how many years ago?

Mr. TIFOUR. A year and a half.

Senator ODDIE. Where did this happen?

Mr. TIFOUR. Near the Rio Frio, close to the village. I had come from my house going to the village to get some provisions. My mother was working in the village and there she met up with a white man and the white man killed her.

Senator ODDIE. Who was the white man?

Mr. TIFOUR. Williams.

Senator ODDIE. Was he a gendarme or a marine?

Mr. TIFOUR. A marine.

Senator ODDIE. How did he kill her?

Mr. TIFOUR. He met her and shot her.

Senator ODDIE. Did you see it?

Mr. TIFOUR. No; I was not there.

Senator ODDIE. Where were you?

Mr. TIFOUR. I was in the village.

Senator ODDIE. How far away?

Mr. TIFOUR. It was quite a distance.

Senator ODDIE. About how far?

Mr. TIFOUR. I was in the village, a distance of about from here to the tank or farther.

Senator ODDIE. How far would that be, about?

Mr. TIFOUR. But the river separates that place from the village.

Senator ODDIE. So you could not see it from there?

Mr. TIFOUR. No.

Senator ODDIE. How long after that did you see your mother's body?

Mr. TIFOUR. After my mother had died my father went to Lieut. Williams and asked permission to bury the body.

Mr. ANGELL. The same day?

Mr. TIFOUR. The same day.

Senator ODDIE. How did you know that Lieut. Williams killed your mother?  
Mr. TIFOUR. Several gendarmes, who were with him, when they came back told me.

Senator ODDIE. Were they the Haitian gendarmes?

Mr. TIFOUR. Yes.

Senator ODDIE. Do you know those Haitian gendarmes who told you that?

Mr. TIFOUR. No; I don't know the gendarmes, because there were several of them.

Mr. ANGELL. Did you see the body of your mother?

Mr. TIFOUR. No; the lieutenant did not allow any of her children to see her.

Mr. ANGELL. Did you see Lieut. Williams yourself on that day before or after the shooting?

Mr. TIFOUR. No; he stayed in his house so that nobody could see him.

Senator ODDIE. All you know about it is what the Haitian gendarmes told you?

Mr. TIFOUR. Yes.

Mr. ANGELL. Where is your father?

Mr. TIFOUR. After the death of my mother my father died from seizure.

Senator ODDIE. What does he mean by seizure?

The INTERPRETER. It is sort of hysterics, as a matter of fact.

Mr. BAKER. A broken heart.

Senator ODDIE. Was there trouble with the Cacos at the time?

Mr. TIFOUR. No.

Senator ODDIE. Shortly afterwards or before?

Mr. TIFOUR. After that.

Senator ODDIE. How long afterwards?

Mr. TIFOUR. About two months.

Senator ODDIE. How old are you?

Mr. TIFOUR. Twenty-six years.

Mr. ANGELL. Do you know the name of anybody who was there and saw Lieut. Williams shoot your mother?

Mr. TIFOUR. No; I don't know him, because the gendarmes who were with Lieut. Williams were forbidden to talk about it.

Senator ODDIE. Would you know them if you were to see them again?

Mr. TIFOUR. Yes; I might know them.

Senator ODDIE. Are they there now?

Mr. TIFOUR. Yes; there are some of them there.

Senator ODDIE. The ones who talked to you?

Mr. TIFOUR. Yes; there are some who are still there.

Senator ODDIE. Under what President were you born?

Mr. TIFOUR. Under President Florville.

#### STATEMENT OF MR. MEZIER BELLONI.

Mr. ANGELL. What is your name.

Mr. BELLONI. Mezier Belloni.

Mr. ANGELL. Where do you live?

Mr. BELLONI. Savanna Grande. Commune of Maissade.

Mr. ANGELL. How old are you?

Mr. BELLONI. I don't know my age, but I was born under President Boisronde anal.

Senator ODDIE. Now, will you tell your story to the commission, and tell just what you have seen yourself and what you know to be a fact?

Mr. BELLONI. I lost my father and my mother. They killed them.

Senator ODDIE. When did this happen?

Mr. BELLONI. The 17th of June last year.

Senator ODDIE. Where did this happen?

Mr. BELLONI. At Savanna Grande.

Senator ODDIE. Who killed them?

Mr. BELLONI. Marines under the command of Becker.

Senator ODDIE. The Americans or the Haitians?

Mr. BELLONI. White Americans.

Senator ODDIE. Do you know the names of those who did it?

Mr. BELLONI. I don't know the names of the marines.

Senator ODDIE. Well, now, are you sure about the year?

Mr. BELLONI. Yes; I am sure it was last year.

Senator ODDIE. 1920, that is?

Mr. BELLONI. Yes.

Senator ODDIE. Did you see this happen yourself?

Mr. BELLONI. Yes.

Senator ODDIE. You saw them kill your mother and father?

Mr. BELLONI. Yes.

Senator ODDIE. Where were you?

Mr. BELLONI. I was there sleeping in another house. It was midnight. I heard the house burning. They took my father and tied him to a tree. My mother was standing inside—and then set fire to the house. When my father cried out they called her inside the house. There was another boy in the house and when they shot my mother, and the boy saw that they had tied up my father he ran out, and when he came out they started shooting at him until he had to reach a ravine; and when he fell into the ravine they left him and came and killed my father, breaking his head.

Mr. ANGELL. Where were you all this time?

Mr. BELLONI. I was in the house in the same courtyard.

Senator ODDIE. Was it at night?

Mr. BELLONI. At midnight.

Senator ODDIE. How far was the house you were in from the house where your mother and father were in?

Mr. BELLONI. It was not quite 100 paces.

Mr. ANGELL. Did you come out of your house and see this with your own eyes?

Mr. BELLONI. Yes; I saw it with my own eyes.

Senator ODDIE. Did you see them with your own eyes tie your father to the tree?

Mr. BELLONI. Yes.

Senator ODDIE. And did you see them with your own eyes shoot your father in the house?

Mr. BELLONI. Yes.

Senator ODDIE. Where were you standing at the time?

Mr. BELLONI. I was standing in the underbrush near there, looking on.

Senator ODDIE. How many men were there?

Mr. BELLONI. Do you want to know how many marines or how many men?

Senator ODDIE. How many marines?

Mr. BELLONI. I don't know. It was at midnight.

Mr. ANGELL. How do you know this was Lieut. Becker?

Mr. BELLONI. It was the soldiers of Capt. Becker?

Senator ODDIE. Were they Haitian soldiers?

Mr. BELLONI. They were white men.

Senator ODDIE. How could you tell?

Mr. BELLONI. I followed them to the village.

Senator ODDIE. Did you make a complaint of this?

Mr. BELLONI. No.

Mr. ANGELL. Why not?

Mr. BELLONI. I went to a notary and told him that.

Mr. ANGELL. Who was the notary?

Mr. BELLONI. The notary who is now at Maissade.

Mr. ANGELL. What is the name?

The INTERPRETER. He is looking for the name.

Senator ODDIE. Well, the one who is there now?

Mr. BELLONI. Yes.

Mr. ANGELL. When did you make the complaint to the notary?

Mr. BELLONI. The next day.

Senator ODDIE. Was there trouble with the Cacos at that time?

Mr. BELLONI. There had been Cacos there, but they had gone away a distance. The Cacos had not gone entirely. There were Cacos around, but they were a long distance away. There were no Cacos around where I was.

Senator ODDIE. Was anybody in your house friendly with the Cacos?

Mr. BELLONI. No, no.

Senator ODDIE. Were the people around there afraid of the Cacos attacks at any time?

Mr. BELLONI. Yes.

Senator ODDIE. There was general fear of the Cacos raids?

Mr. BELLONI. Yes.

Senator ODDIE. Was it possible that these people who did this were Cacos?

Mr. BELLONI. No; it was not Cacos.

Senator ODDIE. It was midnight, and could they not have been Cacos?  
 Mr. BELLONI. There was a very bright moon, bright as the day.  
 Mr. ANGELL. Did you bury the bodies of your mother and father afterwards?  
 Mr. BELLONI. Yes; in the habitation.  
 Mr. ANGELL. Are the graves still there in the habitation?  
 Mr. BELLONI. Yes; we have no stone put up, but we have a fence around  
 in the habitation.

### STATEMENT OF MR. JOSEF DIENDONNE.

Senator ODDIE. Will you give your name and residence?  
 Mr. DIENDONNE. Josef Diendonne.  
 Mr. ANGELL. Where do you live?  
 Mr. DIENDONNE. At Herbes Guinea, in Maissade.  
 Mr. ANGELL. How far is that from Maissade?  
 Mr. DIENDONNE. About as far as from here to San Michel.  
 Senator ODDIE. Now, will you tell your story to the commission, and tell just  
 at you have seen and you know to be the fact?  
 Mr. DIENDONNE. I was working peaceably in my habitation in the month of  
 March—  
 Mr. ANGELL. In what year?  
 Mr. DIENDONNE. 1919, in the month of March.  
 Senator ODDIE. Continue.  
 Mr. DIENDONNE. I saw Williams come to my house with an armed gendarme  
 Friday, about 9 o'clock.  
 Mr. ANGELL. Morning or afternoon?  
 Mr. DIENDONNE. In the daytime. I saw Marcial and Williams with an armed  
 darme and Merville Dorsainville come to my house. They asked if I was  
 owner of the habitation. I said "Yes," and they arrested me and tied me  
 my two arms with a piece of palm cord. After he had tied me he heard a  
 working near by. He went and took Cazeau and tied him also.  
 Senator ODDIE. Who was Cazeau?  
 Mr. DIENDONNE. My nephew.  
 Senator ODDIE. What is your age?  
 Mr. DIENDONNE. I don't know my age.  
 Senator ODDIE. What is your nephew's age?  
 Mr. DIENDONNE. I don't know his age.  
 Senator ODDIE. Where did this happen?  
 Mr. DIENDONNE. In my habitation at Herbes Guinea. They took Cazeau and  
 some rope off of me and hung Cazeau.  
 Mr. ANGELL. How did they hang him?  
 Mr. DIENDONNE. They hung him against a tree.  
 Mr. ANGELL. You mean to say they tied him against a tree, or they hung him?  
 Mr. DIENDONNE. They tied him. After that they burned him until he fell to  
 ground, then he told the gendarmes, "Make the blood flow."  
 Mr. ANGELL. Who said that?  
 Mr. DIENDONNE. Williams; and the gendarmes took hold of my beard and  
 out his knife. Then he shot me three times.  
 Mr. ANGELL. Who shot you?  
 Mr. DIENDONNE. Williams.  
 Mr. ANGELL. Where in the body?  
 Mr. DIENDONNE. In the back. One ball went in the back and came out by  
 shoulder.  
 Mr. ANGELL. And the other?  
 Mr. DIENDONNE. Only one took effect.  
 Senator ODDIE. How close was he to you when he shot you?  
 Mr. DIENDONNE. About 10 feet distant.  
 Senator ODDIE. And he shot three times at you?  
 Mr. DIENDONNE. Yes.  
 Senator ODDIE. I want to get his story completed, and then I want to ask him  
 e questions. Has he more to say now?  
 Mr. DIENDONNE. After that I went and hid in a field of cane which I had,  
 they took everything I had—pigs, and chickens, and beef.  
 Mr. ANGELL. How about Cazeau? He says he was burned and fell to the  
 ind. What happened to Cazeau after that?  
 Mr. DIENDONNE. After that he was finished with a shot from a revolver.

- Mr. ANGELL. Were you there and heard this revolver shot?  
 Mr. DIENDONNE. Yes; three shots.  
 Mr. ANGELL. Were you there right near by?  
 Mr. DIENDONNE. Yes; I was standing about 4 feet away.  
 Senator ODDIE. Do you know the men who did the shooting?  
 Mr. DIENDONNE. Yes; it was Williams.  
 Senator ODDIE. How many men were with him?  
 Mr. DIENDONNE. One gendarme and Marcial.  
 Senator ODDIE. Was the gendarme a Haitian?  
 Mr. DIENDONNE. Yes.  
 Mr. ANGELL. Where is Marcial now?  
 Mr. DIENDONNE. I don't know.  
 Mr. ANGELL. Does he live at Maissade?  
 Mr. DIENDONNE. No.  
 Mr. ANGELL. Did you ever make any complaint about this?  
 Mr. DIENDONNE. No.  
 Senator ODDIE. Why not?  
 Mr. DIENDONNE. I understood, being unfortunate. I could not make a  
 plaint.  
 Senator ODDIE. Were the Cacos around at that time?  
 Mr. DIENDONNE. The Cacos had not yet come there.  
 Senator ODDIE. Were they expecting them?  
 Mr. DIENDONNE. They had heard that they were in the mountains.  
 Senator ODDIE. They were making trouble in that part of the country  
 that time?  
 Mr. DIENDONNE. Yes; in the mountains.  
 Senator ODDIE. The mountains here where you were?  
 Mr. DIENDONNE. Yes; the other side of Maissade.  
 Senator ODDIE. Were there any Cacos in the village?  
 Mr. DIENDONNE. No.  
 Senator ODDIE. Any near there?  
 Mr. DIENDONNE. No; there were some in the mountains.  
 Senator ODDIE. What happened to Merville Dorsainville?  
 Mr. DIENDONNE. He died.  
 Senator ODDIE. How?  
 Mr. DIENDONNE. He fell to the ground.  
 Senator ODDIE. At the same moment?  
 Mr. DIENDONNE. Yes.  
 Senator ODDIE. Had there been any Cacos in your house?  
 Mr. DIENDONNE. No.  
 Senator ODDIE. Did they come in afterwards?  
 Mr. DIENDONNE. After they had passed in the wood near there.  
 Senator ODDIE. Did you know any of the Cacos?  
 Mr. DIENDONNE. No.  
 Senator ODDIE. Did Williams give any reason for doing this—say why  
 did it?  
 Mr. DIENDONNE. No; he didn't say why.  
 Mr. ANGELL. Why do you think that Williams shot Cazeau and M.  
 Dorsainville?  
 Mr. DIENDONNE. I don't know why.  
 Mr. ANGELL. Did you ever see Williams before this day?  
 Mr. DIENDONNE. No.  
 Senator ODDIE. Have you ever seen him since then?  
 Mr. DIENDONNE. No.  
 Mr. ANGELL. How do you know it was Lieut. Williams?  
 Mr. DIENDONNE. I went to the village, which is very near, and I  
 there.  
 Mr. ANGELL. How did you know that Williams was his name?  
 Mr. DIENDONNE. I heard talk of him.  
 Mr. ANGELL. Who told you that it was Williams?  
 Mr. DIENDONNE. I heard among the people that it was he who was  
 mand there.  
 Mr. ANGELL. Tell us what Williams looks like; a big man or a small?  
 Mr. DIENDONNE. He was big and tall. He had a beard.  
 Senator ODDIE. What color was his hair?  
 Mr. DIENDONNE. About the color of your hair (medium brown).  
 Senator ODDIE. How old was he?

Mr. DIENDONNE. He was not too old or too young.  
 Senator ODDIE. What kind of clothes did he have on?  
 Mr. DIENDONNE. Yellow.  
 Senator ODDIE. What kind of a hat?  
 Mr. DIENDONNE. A military hat.  
 Senator ODDIE. How long after you were shot did you go to the town and see Williams?  
 Mr. DIENDONNE. A week.  
 Senator ODDIE. You did not go in the same day?  
 Mr. DIENDONNE. No.  
 Senator ODDIE. Where did Williams go after he did that?  
 Mr. DIENDONNE. Up to the village.  
 Senator ODDIE. What did he do with your pigs and things that he took?  
 Mr. DIENDONNE. Took them all to the village.  
 Senator ODDIE. Did he carry them or drive them?  
 Mr. DIENDONNE. He drove them.  
 Senator ODDIE. You know where Cazeau and Merville Dorsainville are buried?  
 Mr. DIENDONNE. Yes; the habitation.  
 Senator ODDIE. Had these men made any demonstration against the marines?  
 Mr. DIENDONNE. No.  
 Senator ODDIE. Had they criticized them in any way?  
 Mr. DIENDONNE. No.  
 Senator ODDIE. Would you know Williams again if you should see him?  
 Mr. DIENDONNE. I don't know whether I would know him or not.  
 Mr. ANGELL. Was it at your habitation that they killed these men?  
 Mr. DIENDONNE. Yes.  
 Mr. ANGELL. Do you live there still?  
 Mr. DIENDONNE. Yes.  
 Mr. ANGELL. The same habitation?  
 Mr. DIENDONNE. The same habitation.  
 Mr. ANGELL. And these men are buried at your habitation?  
 Mr. DIENDONNE. Near my habitation.  
 Mr. ANGELL. How near?  
 Mr. DIENDONNE. About a hundred feet.  
 Mr. ANGELL. Could you show us, if we went there, where those graves are?  
 Mr. DIENDONNE. Yes.

# STATEMENT OF MADAME CELICOURT ROZIER.

Senator ODDIE. What is your name?  
 Madame ROZIER. Madame Celicourt Rozier.  
 Mr. ANGELL. Where do you live?  
 Madame ROZIER. Section of Collacigui, Commune of Maissade.  
 Senator ODDIE. Will you tell your story to the commission and tell just what you have seen and what you know yourself?  
 Madame ROZIER. I am going to show you where I received the bullets in the legs and above the left knee. All my children have died.  
 Senator ODDIE. When did this happen?  
 Madame ROZIER. The 1st of June. Two years at least.  
 Senator ODDIE. Where did it happen?  
 Madame ROZIER. At my house.  
 Senator ODDIE. Who did this?  
 Madame ROZIER. Becker or Baker, a name like that.  
 Senator ODDIE. How did he do it?  
 Madame ROZIER. I know my children were in the house and after he had killed everything he set fire to the house and they all were burned in the house.  
 Mr. ANGELL. All your children?  
 Madame ROZIER. Yes; all my children.  
 Mr. ANGELL. Who were they? Give their names and how old they were.  
 Madame ROZIER. They were eight. They were all women except one. Some were big girls, who had already had children.  
 Senator ODDIE. And they were all burned to death?  
 Madame ROZIER. They were all shot first and then fire was set to the house and they were burned.  
 Mr. ANGELL. Tell us the names of the children.

Madame ROZIER. One was my daughter named Anne; another named Ana; another named Ethel; another named Bonne; another named Mar. a boy named Sean; one named Phania; I was eight months pregnant with named Claircina.

I was in the house and I knew nothing of it until the house was fired and everybody was killed in it, at the same time I was struck in the head in the knee.

Mr. ANGELL. Was this marines or gendarmes that were there and did Madame ROZIER. It was white men who had Haitians with them.

Mr. ANGELL. How many white men were there?

Madame ROZIER. The sun had gone down and I could not see them very but there were a great many. I could see them in the front of my door.

Mr. ANGELL. Was Becker there?

Madame ROZIER. Yes; it was he who caused them to fire upon the house

Mr. ANGELL. Had you ever seen Becker before?

Madame ROZIER. No; I had not seen him.

Mr. ANGELL. How did you know it was Becker?

Madame ROZIER. I saw him myself.

Mr. ANGELL. Who told you it was Becker?

Madame ROZIER. I saw him myself and I knew him already.

Mr. ANGELL. Where had you ever seen Becker before?

Madame ROZIER. At Maissade.

Mr. ANGELL. Once or more than once?

Madame ROZIER. I saw him several times at Maissade.

Mr. ANGELL. Do you know the names of any other whites or Haitians who were there with Becker?

Madame ROZIER. I knew that there were Haitians with him, but I did not see their faces well.

Mr. ANGELL. Were there any other people in the habitation who saw?

Madame ROZIER. Yes.

Mr. ANGELL. Who were they?

Madame ROZIER. No; there was only myself who saw that.

Mr. ANGELL. Do you know where all your children are buried?

Madame ROZIER. They were all burned up in the house, and even their bones were burned. It was just recently that I gathered together what was left of the bones. There was only one who was not completely burned, one child whom I dragged out of the house, and I had her buried in the yard.

Mr. ANGELL. Do you live there now in the same habitation where they were buried?

Madame ROZIER. Yes.

Mr. ANGELL. Did you ever make a complaint about this?

Madame ROZIER. I went and told the people in the village about it.

Mr. ANGELL. Did you ever complain to the whites or to the magistrates?

Madame ROZIER. No; I had never made a complaint about it. It is not my business to make complaint.

Senator ODDIE. How long after sundown did this happen?

Madame ROZIER. The sun was not yet down when he came, but was going down.

Senator ODDIE. How many Americans were in the party?

Madame ROZIER. I don't know. I saw their faces, but I was hysterical.

Senator ODDIE. Are you sure that they were Americans?

Madame ROZIER. They were white men. It was a white man who gave you who did that.

Senator ODDIE. Had you ever seen him before?

Madame ROZIER. Yes.

Senator ODDIE. And what was this white man's name who did it?

Madame ROZIER. Decko or Dako, or something like that.

Senator ODDIE. How do you know that that was his name?

Madame ROZIER. Everybody was talking and speaking his name.

Senator ODDIE. Do you remember who told you what his name was?

Madame ROZIER. They were speaking his name, and I heard it.

Senator ODDIE. Where was Baker at that time?

Madame ROZIER. He came from Maissade. That is where it was.

Senator ODDIE. Did you see him then?

Madame ROZIER. Yes.

Senator ODDIE. Whereabouts?

Madame ROZIER. He was there when the house was burning.

Senator ODDIE. Was he there when these people were killed?

Madame ROZIER. Yes; he was there. I saw him.

Senator ODDIE. How close was he to this house when this happened?

Madame ROZIER. As far as from here to this first house.

Senator ODDIE. What was Becker doing at that time when this was being done?

Madame ROZIER. It was he himself, I told you, who put the fire in the house. He broke up the beds and furniture and set fire to the houses.

Senator ODDIE. Were the Cacos around at that time?

Madame ROZIER. No. When they came they didn't find anything there.

Senator ODDIE. Were they afraid of the Cacos coming at that time?

Madame ROZIER. No.

Senator ODDIE. Did they come later?

Madame ROZIER. No.

# STATEMENT OF MR. CAPSINE ALTIDOR.

Senator ODDIE. What is your name?

Mr. ALTIDOR. Capsine Altidor.

Senator ODDIE. Where do you live?

Mr. ALTIDOR. Section Paloit, near the village of Maissade.

Senator ODDIE. What is your age?

Mr. ALTIDOR. Sixty-one years.

Senator ODDIE. Tell your story to the commission and tell just what you have seen and what you know.

Mr. ALTIDOR. I never saw with my own eyes, but it is things that are publicly known—

Mr. ANGELL. I suggest we excuse the witness until we have examined some to see these things, and then come back to him afterwards if necessary.

Senator ODDIE. Yes.

The INTERPRETER. He says that "I saw them come and take my son for a corvee. They struck him on the head and made him lose a quantity of blood. They took him to the gendarmerie bureau, and from that time he appeared."

The CHAIRMAN. I think we had better keep on with him if he saw things himself.

Mr. ALTIDOR. I had another boy. They came and found him grinding corn on the big road. They took him to the village and consulted a long time about whether he should be released. Then they brought him out in a big automobile along the big road and killed him.

Mr. ANGELL. When did all this happen?

Mr. ALTIDOR. That was in 1917.

Mr. ANGELL. What month?

Mr. ALTIDOR. The 8th of June.

Mr. ANGELL. Were these all Haitians who came and took him or were there some whites?

Mr. ALTIDOR. White men and Haitians.

Mr. ANGELL. How many white men were there?

Mr. ALTIDOR. There was only one white man.

Mr. ANGELL. Do you know who this white man was?

Mr. ALTIDOR. It was Williams.

Mr. ANGELL. Had you ever seen Williams before this day?

Mr. ALTIDOR. Yes.

Mr. ANGELL. Where had you seen Williams before?

Mr. ALTIDOR. In the village.

Mr. ANGELL. At Maissade?

Mr. ALTIDOR. Yes; in the village of Maissade.

Mr. ANGELL. Do you know the names of any of the Haitians who were with Williams?

Mr. ALTIDOR. No; it was gendarmes.

Mr. ANGELL. How many gendarmes were there?

Mr. ALTIDOR. Four gendarmes.

Mr. ANGELL. Did you see your second boy killed on the road after they brought him out in the auto?

Mr. ALTIDOR. I did not see them shooting, but we heard the shots, and we went out and found him lying there.

Mr. ANGELL. How far away from the house did you find the boy lying?

Mr. ALTIDOR. About 300 paces.  
Mr. ANGELL. Did you find him lying in the road?  
Mr. ALTIDOR. Not in the road, but near the road; alongside the road.  
Mr. ANGELL. Where is this boy buried?  
Mr. ALTIDOR. He was never buried. His bones are still there.  
Mr. ANGELL. Did you ever make complaint about this?  
Mr. ALTIDOR. Where would you go to make a complaint? There was no place to make a complaint.  
Mr. ANGELL. Who else was at the habitation when the gendarmes came and took away your son and shot the other one?  
Mr. ALTIDOR. There were no other people.  
Mr. ANGELL. What time in the day was this?  
Mr. ALTIDOR. In the morning, very early.  
Mr. ANGELL. Was the sun up yet?  
Mr. ALTIDOR. The sun had not yet risen.  
Mr. ANGELL. Was it light or was it still dark?  
Mr. ALTIDOR. It had just begun to get light.  
Mr. ANGELL. Did Williams come to the house with the gendarmes, or did the gendarmes come alone?  
Mr. ALTIDOR. Where he came and got him? Or where he came and got him?  
Mr. ANGELL. Where he came and got the boy he took away.  
Mr. ALTIDOR. Williams and four gendarmes.  
Mr. ANGELL. Was the son they took away in the house with you at that time?  
Mr. ALTIDOR. Yes.  
Mr. ANGELL. What were you doing the moment that the gendarmes came to the house?  
Mr. ALTIDOR. I was not there. When they took him I went and saw him in the village.  
Mr. ANGELL. Did you talk to the gendarmes or Williams in the village?  
Mr. ALTIDOR. Yes; I talked with him.  
Mr. ANGELL. What did you say to Williams, and what did he say to you?  
Mr. ALTIDOR. I asked him what he was going to do with him, and he said he was going to release him, and then they went and killed him.  
Mr. ANGELL. Did you talk with Williams or with the gendarmes?  
Mr. ALTIDOR. I talked with Williams.  
Mr. ANGELL. Did Williams talk Creole?  
Mr. ALTIDOR. He said in Creole that he would release him.  
Mr. ANGELL. Are you talking about the boy who was taken away for corvée and disappeared, or about the boy who was killed?  
Mr. ALTIDOR. I was talking about the one who was killed afterwards, Senator ODDIE. That was the second one he mentioned.  
Mr. ANGELL. Yes. Now, go back with him. Were you in the house when Williams and the gendarmes came and took away the boy for the corvée?  
Mr. ALTIDOR. Yes; I was present.  
Mr. ANGELL. What were you doing at that time?  
Mr. ALTIDOR. I was working.  
Mr. ANGELL. Were you working in the house or outside?  
Mr. ALTIDOR. In the garden there around the door.  
Mr. ANGELL. Did you talk with Williams and with the gendarmes at that time?  
Mr. ALTIDOR. It was not Williams who came and got him. It was someone else who came and got him and gave him to Williams and the gendarmes.  
Mr. ANGELL. Who was it came and took the boy and gave him to Williams?  
Mr. ALTIDOR. I don't know. They called them champetres.  
Senator ODDIE. Were they Haitians?  
Mr. ALTIDOR. Yes.  
Mr. ANGELL. Who came and took the second boy away?  
Mr. ALTIDOR. Williams and four gendarmes.  
Senator ODDIE. What was the date of this when they took the second boy?  
Mr. ALTIDOR. Monday, the 1st of June.  
Senator ODDIE. What year?  
Mr. ALTIDOR. 1917.  
Senator ODDIE. That is the boy who was killed?  
Mr. ALTIDOR. Yes.  
Mr. ANGELL. Did you ever talk about this to the priest at Malassade?

Mr. ALTIDOR. Yes.

Mr. ANGELL. When?

Mr. ALTIDOR. About the same time.

Mr. ANGELL. Was this the father at Maissade?

Mr. ALTIDOR. Yes.

Senator ODDIE. Now, he said that his second boy, the one that was killed, was taken out in an auto and killed. Whereabouts was he killed?

Mr. ALTIDOR. There were no automobiles then.

Senator ODDIE. Well, how did they take him out?

Mr. ALTIDOR. They took him out on foot.

Senator ODDIE. How far did they take him on foot?

Mr. ALTIDOR. About 15 minutes, time on foot.

Senator ODDIE. About 15 minutes' time. Did you go along?

Mr. ALTIDOR. No; I couldn't go. They would have killed me also.

Senator ODDIE. How far away was the boy when they killed him from where you were?

Mr. ALTIDOR. About 300 paces; from here to the road on the other side of the house.

Senator ODDIE. Did you see them kill him?

Mr. ALTIDOR. I did not see it. After they killed him I went to see it.

Senator ODDIE. How long after did you go?

Mr. ALTIDOR. About 15 minutes afterwards.

Senator ODDIE. When did Williams tell you he would release him?

Mr. ALTIDOR. When I went to talk to him in the village, he told me he would release him.

Senator ODDIE. When was the last time that you saw your boy before he was killed?

Mr. ALTIDOR. I saw him the last time in the village.

Senator ODDIE. How long after that was he killed?

Mr. ALTIDOR. Eight days.

Senator ODDIE. Eight days afterward. And where was he when he was killed?

Mr. ALTIDOR. Near the big road.

Senator ODDIE. And you didn't see him killed?

Mr. ALTIDOR. No.

Senator ODDIE. And so you don't know who killed him?

Mr. ALTIDOR. No.

#### STATEMENT OF MR. JOACHIN NORD.

Senator ODDIE. What is your name?

Mr. NORD. Joachin Nord.

Senator ODDIE. Where do you live?

Mr. NORD. Savanne Grande, Commune of Maissade.

Senator ODDIE. What is your age?

Mr. NORD. I don't know.

Mr. ANGELL. Under what President were you born?

Mr. NORD. I don't know.

Senator ODDIE. Tell your story, just what you saw yourself and what you know to be the fact.

Mr. NORD. My wife was killed at my house.

Mr. ANGELL. When?

Mr. NORD. In the month of September, about three years ago.

Mr. ANGELL. Who killed her?

Mr. NORD. Williams.

Mr. ANGELL. Were you there when she was killed; did you see her killed?

Mr. NORD. Yes.

Mr. ANGELL. Was it in the house or outside on the road?

Mr. NORD. In the courtyard.

Mr. ANGELL. What time of the day was this?

Mr. NORD. In the morning.

Mr. ANGELL. Was the sun up yet?

Mr. NORD. No.

Mr. ANGELL. Was it light or was it still dark?

Mr. NORD. It was just beginning to get light.

Mr. ANGELL. And what was your wife doing at that time?

Mr. NORD. She was making coffee for me to drink.

Mr. ANGELL. What were you doing?

Mr. NORD. I was sitting there waiting for the coffee.

Mr. ANGELL. Did Williams come alone or did he come with others with.

Mr. NORD. He had some people with him.

Mr. ANGELL. Were they whites or Haitians?

Mr. NORD. Gendarmes.

Mr. ANGELL. Haitians?

Mr. NORD. Haitians.

Mr. ANGELL. Was Williams the only white man?

Mr. NORD. He was the only white man.

Mr. ANGELL. How did Williams kill your wife?

Mr. NORD. He shot her.

Mr. ANGELL. What did he say before he shot her?

Mr. NORD. I didn't stay to find out.

Mr. ANGELL. Was it Williams who shot her, or was it the gendarmes?

Mr. NORD. I couldn't stay to see whether it was him or the gendarmes.

Mr. ANGELL. Were you and your wife in the house at the moment she was shot?

Mr. NORD. We were sitting out in the yard.

Mr. ANGELL. How near did you see Williams?

Mr. NORD. I was sitting there with a child in my arms, and I saw him 100 feet away, and he began to shoot at me. I ran and as the woman out of the kitchen she was shot.

Senator ODDIE. Who was it that shot at you?

Mr. NORD. I don't know.

Mr. ANGELL. Did you ever see Williams before the morning when you was shot?

Mr. NORD. Yes; I had seen him already.

Mr. ANGELL. Where?

Mr. NORD. I had gone to get a card from him in the bureau.

Mr. ANGELL. At Maissade?

Mr. NORD. At Maissade.

Mr. ANGELL. When did you come back to the house?

Mr. NORD. In the day.

Mr. ANGELL. Did you find your wife's body there?

Mr. NORD. Yes; I found her there on the ground.

Mr. ANGELL. Where was she hit with the ball.

Mr. NORD. She got one in the right side and one in the breast.

Mr. ANGELL. Where is your wife buried?

Mr. NORD. There in the courtyard.

Mr. ANGELL. Do you live there in that same habitation now?

Mr. NORD. No; I have left there recently.

Mr. ANGELL. Did you ever make a complaint about this?

Mr. NORD. No; I did not make a complaint.

Mr. ANGELL. Did you ever talk about this to the curé at Maissade?

Mr. NORD. No.

Senator ODDIE. How close did you get to Williams, to the man who shot your wife?

Mr. NORD. When I first saw Williams appear I knew that if he found a sion of people there he would kill them all, and if he found any children he would kill them, too. He had not yet arrived when he began to shoot. What else was I to do but run?

Senator ODDIE. How close were they to you when he began to shoot?

Mr. NORD. About a hundred feet.

Senator ODDIE. Do you know who did the shooting?

Mr. NORD. It was Williams himself who was the first to shoot.

Senator ODDIE. Did you see him when he shot?

Mr. NORD. Yes. If I had not seen him I would not have run.

Senator ODDIE. And you ran right away?

Mr. NORD. Yes; as soon as they began shooting I ran.

Senator ODDIE. How many shots were fired?

Mr. NORD. I can not tell you how many.

Senator ODDIE. How quickly were they fired?

Mr. NORD. He fired a volley.

Senator ODDIE. Right quickly?

Mr. NORD. He fired several volleys, like that [indicating].

Senator ODDIE. Where were you when the second shot was fired?

Mr. NORD. I had already gone away from there.  
 Senator ODDIE. What kind of guns did they have?  
 Mr. NORD. It was not an ordinary rifle. It was a machine gun.  
 Mr. ANGELL. Did you see these guns in the hands of Williams and the others who were with him?  
 Mr. NORD. I saw the gun in the hands of Williams himself.  
 Senator ODDIE. Was he the only white man, the only American?  
 Mr. NORD. He was the only one. The rest were gendarmes.  
 Senator ODDIE. Did you see what became of your wife when you ran?  
 Mr. NORD. No; I didn't have time to see.  
 Senator ODDIE. So you did not see her shot?  
 Mr. NORD. No; I did not see that, because I could not stay; I had to go away.  
 Senator ODDIE. What became of the child?  
 Mr. NORD. I ran away with it.  
 Senator ODDIE. Did any of the other men have guns?  
 Mr. NORD. I can not tell you. I saw that the gendarmes had guns.  
 Senator ODDIE. And when did you see the body of your wife after that?  
 Mr. NORD. Three days.  
 Senator ODDIE. She was alive when you left, and when you came back, three days afterwards, she was dead in the house?  
 Mr. NORD. Yes.  
 Senator ODDIE. How far away did you go?  
 Mr. NORD. I ran a long ways off, because they would have been looking for me.  
 Senator ODDIE. Why do you think that they would have shot you if they had found you?  
 Mr. NORD. I don't know, because all those who were killed, I don't know why they were killed.  
 Senator ODDIE. Were the cacos around at that time?  
 Mr. NORD. No.  
 Senator ODDIE. Were you expecting them?  
 Mr. NORD. No.  
 Senator ODDIE. Had they been there before?  
 Mr. NORD. No.  
 Senator ODDIE. Had there been any trouble between you and the gendarmes before?  
 Mr. NORD. No.  
 Senator ODDIE. Did you ever see this man Williams again?  
 Mr. NORD. I saw him in the village of Maissade after.  
 Senator ODDIE. How long after?  
 Mr. NORD. I saw him after that on the road to Madame Joie.  
 Senator ODDIE. How long after?  
 Mr. NORD. I can not say how many days it was.  
 Senator ODDIE. That was some time after you found the body of your wife?  
 Mr. NORD. Oh, about two weeks perhaps.  
 Senator ODDIE. You said that you went to the bureau to get a card from him Maissade. What card was that?  
 Mr. NORD. It was a permit to remain at home and work.  
 Senator ODDIE. You spoke of a division of the people. What did you mean that?  
 The INTERPRETER. A division is, in their idea, an army division, and they use to mean a great many people.  
 Senator ODDIE. It is all right to have that go in the record?  
 Mr. ANGELL. Certainly.  
 Senator ODDIE. And did you think that the gendarmes or marines were antagonistic to the people in your division?  
 Mr. NORD. If they had liked the people around there they would not have led them as they did.  
 Senator ODDIE. Were they having trouble with the cacos at that time?  
 Mr. NORD. No.  
 Senator ODDIE. I want to ask you again about that shot. Did you see the first shot fired yourself?  
 Mr. NORD. Yes.  
 Senator ODDIE. Where did the first bullet hit? Could you tell?  
 Mr. NORD. I ran; I don't know where it hit.  
 Senator ODDIE. You saw the flash from the gun and saw the shot?  
 Mr. NORD. Yes.  
 Senator ODDIE. I think that is all.

## STATEMENT OF MR. HERAUX BELLONI.

- Mr. ANGELL. What is your name?  
 Mr. BELLONI. Heraux Belloni.  
 Mr. ANGELL. Where do you live?  
 Mr. BELLONI. Savanna Grande, Commune of Maissade.  
 Mr. ANGELL. What's your age?  
 Mr. BELLONI. I was born after Boisronde Canal.  
 Senator ODDIE. Now, will you tell your story to the commission? To what you saw yourself and what you know to be the facts.  
 Mr. BELLONI. They killed my mother and my father.  
 Mr. ANGELL. When and where?  
 Mr. BELLONI. At their house, the 17th of June of last year.  
 Mr. ANGELL. What time of the day or night was this?  
 Mr. BELLONI. In the night.  
 Mr. ANGELL. Who killed your father and mother?  
 Mr. BELLONI. Capt. Becker.  
 Mr. ANGELL. Where were you at that time?  
 Mr. BELLONI. I was inside the house with my mother and father.  
 Mr. ANGELL. Were you asleep?  
 Mr. BELLONI. Yes.  
 Mr. ANGELL. How were they killed—by shots?  
 Mr. BELLONI. With shots.  
 Mr. ANGELL. Did you see Capt. Becker then and there?  
 Mr. BELLONI. Yes.  
 Mr. ANGELL. Where did you see Capt. Becker?  
 Mr. BELLONI. There in the courtyard?  
 Mr. ANGELL. Where were you when you saw Becker? Were you in the house or in the courtyard?  
 Mr. BELLONI. I was inside the house.  
 Mr. ANGELL. How could you know it was Becker if it was dark?  
 Mr. BELLONI. The moon was very bright.  
 Mr. ANGELL. What made you get up out of bed?  
 Mr. BELLONI. I heard shots.  
 Mr. ANGELL. What did you first do when you heard the shots and saw Capt. Becker?  
 Mr. BELLONI. I ran.  
 Mr. ANGELL. Where did you run—off into the bush?  
 Mr. BELLONI. I ran. They shot at me but I ran and hid in a ravine.  
 Mr. ANGELL. Where were your father and mother when they were killed?  
 Mr. BELLONI. They were inside the house.  
 Mr. ANGELL. When did you come back to the house?  
 Mr. BELLONI. I followed them when they went away and came to the house and found them dead on the ground.  
 Mr. ANGELL. Were your mother and father dead before you went away?  
 Mr. BELLONI. Yes.  
 Mr. ANGELL. Did you see their bodies before you went away?  
 Mr. BELLONI. Yes.  
 Mr. ANGELL. Where were their bodies lying?  
 Mr. BELLONI. On the ground. One of them bound and the other lying on the ground.  
 Mr. ANGELL. Which one was bound?  
 Mr. BELLONI. My father.  
 Mr. ANGELL. Was there any other whites with Capt. Becker?  
 Mr. BELLONI. I didn't have time to see the others, but it was Capt. Becker that I recognized.  
 Mr. ANGELL. Who else was with Capt. Becker?  
 Mr. BELLONI. I don't know. I did not have time to see him.  
 Mr. ANGELL. Was there anyone else with Capt. Becker?  
 Mr. BELLONI. I don't know.  
 Mr. ANGELL. Was Capt. Becker the only one you saw?  
 Mr. BELLONI. Yes.  
 Mr. ANGELL. How many shots did you hear?  
 Mr. BELLONI. They fired a great many.  
 Mr. ANGELL. Did you see Capt. Becker come into the house?  
 Mr. BELLONI. Yes.  
 Mr. ANGELL. Was that before you went out?  
 Mr. BELLONI. Yes.

Mr. ANGELL. What did Becker do when he came into the house?

Mr. BELLONI. He burned the house.

Mr. ANGELL. Did you see Capt. Becker set fire to the house?

Mr. BELLONI. Yes; with everything inside of it.

Mr. ANGELL. Who tied your father?

Mr. BELLONI. Capt. Becker.

Mr. ANGELL. Did he do it alone?

Mr. BELLONI. Yes.

Mr. ANGELL. Was your father dead before he was bound up by Capt. Becker?

Mr. BELLONI. He had not yet died when they tied him up.

Mr. ANGELL. Who tied him up?

Mr. BELLONI. Capt. Becker.

Mr. ANGELL. All alone?

Mr. BECKER. Yes.

Mr. ANGELL. Nobody else came into the house with Capt. Becker?

Mr. BELLONI. No; he was the only one I saw.

Mr. ANGELL. Did you see Capt. Becker fire on your father?

Mr. BELLONI. Yes.

Mr. ANGELL. Where was Becker when he fired on your father?

Mr. BELLONI. He took him out and tied him to a tree and then shot him.

Mr. ANGELL. Were you standing in the house when they took your father and tied him to a tree and shot him?

Mr. BELLONI. Yes.

Mr. ANGELL. When did you run away?

Mr. BELLONI. It was after they had killed him I escaped.

Mr. ANGELL. Did they tie you up or do anything to you?

Mr. BELLONI. When they came in the house they didn't see me, and I had to get out, and it was when I was running that they fired at me.

Mr. ANGELL. What kind of a gun did Capt. Becker have?

Mr. BELLONI. A big gun.

Mr. ANGELL. Was it a rifle or a revolver?

Mr. BELLONI. A rifle.

Mr. ANGELL. Had you ever seen Capt. Becker before that night?

Mr. BELLONI. Yes; I had seen him before.

Mr. ANGELL. Where?

Mr. BELLONI. In the village.

Mr. ANGELL. Had you seen him once or more than once?

Mr. BELLONI. I saw him several times.

Mr. ANGELL. Did you ever see Becker after that?

Mr. BELLONI. Yes.

Mr. ANGELL. Where?

Mr. BELLONI. In the village.

Mr. ANGELL. Did you see him more than once, or just once?

Mr. BELLONI. I saw him two or three times.

Mr. ANGELL. Where are your father and mother buried?

Mr. BELLONI. At the same place.

Mr. ANGELL. Do you live there now?

Mr. BELLONI. Yes.

Mr. ANGELL. Are they buried in the habitation?

Mr. BELLONI. Yes.

Mr. ANGELL. Where was your mother shot?

Mr. BELLONI. Everywhere; all over her body.

Mr. ANGELL. Was your mother in the house or in the courtyard when she shot?

Mr. BELLONI. In the house.

Mr. ANGELL. Did you see her shot?

Mr. BELLONI. Yes.

Mr. ANGELL. Was she shot before your father was or afterwards?

Mr. BELLONI. It was after.

Mr. ANGELL. Did they kill your mother before you ran away?

Mr. BELLONI. Yes.

Mr. ANGELL. Who killed your mother?

Mr. BELLONI. Capt. Becker.

Mr. ANGELL. Did your mother stay in the house all this time?

Mr. BELLONI. Yes; my mother and I stayed in the house.

Mr. ANGELL. After Capt. Becker took your father out and tied him to a tree he come back into the house?

Mr. BELLONI. Yes.

Mr. ANGELL. Were you and your mother in the same room in the house?

Mr. BELLONI. Yes.

Mr. ANGELL. Whereabouts in the room were you?

Mr. BELLONI. I was sleeping on one side and she was sleeping on the other.

Mr. ANGELL. Where were you at the moment that Becker came into the room and shot your mother?

Mr. BELLONI. I was very near them.

Mr. ANGELL. Were you in the same room?

Mr. BELLONI. Yes.

Mr. ANGELL. Were you standing up or sitting down or lying down?

Mr. BELLONI. I was standing up.

Mr. ANGELL. Did Becker see you?

Mr. BELLONI. Yes; he saw me, and I had time to run, and he shot at me.

Mr. ANGELL. Did Becker see you before he shot your mother or afterwards?

Mr. BELLONI. Yes; he saw me before.

Mr. ANGELL. What did Becker do or say when he saw you?

Mr. BELLONI. He did not say anything to me.

Mr. ANGELL. Did he shoot at you then, or did he shoot at your mother?

Mr. BELLONI. He shot at my mother first.

Mr. ANGELL. What was the name of your father and mother?

Mr. BELLONI. Belloni Meda was my father's name. Feme Seraphine was my mother.

Mr. ANGELL. Are you absolutely sure it was Becker?

Mr. BELLONI. Yes.

Mr. ANGELL. How could you make sure it was Becker?

Mr. BELLONI. Because the moon was clear. I could see him.

Mr. ANGELL. It was dark in the house, was it not?

Mr. BELLONI. No; it was not dark.

Mr. ANGELL. Where was Becker when you first saw him that night? Was he in the house or was he out in the courtyard?

Mr. BELLONI. Inside the house.

Mr. ANGELL. What kind of clothes did he have on?

Mr. BELLONI. The same kind of clothes that they are in the habit of wearing.

Mr. ANGELL. Whom do you mean by "they"?

Mr. BELLONI. The same kind of clothes that the marines wear.

Mr. ANGELL. Did he have a hat on?

Mr. BELLONI. Yes.

Mr. ANGELL. What did Becker do when you first saw Becker in the house?

Mr. BELLONI. He set fire to the house.

Mr. ANGELL. What did he do then?

Mr. BELLONI. After that he left.

Mr. ANGELL. Did you see Becker take your father out?

Mr. BELLONI. Yes.

Mr. ANGELL. Did he set fire to the house before he took your father out or afterwards?

Mr. BELLONI. It was after he had taken my father out and shot him that he put the fire to the house.

Mr. ANGELL. Was the house on fire when you went away?

Mr. BELLONI. Yes.

Mr. ANGELL. Was there anybody else in the house?

Mr. BELLONI. Yes; there was another woman.

Mr. ANGELL. Who was she?

Mr. BELLONI. Charitable Tiouan.

Mr. ANGELL. Who was she?

Mr. BELLONI. A servant.

Mr. ANGELL. What happened to her?

Mr. BELLONI. She escaped by running.

Mr. ANGELL. Where is she now?

Mr. BELLONI. She is at her mother's house.

Mr. ANGELL. Where is that?

Mr. BELLONI. In Herbes Guinea.

Senator ODDIE. Where was your father when he was shot?

Mr. BELLONI. He was tied to a tree.

Senator ODDIE. How far did you go when you followed them after shooting?

Mr. BELLONI. I followed them to the village.

Senator ODDIE. How far did you run when you started?

Mr. BELLONI. I ran until I came to a ravine.

Senator ODDIE. How long did they stay around the house?

Mr. BELLONI. About 15 minutes.

Senator ODDIE. And you could see them when they left?

Mr. BELLONI. Yes.

Senator ODDIE. How many other men were there with Capt. Becker?

Mr. BELLONI. I didn't see how many people there were. It was only him at I saw.

Senator ODDIE. Do you know whether anybody else was with him?

Mr. BELLONI. No.

Senator ODDIE. He may have been alone.

Mr. BELLONI. Yes.

Senator ODDIE. How do you know it was Capt. Becker?

Mr. BELLONI. I recognized him before. I had seen him in the village.

Senator ODDIE. What did your mother do when Capt. Becker took your mother out?

Mr. BELLONI. She stayed there and looked on at what they were doing.

Senator ODDIE. Did she say anything?

Mr. BELLONI. No.

Senator ODDIE. Did your mother see Captain Becker shoot your father?

Mr. BELLONI. Yes; she saw that, and after he had killed my father he shot my mother too.

Senator ODDIE. Did she attempt to run?

Mr. BELLONI. No; she did not run.

Senator ODDIE. Could she have run away?

Mr. BELLONI. No.

Senator ODDIE. She could not have run away.

Mr. BELLONI. No.

Senator ODDIE. Why not?

Mr. BELLONI. She had not time to run.

Senator ODDIE. Did he set fire to the house before he shot your mother?

Mr. BELLONI. It was afterwards.

Senator ODDIE. When did you run; before or after he set fire?

Mr. BELLONI. After he had put the fire.

Senator ODDIE. Did your father struggle when Becker bound him?

Mr. BELLONI. No.

Senator ODDIE. Did he say anything?

Mr. BELLONI. No.

Senator ODDIE. Why was this other woman who was in the house not called a witness here?

Mr. BELLONI. I don't know.

Senator ODDIE. Was there trouble at that time with the Cacos?

Mr. BELLONI. No; no.

Senator ODDIE. Had they been there before?

Mr. BELLONI. No.

Senator ODDIE. Did they come afterwards?

Mr. BELLONI. No.

Senator ODDIE. Was there any trouble between you and other persons and marines or gendarmes?

Mr. BELLONI. No.

Senator ODDIE. Do you know why this shooting occurred?

Mr. BELLONI. No.

Senator ODDIE. Was anything taken away from the house at the time?

Mr. BELLONI. I did not see them.

Senator ODDIE. Was there bad feeling between the gendarmes and the marines and the other people in the neighborhood at that time?

Mr. BELLONI. No.

Senator ODDIE. Did you ever make a complaint about this?

Mr. BELLONI. No.

Senator ODDIE. Was it known to other people there at the time?

Mr. BELLONI. I went to the office of a notary afterwards.

Senator ODDIE. How long afterwards?

Mr. BELLONI. About a week.

Mr. ANGELL. Who was this notary?  
 Mr. BELLONI. I don't know his name.  
 Mr. ANGELL. Is he still at Maissade?  
 Mr. BELLONI. Yes.

#### STATEMENT OF MR. MERCELUS CHERISTIL.

Mr. ANGELL. What is your name?  
 Mr. CHERISTIL. Mercelus Cheristil.  
 Mr. ANGELL. Where do you reside?  
 Mr. CHERISTIL. The village of Maissade.  
 Mr. ANGELL. What age are you?  
 Mr. CHERISTIL. Forty-five years old.  
 Senator ODDIE. Will you tell your story to the commission? Tell just what you saw yourself and what you know to be the fact.  
 Mr. CHERISTIL. In the month of June, 1919, I had a mule outside of the village. I kept him there because there was no grass in the village, and I was sitting on my porch and I saw Capt. Becker pass with my mule. The next day I went to him and told him that the mule was mine. He said, "Yes," and other people had told him that also. He said he would give it back to me afterwards. After several days, seeing that he did not give it to me, I went to him and asked him for it again. He struck me with his fist in the jaw and knocked me down, and then asked me if I still wanted the mule. I told him no; I did not want the mule. Some time passed and I didn't see the mule any more. In the month of November I saw a white man and a Haitian passing with my mule in the village of Maissade, and I asked the Haitian where he had gotten the mule and he said at Liles.

Senator ODDIE. When was that?

Mr. CHERISTIL. I told him the mule was mine, and I went to the captain of the gendarmerie, who gave me a letter and I came to see the lieutenant at San Michel and he came out here with me. I met a white man named Miehl. This engineer named Miehl took us out to a tree and asked me to show him the mule. He told us to look over the mule and see if it had a brand, and from the time the mule was lost I had no report that the brand was illegible. But he had other marks. I had the mule drawing a cart, and the traces had obliterated the brand, but there were other marks. The back teeth of the lower jaw had been lost, and one of the back teeth of the upper jaw. The engineer said, "You see that this mule is not yours, since it has no brand." I told him, "Yes; that it had a brand." I showed him in front of the mouth where the teeth were broken. But he said that he would not give me the mule. I went to San Michel with the lieutenant and he gave me an answer in a letter for the captain at Hinche, saying that the engineer had refused to give me back my mule. Then after that, when the commission was coming, I went to a notary and made a deposition there in order that they would give me back my mule.

Mr. ANGELL. Where did you make the deposition?

Mr. CHERISTIL. Before the notary at Maissade, a notary named Charles Pierre. I have seen the mule just a moment ago. It is out there under a tree.

Mr. ANGELL. When did you make the deposition before this notary?

Mr. CHERISTIL. When the commission came, because they told me that anybody who had lost anything should go and make a deposition before a notary in order to bring it before the commission. It has been nine days since the lieutenant at San Michel came here with me.

Mr. ANGELL. Have you ever been paid for this mule?

Mr. CHERISTIL. Never.

#### STATEMENT OF MR. FREDERICK C. BAKER.

Mr. ANGELL. What is your name?  
 Mr. BAKER. Frederick C. Baker.  
 Mr. ANGELL. What is your address?  
 Mr. BAKER. Atalaye.  
 Mr. ANGELL. What is your position?  
 Mr. BAKER. I am general superintendent of the United West Indian Corporation, San Michel, Haiti.

Senator ODDIE. I will ask you, Mr. Baker, if you will tell what you know out the incident of the mule transaction just related by the last witness, eristil.

Mr. BAKER. In December, 1919, or in January, 1920, at the time Capt. Becker s relieved as detachment commander at Maissade, he passed San Michel route to Port Au Prince, and had three mules which he wanted to sell. e United West Indies Corporation, through me, purchased these mules from pt. Becker, who gave an adequate bill of sale to each and every one. The de in question had been acquired by Capt. Becker, according to the bill of e, he turned over to this company, at an auction sale by the magistrat of issade. The sale, according to the papers, had been conducted in accordance th law.

Senator ODDIE. Conducted by whom?

Mr. BAKER. By the magistrat. He had a communal bill of sale. The animal s taken as a stray animal, put in pound, and after being duly advertised by r, it was sold by public auction, and Capt. Becker bought it. That bill of e was turned over to this company for the animal. The animal is now in possession of the company, and has been continuously since Capt. Becker d it.

Senator ODDIE. Who was the magistrat at Maissade referred to?

Mr. BAKER. As I remember his name was Preval.

Senator ODDIE. Where is he now?

Mr. BAKER. To the best of my knowledge he is in prison at Cape Haitien.

Senator ODDIE. For what offense?

Mr. BAKER. I don't know.

Senator ODDIE. Well, now, as I understand it, this magistrat who gave the of sale, said that the mule had been picked up.

Mr. BAKER. That is it. According to the communal law, all stray animals put in a pound, where they are kept for 10 days. If the owner does not come thin 10 days to claim them, they are sold at auction sale, and the magistrat es a bill of sale for them.

Mr. ANGELL. Did this bill of sale recite the fact that the owner was away l did not come to claim them?

Mr. BAKER. Usually they do. If it is a proper legal bill of sale.

Mr. ANGELL. Do you remember whether this particular bill of sale did recite se facts?

Mr. BAKER. I do not.

Mr. ANGELL. Or whether it was Capt. Becker that said that?

Mr. BAKER. It was Capt. Becker who turned over the bill of sale to me as a umunal bill of sale. I saw the stamp on it.

Senator ODDIE. Do you know when the bill of sale was dated?

Mr. BAKER. I do not. I had that year 1,000 bills of saie of animals.

Senator ODDIE. This was 1919?

Mr. BAKER. This was either 1919 or 1920. It was very shortly after I came e. I came here in November, 1919.

Senator ODDIE. This thing goes back to the validity of the bill of sale, it ms to me.

Mr. BAKER. The question there is whether or not the magistrat made a emature sale. Whether he actually kept him in the pound for 10 days.

Senator ODDIE. And if that magistrat was not an honest man he could have en an incorrect bill of sale?

Mr. BAKER. Yes; but Capt. Becker had the magistrat's bill of sale.

Senator ODDIE. Yes; Capt. Becker could be easily innocent, and yet an im- pper bill of sale could have been given him by the magistrat. And the gistrat is now in jail?

Mr. BAKER. Yes.

Senator ODDIE. Do you know what he was put in jail for?

Capt. Wood. He was tried by provost court for having by various cruelties l misrule at Maissade caused the people of that territory to turn Cacos, to n the bandits. That, as I remember it, was more or less the terms of the usation against him.

Mr. BAKER. The 1st and 15th of every month there is an auction sale of stray imals that have been picked up. Animals that have been at large for 10 full rs can be sold at auction.

Capt. Wood. Publication of the capture of an animal is made twice during days by the town crier, and a notice and description of the animal is posted the doors of the town hall during that time.

Senator ODDIE. What was the value of this mule?

Mr. BAKER. I paid Capt. Becker, I believe, for that particular one \$20. I think I paid him \$80. for three mules. I really don't know which one of three it was, but he had communal receipts for all three of them.

Senator ODDIE. How long a time was it from the time when you lost your mule at your house and the time when you saw Capt. Becker pass the mule?

Mr. CHERISTIL. Two years.

Senator ODDIE. Now, you said that you saw an American and a Haitian : - ing with your mule in November. What year was that?

Mr. CHERISTIL. November of this year.

Senator ODDIE. It seems to me this is a case for the local courts to hear and I suggest to the witness that he take steps to bring this before the court, and I can assure him that if any United States authorities have anything of his illegally, justice will be done him, and if anyone has Mr. Baker or his company an injustice, or any official of the United States any service has done Mr. Baker an injustice, justice and reparation should be made to him, and it seems to me that the local courts should handle this matter. Tell the witness that this commission wants nothing but justice done. This is merely a suggestion any my part, and the evidence given in this case is in the record.

The INTERPRETER. I shall have to explain to him what Mr. Baker testified because he could not understand him.

Senator ODDIE. Yes; I wish you would do that.

(The interpreter then spoke to the witness in Creole.)

Senator ODDIE. If that mule was illegally taken away from him at the time away back in June, 1919, then he is not responsible for what happened afterwards. If it was taken from him illegally, he is entitled to the money. It seems to me the commission can not render a decision, but it can hear the evidence, and it is in the record, and what I have just said as a suggestion to his possible recourse in the local courts. I would not like to take the responsibility of saying that he must go to the local courts and that he is absolutely innocent, or the local officials are innocent in regard to the mule, in the first place. That would not be my province. But it seems to me it is a matter for the local courts, as between the magistrate and Capt. Becker as to how the mule was taken.

This will go in the record just like any of the other cases.

#### STATEMENT OF MR. ILIODOR ROMAIN BRIGADE, COMMUNE OF MAISSADE.

Senator ODDIE. Now, will you tell your story to the commission, giving the facts that you know to be true and the things that you have seen with your own eyes?

Mr. BRIGADE. Williams and Marcial and Fransique and two Haitians came to my mother's house and killed her.

Mr. ANGELL. When was this?

Mr. BRIGADE. The 12th of January, about three years ago.

Mr. ANGELL. Where were you at the time?

Mr. BRIGADE. I was there in the house. He beat my mother about the head and then hung her up to a transverse.

Mr. ANGELL. Who beat your mother?

Mr. BRIGADE. Williams.

Mr. ANGELL. Had you ever seen Williams before?

Mr. BRIGADE. Yes; I had seen him in Maissade.

Mr. ANGELL. How many times?

Mr. BRIGADE. I had seen him several times.

Mr. ANGELL. What time of day did this happen?

Mr. BRIGADE. At midday.

Mr. ANGELL. Where were you when Williams came into the courtyard?

Mr. BRIGADE. I was behind the house.

Mr. ANGELL. Where were you when you first saw Williams?

Mr. BRIGADE. He was coming from my garden, and I saw him in the courtyard as he entered I went behind the house.

Mr. ANGELL. What did you do then?

Mr. BRIGADE. When they had killed her I appeared, and they had to bury her, me and another.

Mr. ANGELL. How did they kill her?

Mr. BRIGADE. By beating her with a stick.

Mr. ANGELL. Where were you while they were beating her with a stick?

Mr. BRIGADE. I was behind the house.

Mr. ANGELL. How do you know they beat her with a stick?

Mr. BRIGADE. I was behind the house and the house was not masoned. The house had thin walls, and I could see through. It was built of sticks and muddled.

Mr. ANGELL. How many men came into the house with Williams?

Mr. BRIGADE. Four people.

Mr. ANGELL. Were any of the others white, or were they all Haitians?

Mr. BRIGADE. Williams was the only white man.

Mr. ANGELL. Whom did you see beat your mother with sticks?

Mr. BRIGADE. Williams.

Mr. ANGELL. Did anyone else beat her?

Mr. BRIGADE. No.

Mr. ANGELL. Did you hear Williams say anything to you or to your mother?

Mr. BRIGADE. He asked Marcial if Marcial was not going to kill anybody, and Marcial said, "No."

Mr. ANGELL. Did Williams say anything to you or to your mother?

Mr. BRIGADE. No.

Mr. ANGELL. Why did Williams beat your mother and kill her?

Mr. BRIGADE. I don't know; but he came expressly to beat her.

Mr. ANGELL. What did you do all this time?

Mr. BRIGADE. I was doing nothing. I was standing looking on.

Mr. ANGELL. Did they see you?

Mr. BRIGADE. No; he did not see me until after he had killed my mother.

Mr. ANGELL. What did he do then?

Mr. BRIGADE. He said to me to go and bury her. He could not go away and leave her thus unburied.

Mr. ANGELL. Did you bury her then?

Mr. BRIGADE. Yes.

Mr. ANGELL. Where?

Mr. BRIGADE. There in the courtyard.

Mr. ANGELL. You still live in that same habitation?

Mr. BRIGADE. No; I left there and went to live near Maissade.

Mr. ANGELL. Where was the house where your mother lived and where she killed?

Mr. BRIGADE. In L'Ermite, in the Commune of Maissade.

Mr. ANGELL. How long did it take you to go on foot from L'Ermite, your habitation, to Maissade?

Mr. BRIGADE. About half a day.

Mr. ANGELL. Did you ever make a complaint about this?

Mr. BRIGADE. No. I didn't make a complaint, because there were other children older than I was, and I, as the youngest, could not make a complaint.

Mr. ANGELL. Who else was in the region there in Cayes at the time Williams was there and beat your mother?

Mr. BRIGADE. This woman was there [indicating a witness], my aunt.

Mr. ANGELL. What is your aunt's name?

Mr. BRIGADE. Madame Philoscarr Joseph.

Mr. ANGELL. Where was this other woman, your aunt, at the time that Williams came and beat your mother?

Mr. BRIGADE. She was standing outside the house while Williams was beating your mother inside.

Mr. ANGELL. Did you see her?

Mr. BRIGADE. Yes.

Mr. ANGELL. What did she do?

Mr. BRIGADE. They told her to sit down there, and she sat there.

Mr. ANGELL. In the house or outside in the courtyard?

Mr. BRIGADE. Outside in the courtyard.

Senator ODDIE. We will take a recess now for an hour for lunch.

Whereupon the committee took a recess until 1.30 p. m.)

AFTER RECESS.

The committee met at 1.30 p. m., pursuant to recess.  
Present: Senator Oddie and Mr. Angell.

**STATEMENT OF MR. ILIODOR ROMAIN BRIGADE—Resumed**

Senator ODDIE. You said that they hung your mother up. How did that witness, Madame Philoscar Joseph, corrected him, saying that it was her chin, to which the witness assented.)

Senator ODDIE. Were the Cacos making trouble at that time?

Mr. BRIGADE. No.

Senator ODDIE. Had they been there before then?

Mr. BRIGADE. The Cacos had not yet come there when my mother died.

Senator ODDIE. Did they come shortly afterwards?

Mr. BRIGADE. It was some days before we heard the Cacos.

Senator ODDIE. Were the people around there expecting the Cacos?

Mr. BRIGADE. No.

**STATEMENT OF CHOUCOUNE PIERRE GLAUDE, SAVANNE GRASSE**

Mr. ANGELL. What is your name?

Mr. GLAUDE. Choucouné Pierre Glaude.

Mr. ANGELL. Where do you live?

Mr. GLAUDE. Savanne Grande, Commune of Maissade.

Mr. ANGELL. How old are you?

Mr. GLAUDE. I don't know.

Senator ODDIE. Now, will you tell the commission what you actually and what you actually have seen in regard to the case?

Mr. GLAUDE. I had one child, and one Friday about the time they were coming up I saw Capt. Olean with a band of gendarmes passing. I went to the mountains and came back about 2 o'clock in the afternoon, came to the river where I had a small house; we had just had a wake for a mine who had died.

Mr. ANGELL. How long ago was this?

Mr. GLAUDE. It was in the month of April, about two years ago. They back and took two men and went away with them, and they killed them.

Mr. ANGELL. Who were these men who were taken away?

Mr. GLAUDE. One was called Absolu and the other Ticaptain. They took them and threw them on the ground, and after two days people came around there buried them in a garden.

Mr. ANGELL. Did you see these men killed?

Mr. GLAUDE. Yes.

Mr. ANGELL. Where were you when these men were killed?

Mr. GLAUDE. I was at my house.

Mr. ANGELL. Where were the men when they were killed?

Mr. GLAUDE. They took them to a small stream called Fondgras.

Mr. ANGELL. How far was this stream of Fondgras from the house where you were?

Mr. GLAUDE. As far as from here to the ravine over there.

The INTERPRETER. About 250 yards.

Mr. ANGELL. And you were in your house when these men were killed?

Mr. GLAUDE. Yes.

Mr. ANGELL. How could you see the men being killed?

Mr. GLAUDE. I was in the house, and I heard they killed these two men and we all run away.

Mr. ANGELL. Did you see with your own eyes these men being killed?

Mr. GLAUDE. When they took them out we followed along and we heard them shoot, and two men came back and said they had killed them.

Mr. ANGELL. Who were the men that killed these two?

Mr. GLAUDE. It was the gendarmes whom they made kill them, but they told them to do they did.

Mr. ANGELL. How many gendarmes were there?

Mr. GLAUDE. There were a great many.

Mr. ANGELL. How many whites were there?

Mr. GLAUDE. Two white men.

Mr. ANGELL. Who were they?

Mr. GLAUDE. One of them I don't know, but the one I know was called Olean.

Mr. ANGELL. Did Olean come to the habitation when you were there?

Mr. GLAUDE. Yes. They had just one habitation up above. They burned a house up in the mountains, and they came down and burned the habitation of my cousin.

- r. ANGELL. Did you see Olean come to your habitation?
- r. GLAUDE. Yes.
- r. ANGELL. Had you ever seen Olean before this day?
- r. GLAUDE. Yes. He had been to Madame Joie before.
- r. ANGELL. How many times did you see Olean before this day?
- r. GLAUDE. Several times.
- r. ANGELL. Did you see him afterwards?
- r. GLAUDE. No; I never saw him again.
- r. ANGELL. Did Olean talk to you at the habitation that day?
- r. GLAUDE. No.
- r. ANGELL. Did he say anything to these two men who were taken away?
- r. GLAUDE. Yes.
- r. ANGELL. What did he say?
- r. GLAUDE. They had a basket containing some peas, and he asked them if it was. They told him it was peas, and he told them to take it with them. They put it on their heads and took it along with them.
- r. ANGELL. Did you see the bodies of Absolu and Ticaptain?
- r. GLAUDE. Yes.
- r. ANGELL. Where were the bodies when you saw them?
- r. GLAUDE. They put them in the garden.
- r. ANGELL. Who put them in the garden?
- r. GLAUDE. The gendarmes.
- r. ANGELL. What garden did they put them in?
- r. GLAUDE. In the garden of one of the inhabitants.
- r. ANGELL. Do you know where these bodies are buried?
- r. GLAUDE. Yes.
- r. ANGELL. Where?
- r. GLAUDE. In the same garden where they found them.
- r. ANGELL. Was Olean with the gendarmes when they brought the bodies and buried them?
- r. GLAUDE. I don't know. I can not tell you anything that I didn't see, but they who brought them back.
- r. ANGELL. Did the bodies have gunshot wounds in them?
- r. GLAUDE. Yes.
- r. ANGELL. Where were these wounds?
- r. GLAUDE. All over their bodies and in their legs.
- r. ANGELL. Did you see the bodies before they were buried?
- r. GLAUDE. Yes.
- r. ANGELL. That same day?
- r. GLAUDE. Oh, yes.
- r. ANGELL. Did anybody else see the gendarmes come and take these two away?
- r. GLAUDE. There were a great many witnesses.
- r. ANGELL. Tell us the names of some of those people who saw this.
- r. GLAUDE. There was Madame Celiqui, whose surname I don't know.
- r. ANGELL. Are there any other witnesses here to-day?
- r. GLAUDE. No. There was Joseph, who is a brother of Ticaptain. I am the one here to-day who saw that.
- r. ANGELL. Where is Joseph?
- r. GLAUDE. He lives at Madame Joie's.
- r. ODDIE. Did you say that you were in your house when these men were taken away?
- r. GLAUDE. Yes.
- r. ODDIE. So you didn't actually see them killed yourself?
- r. GLAUDE. Yes; I saw them with my own eyes.
- r. ODDIE. You saw them killed yourself?
- r. GLAUDE. Yes; I saw them with my own eyes killed.
- r. ODDIE. Could you see it from the house?
- r. GLAUDE. When they took them away I left the house and went to a little distance and it was from there I saw them kill them.
- r. ODDIE. And you said that the two men returned and told you that they had killed these men?
- r. GLAUDE. Yes.
- r. ODDIE. Who were those two men?
- r. GLAUDE. Those two men who were with the gendarmes.
- r. ODDIE. Who did the killing? Which man did the killing?
- r. GLAUDE. It was the gendarmes.

Senator ODDIE. The Haitians or the American?

Mr. GLAUDE. It was not the Haitians.

Senator ODDIE. How could you tell?

Mr. GLAUDE. They had yellow clothes on.

Senator ODDIE. Well, didn't the Haitian gendarmes have yellow on, too?

Mr. GLAUDE. Yes. It was a white gendarme.

Senator ODDIE. How would you tell?

Mr. GLAUDE. There were no Haitians there at all. There were not among them. They were all white men—every one of them.

Senator ODDIE. How could you tell which one did the shooting?

Mr. GLAUDE. I don't know.

Senator ODDIE. And who were the two men who told you that they shot these men?

Mr. GLAUDE. They were two men who were passing. I don't know who they were.

Senator ODDIE. They were not gendarmes?

Mr. GLAUDE. No.

Senator ODDIE. Did they tell you how they shot these men?

Mr. GLAUDE. When they got down to the water they made them fall basket down, and then they killed them.

Senator ODDIE. These men told you that?

Mr. GLAUDE. Yes.

Senator ODDIE. Were these men standing up or sitting down when they shot them?

Mr. GLAUDE. They were standing up.

Senator ODDIE. Which ones were standing up?

Mr. GLAUDE. They were all standing up.

Senator ODDIE. Which way were the men who were shot facing?

Mr. GLAUDE. They were facing the guns.

Senator ODDIE. Did they have their hands up or down?

Mr. GLAUDE. They had their hands down.

Senator ODDIE. How close were they to the men who did the shooting?

Mr. GLAUDE. They were like they were sitting here, and they put their hands at a distance about where those boxes are [indicating] and fired.

Senator ODDIE. Were the Cacos making trouble around there at that time?

Mr. GLAUDE. I don't know.

Senator ODDIE. Had they been there before?

Mr. GLAUDE. Yes; there were Cacos which had passed by there.

Senator ODDIE. Recently?

Mr. GLAUDE. Yes.

Senator ODDIE. Had any of the Cacos been in your house?

Mr. GLAUDE. No.

Senator ODDIE. Did you know any of them?

Mr. GLAUDE. No.

Senator ODDIE. Did these two men who were taken out and killed belong to the Cacos?

Mr. GLAUDE. No; not at all; never.

#### STATEMENT OF MADAME TILUS FORTUNA.

Mr. ANGELL. What is your name?

Madame FORTUNA. Madame Tilus Fortuna.

Mr. ANGELL. Where do you live?

Madame FORTUNA. Section L'Eaucontre, Commune of Maïssade.

Senator ODDIE. Will you tell your story by telling us just exactly what you saw and what you know to be the case?

Madame FORTUNA. Becker killed my husband.

Mr. ANGELL. When was that?

Madame FORTUNA. The 4th of October, 1919.

Mr. ANGELL. Where?

Madame FORTUNA. At my house in L'Eaucontre.

Mr. ANGELL. Were you there at the time Becker killed your husband?

Madame FORTUNA. Yes.

Mr. ANGELL. How do you know it was Becker?

Madame FORTUNA. I had often gone to Maïssade, and had seen Becker.

Mr. ANGELL. What were you doing when Becker came to the habit?

adame FORTUNA. I was doing nothing when he came to the house, and when husband appeared with a load of tache, as he put the tache down, Becker d him.

. ANGELL. Was this in the house or in the courtyard?

adame FORTUNA. In the courtyard.

. ANGELL. How far away were you from your husband when he was killed?

adame FORTUNA. As soon as I saw them appear, I ran, and at the same they killed my husband and burned our house.

. ANGELL. Were you in the courtyard when they shot your husband?

adame FORTUNA. Yes; with two children.

. ANGELL. How was he killed? By a rifle or by a revolver shot, or how?

adame FORTUNA. With a rifle.

. ANGELL. Did you see Becker with a rifle in his hands?

adame FORTUNA. Yes. He shot him in the ear.

. ANGELL. Did you run away with the children?

adame FORTUNA. The children ran away. They were big children.

. ANGELL. Did Becker say anything to you?

adame FORTUNA. No.

. ANGELL. Did you hear him say anything to your husband?

adame FORTUNA. No.

. ANGELL. How many whites were there there?

adame FORTUNA. Three.

. ANGELL. Do you know the names of any of the others besides Becker?

adame FORTUNA. No.

. ANGELL. Were there any Haitians with Becker, any gendarmes?

adame FORTUNA. There were Haitians with him but no gendarmes.

. ANGELL. How many Haitians were with him?

adame FORTUNA. There were two, only one of whom I knew.

. ANGELL. What was his name?

adame FORTUNA. Solomon.

. ANGELL. Do you know his other name?

adame FORTUNA. Solomon Neuve.

. ANGELL. What was he doing there?

adame FORTUNA. He was accompanying Becker.

. ANGELL. Was there anyone else in the habitation saw your husband ?

adame FORTUNA. No, there was nobody else.

. ANGELL. Were there other people who lived there in the habitation?

adame FORTUNA. No.

. ANGELL. What did they do after you ran away?

adame FORTUNE. After they had gone away I came back and took the body uried it.

. ANGELL. Where did you bury the body?

adame FORTUNA. I buried him there in the habitation.

. ANGELL. Do you live there now?

adame FORTUNA. Yes, that is where I live.

. ANGELL. Who else lives there with you now?

adame FORTUNA. The children.

. ANGELL. Did you run away when they started shooting at your husband?

adame FORTUNA. Yes.

. ANGELL. Did you see Becker raise the gun and fire?

adame FORTUNA. Yes.

. ANGELL. And where were you when you saw him raise his gun and fire?

adame FORTUNA. I was in the kitchen.

. ANGELL. Where was your husband when you were in the kitchen?

adame FORTUNA. He had just come in with a bundle of tache.

. ANGELL. Where was Becker when he raised the gun and fired? First, ur husband in the house with you when Becker raised his gun and fired?

adame FORTUNA. No.

. ANGELL. Where was he?

adame FORTUNA. In the courtyard. He had just come in the courtyard with le of tache.

. ANGELL. Could you see him if you were in the house?

adame FORTUNA. Yes.

. ANGELL. Where was Becker when he raised his gun and fired?

adame FORTUNA. Becker had come from the road and had just come into d.

Mr. ANGELL. Did you see any of the others who were with Becker ra- guns and fire at the same time?

Madame FORTUNA. Yes; they fired a volley.

Mr. ANGELL. What time of day was this?

Madame FORTUNA. In the afternoon.

Mr. ANGELL. Had the sun gone down?

Madame FORTUNA. No; it was still light.

Mr. ANGELL. Had the sun gone down yet?

Madame FORTUNA. The sun had not yet gone down.

Senator ODDIE. How far was your husband from the house when he killed him?

Madame FORTUNA. He was no distance at all. He brought the table and put it down behind the house, and it was then that Becker came around the house and shot him.

Mr. ANGELL. Had your husband had any trouble with the gendarmes?

Madame FORTUNA. No.

Senator ODDIE. Had there been any trouble with the Cacos around there?

Madame FORTUNA. No.

Senator ODDIE. Were you expecting trouble at that time?

Madame FORTUNA. No.

Senator ODDIE. How many shots were fired at your husband?

Madame FORTUNA. Five or six shots.

#### STATEMENT OF MISS MERCILIA RAPHAEL.

Senator ODDIE. What is your name?

Miss RAPHAEL. Mercilia Raphael.

Senator ODDIE. Where do you live?

Miss RAPHAEL. Section Paloit, Commune of Maissade.

Senator ODDIE. Will you tell your story, giving us the facts that you know and the things that you saw yourself?

Miss RAPHAEL. I had some money tied inside my dress, and Williams told me what I had there. I told him that it was a bit of money of an uncle. He told me to take it out and give it to him. I took it out and gave it to him.

Mr. ANGELL. When did this happen?

Miss RAPHAEL. The 2d of June, about two years ago.

Mr. ANGELL. And where?

Miss RAPHAEL. It was about a quarter of a mile from Maissade.

Mr. ANGELL. On the road?

Miss RAPHAEL. Yes; on the big road.

Mr. ANGELL. Road from where to where?

Miss RAPHAEL. It was on the San Michel-Maissade Road.

Mr. ANGELL. Who was with you?

Miss RAPHAEL. I was alone.

Mr. ANGELL. Who was with Williams?

Miss RAPHAEL. It was a gendarme. I don't know the gendarme.

Mr. ANGELL. What time of the day was this?

Miss RAPHAEL. Very early in the morning.

Mr. ANGELL. How did Williams know that you had anything in your dress?

Miss RAPHAEL. The money was inside my dress, and it had fallen into my underclothes near the waist, so that it made a sort of bundle; and he saw me if I had seen any Cacos around there, and I said I had not. He told me what was in my dress and told me to take it out and give it to him.

Mr. ANGELL. Did he give this money back to you?

Miss RAPHAEL. No. When I went and asked him for the money, he said that if he was to give me the money I was to live with him, and I did not want him any more.

Mr. ANGELL. How much money was there in there?

Miss RAPHAEL. Thirteen gourds and seventy-five cents.

Mr. ANGELL. Had you ever seen Williams before this day?

Miss RAPHAEL. I had seen him before in the market.

Mr. ANGELL. When did you go and ask Williams to give the money back to you?

Miss RAPHAEL. The same day when he came back from his trip I went for the money. Then the next day I returned and asked him to give me back the money he would have to stay with me. He did not ask him for the money again.

Mr. ANGELL. Where was he when you asked him for it the first day?  
 Miss RAPHAEL. In the market in the village of Maissade.  
 Mr. ANGELL. Where was Williams when you asked him for it the next day?  
 Miss RAPHAEL. The second time was in the market. I had brought some  
 gs to sell and I asked for the money. I told him he had taken the money  
 ay from me and asked him for my money.  
 Senator ODDIE. How much money did he take away from you?  
 Miss RAPHAEL. Thirteen gourds and seventy-five cents.  
 Senator ODDIE. Was it all in paper money?  
 Miss RAPHAEL. Two gourds in paper and the rest in coin.  
 Senator ODDIE. How large a bundle was it?  
 [The witness indicated about as large as her hand.]  
 Senator ODDIE. Did he see you put that money in your clothes?  
 Miss RAPHAEL. Yes.  
 Senator ODDIE. Where were you when you put that money in your clothes?  
 Miss RAPHAEL. On the big road.  
 Senator ODDIE. Where did you have that money before you put it in your  
 thes?  
 Miss RAPHAEL. It had a ribbon and I had just finished tying it up to put it  
 ide my clothes, and just then he came up.  
 Senator ODDIE. How long had you had that money in your hands?  
 Miss RAPHAEL. There was another person who had a gourd for me, and I  
 ok out my pocket to put this gourd in it and then tied it up and put it back  
 my clothes.  
 Senator ODDIE. Had that other person just given it to you?  
 Miss RAPHAEL. Yes.  
 Senator ODDIE. Where was that other person when Williams took this from  
 1?  
 Miss RAPHAEL. He had just gone when Williams came up.  
 Senator ODDIE. Who was that other person?  
 Miss RAPHAEL. Vertile Ertile.  
 Senator ODDIE. How far away was he when Williams came?  
 Miss RAPHAEL. About 200 yards away he met me and gave me the money,  
 I had time to go about 300 yards when I met Williams.  
 Senator ODDIE. Who was with Williams when he took this?  
 Miss RAPHAEL. A gendarme.  
 Senator ODDIE. Did he see Williams take it?  
 Miss RAPHAEL. Yes.  
 Senator ODDIE. Do you know that gendarme?  
 Miss RAPHAEL. No.  
 Senator ODDIE. Would you know him if you should see him again?  
 Miss RAPHAEL. Yes; if I saw him I should know him, but I never saw him  
 in.  
 Senator ODDIE. How old are you?  
 Miss RAPHAEL. I have never regulated that. I was born under President  
 rville.

#### STATEMENT OF MR. SALNAVE FLEURINA.

Senator ODDIE. What is your name?  
 Mr. FLEURINA. Salnave Fleurina.  
 Senator ODDIE. Where do you live?  
 Mr. FLEURINA. Savanne Grande, Commune of Maissade.  
 Mr. ANGELL. What age are you?  
 Mr. FLEURINA. I don't know.  
 Senator ODDIE. Now, if you will tell your story and tell just what you have  
 n and know to be the case.  
 Mr. FLEURINA. One morning before the sun was up they came and killed my  
 ther and father and two brothers and one sister.  
 Mr. ANGELL. When did this happen?  
 Mr. FLEURINA. The 7th of June, last year.  
 Mr. ANGELL. Was it last year or two years ago?  
 Mr. FLEURINA. Last year.  
 Mr. ANGELL. Where did this happen?  
 Mr. FLEURINA. At Savanne Grande.  
 Mr. ANGELL. Who killed these members of your family?  
 Mr. FLEURINA. Capt. Becker.

Mr. ANGELL. Was Becker alone or did he have others with him?

Mr. FLEURINA. There was Capt. Becker and Solomon Nelson and some- . . . whom I do not know.

Mr. ANGELL. Where were you when Becker came with those people?

Mr. FLEURINA. I was in the house. He came and called for the owner of the house and I went out. When I appeared he shot me.

Mr. ANGELL. Where did he shoot you?

Mr. FLEURINA. In the left shoulder.

Mr. ANGELL. Show us that.

(The witness displayed a scar on the left shoulder blade, on the upper- . . . tion, and another on top of the left shoulder, near the collar bone.)

Mr. ANGELL. What happened then?

Mr. FLEURINA. He killed the other five people in the house. There were . . . us, and I got away, and the others were killed, and he burned the house.

Mr. ANGELL. What did you do when he shot you? Did you fall down or run away?

Mr. FLEURINA. I ran.

Mr. ANGELL. Was it Capt. Becker who shot you?

Mr. FLEURINA. Yes.

Mr. ANGELL. What kind of a gun did he have in his hands?

Mr. FLEURINA. A rifle.

Mr. ANGELL. Did you see Capt. Becker kill your mother, and your father- . . . your two brothers and sisters, or had you run away?

Mr. FLEURINA. I had already run away.

Mr. ANGELL. How old were your brothers and one sister?

Mr. FLEURINA. I don't know, but they were younger than I.

Mr. ANGELL. When did you come back to the house?

Mr. FLEURINA. It is just recently that I have gone back.

Mr. ANGELL. Did you ever see the bodies of your mother and father?

Mr. FLEURINA. No; I did not see them.

Mr. ANGELL. Do you know where they are buried?

Mr. FLEURINA. Yes.

Mr. ANGELL. Where?

Mr. FLEURINA. In the same courtyard.

Mr. ANGELL. Have you seen the graves there in that courtyard yourself?

Mr. FLEURINA. Yes.

Mr. ANGELL. Did you see the house burning or had you run away when the house was burning?

Mr. FLEURINA. I had already run away.

Mr. ANGELL. Do you know who it was that killed your father, and . . . and two brothers, and sister?

Mr. FLEURINA. Yes; it was Capt. Becker.

Mr. ANGELL. If you had run away how do you know that it was Capt. B- . . . or somebody else that killed them?

Mr. FLEURINA. It was he alone who went into the house. I ran away, . . . climbed a small hill and looked on.

Mr. ANGELL. How far away from the house were you when you got on . . . this hill?

Mr. FLEURINA. About from here to that market.

The INTERPRETER. About a quarter of a mile away.

Mr. ANGELL. Who told you that your father, and mother, and two b- . . . and sister were dead?

Mr. FLEURINA. One of my brothers who went and buried them.

Mr. ANGELL. When did he tell you that?

Mr. FLEURINA. About 5 o'clock of the same afternoon.

Mr. ANGELL. Where were you at that time at 5 o'clock on that day?

Mr. FLEURINA. I was at the house of my brother.

Mr. ANGELL. And how far was that from the house of your mother?

Mr. FLEURINA. About half a mile away.

Senator ODDIE. Was it very dark when this happened?

Mr. FLEURINA. It was not very light.

Senator ODDIE. Where was Capt. Becker standing when he called for . . . owner of the house?

Mr. FLEURINA. In front of the door of the house.

Senator ODDIE. How close?

Mr. FLEURINA. Just a few feet away.

Senator ODDIE. Who was the first to go to the door?  
 Mr. FLEURINA. It was I.  
 Senator ODDIE. Did you go outside of the door?  
 Mr. FLEURINA. Yes; I stepped out and he shot me.  
 Senator ODDIE. Then you did not go back into the house?  
 Mr. FLEURINA. No.  
 Senator ODDIE. You ran then?  
 Mr. FLEURINA. Yes.  
 Senator ODDIE. And how soon after that did you hear the shot fired?  
 Mr. FLEURINA. About a quarter of an hour.  
 Senator ODDIE. How far away were you at that time?  
 Mr. FLEURINA. About a quarter of a mile away.  
 Senator ODDIE. So you didn't see anybody kill your mother and father and other and sister?  
 Mr. FLEURINA. I saw it with my own eyes.  
 Senator ODDIE. Was the killing done inside of the house?  
 Mr. FLEURINA. Inside.  
 Senator ODDIE. And you could see inside of the house from where you were?  
 Mr. FLEURINA. From where I was standing I could look right into the door.  
 Senator ODDIE. Was the man who did the shooting inside of the house?  
 Mr. FLEURINA. He had one foot inside and one foot outside.  
 Senator ODDIE. Where was he when he did the shooting?  
 Mr. FLEURINA. After he had killed the people he came outside.  
 Senator ODDIE. Where was he when he did the shooting?  
 Mr. FLEURINA. He had one foot inside and one foot out.  
 Mr. ANGELL. Had you ever seen Capt. Becker before this day?  
 Mr. FLEURINA. Yes; I had seen him in Malssade.  
 Mr. ANGELL. How often?  
 Mr. FLEURINA. I had seen him twice.  
 Mr. ANGELL. How did you know that this man who came was Capt. Becker?  
 Mr. FLEURINA. When I saw him I recognized him.  
 Mr. ANGELL. Have you ever seen Capt. Becker since that day?  
 Mr. FLEURINA. Yes; I saw him at Malssade.  
 Senator ODDIE. Had there been trouble with the Cacos around there?  
 Mr. FLEURINA. No.  
 Senator ODDIE. Did they come later?  
 Mr. FLEURINA. No.  
 Senator ODDIE. I would like to make this statement, so that you can repeat to them: I want to say that we have to go now, and if anything further is said by the people here they can make the statement through deposition and send it to our commission in Washington. And we want to say to the people that we are grieved to know that unfortunate things have been read, and while we are not in position here to judge the matters presented as we will investigate them as fully as we can and have them investigated. The disposition of the United States is not to do any harm to Haiti. Our country wants to help in every way it can. It wants to help bring prosperity to Haiti and peace and contentment, and we will investigate everything fully, and we want the people to believe that our country is just and fair, we wish them all success and happiness.  
 Whereupon, at 3.20 p. m., the committee adjourned subject to the call of chair.)

# **STATEMENT OF MR. MARMONTEL JULES.**

Taken by Senator Oddie, Mr. Angell being present, and the witness having sworn by Capt. Wood, immediately after the adjournment of the committee, at 3.30 p. m., on Tuesday, December 6, at Atalaye, Haiti.)  
 Mr. JULES. My name is Marmontel Jules. I live at Malssade.  
 Senator ODDIE. We would like to ask you about your opinion of the American occupation.  
 Mr. JULES. Since the coming of the American occupation we have had full peace.  
 Senator ODDIE. Do you think that if the Americans should leave now that there would be trouble?  
 Mr. JULES. Immediately—two hours after.  
 Senator ODDIE. And with the American occupation can you see that the people in this country have been able to cultivate their farms better than they before the Americans came in?

Mr. JULES. Yes.

Senator ODDIE. Do not the people here want peace and the chance to clear their farms and raise live stock and educate their children?

Mr. JULES. Yes.

Senator ODDIE. Without revolution and disorder?

Mr. JULES. They do not want anything of that sort at all. I heard a great many of the declarations that were made to-day, and they were all false. No people died, it is true; but everyone of them died for some reason.

Senator ODDIE. Were many of these people at war with the authorities at that time?

Mr. JULES. They were fighting with the Americans.

Senator ODDIE. And were they in sympathy with the Cacos—the revolutionaries?

Mr. JULES. Yes. As to Savanna Grande, Savanna Grande is the first town in Maissade and is of very great extent; but those people have a party of their own. They never come into the villages of Maissade and were always against the Cacos.

Senator ODDIE. These people who testified to-day?

Mr. JULES. Every one of them were with the Cacos. I passed 15 miles during which time I was after them. And even right up to the present you can not as much as turn one chicken loose in Savanna Grande, for there are too many thieves. It is true there are no Cacos there at the present time, but every person in there is a thief.

Senator ODDIE. What percentage of the people, in your opinion, want the Americans to stay for the present?

Mr. JULES. The greater part of the people around Hinche and Maissade would like to see the occupation go, because they are partisans of the revolution. For those who desire only peace all of them would prefer the occupation to remain.

Senator ODDIE. What is your occupation?

Mr. JULES. Farmer.

Senator ODDIE. Have you held public office?

Mr. JULES. I was magistrat communal.

Senator ODDIE. How long ago?

Mr. JULES. I was magistrat communal after Marcial in 1919. From April, 1919, until the 29th of July, this year.

(Whereupon the committee adjourned until Friday, December 9, 1921.)

# INQUIRY INTO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

FRIDAY, DECEMBER 9, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Santo Domingo City.*

The committee met at 10 o'clock a. m. in the palace of the military governor, Senator Medill McCormick presiding.

Present: Senators McCormick (chairman), Oddie, Pomerene, and Jones. Also present: Mr. Walter Bruce Howe, counsel for the committee, and Mr. Horace G. Knowles, representing the deposed Dominican Government and the Haiti-Santo Domingo Independence Society.

The CHAIRMAN. Gentlemen, let me say as I call the committee to order in formal session that it comes loyally and impartially to learn the truth, the better to make its report. It seeks and will receive not rumors or hearsay, but facts actually and personally known to witnesses. As regards the present situation it is ready to receive appropriate memorials and to hear the sober and considered opinion of men competent to speak thereon.

The hearing will proceed in English through the medium of an interpreter. Those present will not under any circumstances manifest approval or disapproval of any remarks by witnesses, counsel, or members of the committee.

Let me add that it is a great personal pleasure to return to this country, which I visited 10 years ago, and before that time, 15 years ago, when I rode on horseback from this city of Santo Domingo to Santiago.

The committee wishes formally to record its cordial appreciation of the very courteous hospitality voiced by the representatives of the Ayuntamiento and again by Don Juan Francisco Sanchez, the civil governor.

Will you, Mr. Interpreter, repeat from the stenographer's notes so much of my remarks as were in response to the expressions of hospitality of the municipal and provisional authorities?

(The interpreter did as requested, and the chairman then read the following statement in Spanish:)

"Permitaseme manifestar antes de declarar formalmente abierta la audición, que esta Comisión viene leal e imparcialmente a averiguar la verdad lo mejor para formular su informe. No busca ni recibirá rumores o decires y sí hechos real y personalmente conocidos por los testigos. Respecto a la actual situación, la comisión está lista a recibir memoriales apropiados y a oír la sobria y considerada opinión de los hombres competentes para hablar sobre el caso.

"La audiencia será en inglés por medio de un intérprete. Los que estén presentes no manifestarán en ninguna circunstancia aprobación o desaprobación sobre las observaciones que hagan testigos, el consejo o los miembros de la comisión.

"Permitaseme agregar que es un gran placer personal para mí volver a este país que visité 10 años atrás y antes 15 años atrás cuando pasé a caballo de esta capital a Santiago."

The CHAIRMAN. The committee is in order.

Senator POMERENE. Mr. Chairman, I have before me sundry proclamations and public statements issued by Rear Admiral S. S. Robison, United States Navy, as the military governor of Santo Domingo. They are printed both in English and in Spanish, and I ask that they may be incorporated in the record of the hearings of the committee as a part hereof.

I also ask that the proclamation which was issued some time thereafter, on, to wit, December 23, 1920, also be incorporated in the record for the information of the committee and of the Senate of the United States and of those who may be interested therein.

The CHAIRMAN. It is so ordered.

(The document is accordingly printed herein, as follows:)

"PROCLAMATION.

"Whereas the friendly purposes of the United States in the employment pursuant to rights derived from the treaty of 1907, of its military forces within the Dominican Republic for the restoration of public order and the protection of life and property have been substantially achieved; and

"Whereas it has always been the desire and intention of the Government of the United States to withdraw its aid as soon as it could do so consistently with the said purposes and as soon as the improved conditions in Santo Domingo to which the United States has sought to contribute gave promise of permanence:

"Now, therefore, I, Thomas Snowden, rear admiral, United States Navy, military governor of the Dominican Republic, acting under the authority by direction of the Government of the United States, declare and announce to all concerned that the Government of the United States believes the time has arrived when it may with a due sense of its responsibility to the people of the Dominican Republic inaugurate the simple processes of its rapid withdrawal from the responsibilities assumed in connection with Dominican affairs.

"Announcement is therefore made that a commission of representative Dominican citizens will be appointed, the personnel of which will shortly be announced, to which it is my purpose to attach a technical adviser. This commission will be intrusted with the formulation of amendments to the constitution and a general revision of the laws of the Republic, including the drafting of a new election law. Such amendments to the constitution and laws, or such revision of existing laws, as may be recommended by the commission, upon approval by the military government in occupation, will be submitted to a constitutional convention and to the National Congress of the Dominican Republic, respectively.

"THOMAS SNOWDEN,

"Rear Admiral, United States Navy.

"Military Governor of Santo Domingo.

"GOVERNMENT PALACE,

"Santo Domingo, Dominican Republic, December 23, 1920."

The CHAIRMAN. Mr. Knowles, the committee is at your disposition.

Mr. KNOWLES. Mr. Chairman, on my arrival at the capital late last evening I was informed that the leading political men of the city and country have been in session in a conference at Puerto Plata for the last week, a session the duration of which was fixed a long time ago. I have also learned that it is the desire of those officially participating in that conference that they may be in the city here for the sessions of this committee. They had expected to terminate the conference two or three days ago, but for reasons they could not anticipate the session was continued until yesterday, when they were adjourned. In view of the importance of the presence of these gentlemen here in the city at this time I would suggest that the committee entertain the proposition that the presentation of the case of the Dominican Republic may be postponed until tomorrow morning, assuring the committee that such courtesy on its part will be exceedingly appreciated by those whom it will greatly favor.

The CHAIRMAN. Are there any other persons who have memorials to present? Do you know of any, Mr. Knowles?

Mr. KNOWLES. Not yet. They are going to be submitted to the conference that will be held perhaps this evening, and will be presented in the order in which they wish to do so.

The CHAIRMAN. You expect that a conference will be held here in the city at which will be present some or all of those who were at the conference at Puerto Plata?

Mr. KNOWLES. Exactly.

The INTERPRETER. Mr. Hoepelman wants to say something.

**STATEMENT OF ANTONIO HOEPELMAN, SANTO DOMINGO CITY.**

The CHAIRMAN. Does he appear as the representative of any association or in a purely individual capacity?

The INTERPRETER. He is editor of a local newspaper.

The CHAIRMAN. Is he the proprietor of it?

The INTERPRETER. He is an editorial writer.

Mr. KNOWLES. If I may be permitted, this gentleman has come in since we had our conference this morning. He represents a newspaper here and expected to be one of those who would testify in regard to certain facts that I explained to you. I think, now that he understands there will be a postponement until to-morrow, it will not be necessary for him to give any time to the committee.

The CHAIRMAN. He has offered himself. That is for him to decide.

The INTERPRETER. He simply wishes to make a request to the honorable commission that anything the press may publish on this subject may receive the attention of the commission.

The CHAIRMAN. Will you say to him by way of reply that this morning, before the commission met. I took steps to have everything which bears on this hearing translated for the commission daily?

The INTERPRETER. That is all.

Senator POMERENE. Mr. Knowles and gentlemen, the committee has just considered the request made by Mr. Knowles, and we have concluded to grant the request, realizing that these gentlemen had some distance to come. We regret that we shall not be able to proceed this afternoon with the hearing, but under the circumstances we feel that time will be gained by the presentation of the views of the witnesses in some consecutive order. At the same time, for the information of the committee, we ask that a list of these witnesses be prepared and submitted to the committee in the morning, or at an earlier date, giving their names, addresses, occupation, and stating in detail what their credentials are. In other words, we feel that it will be of assistance to the committee if we know why these gentlemen speak and for whom they speak. We feel that such information will aid the committee very materially.

The CHAIRMAN. Let me offer at this time, in order that the committee may have it for immediate consideration, a report on the finances of the Dominican Republic bearing the date of December 6, 1921, and addressed to the military governor.

(The report is here printed in full, as follows:)

DECEMBER 6, 1921.

**MEMORANDUM FOR SENATE COMMITTEE.**

There is available in the office of the military governor, for the use of the Senate committee, correspondence, in the form of reports of the military governor, which comprises a complete history of the occupation and the material accomplishments of the military government in the Dominican Republic. However, the memorandum on the Dominican Republic under the military government, prepared in the Navy Department, a copy of which is in the hands of the Senate committee, represents a concise summary of the reports of the military governor and are substantially correct statements for the period which they cover. There have been certain changes in the condition of Dominican finances and in the plans and estimates of public works, but these will be brought to the attention of the committee in the form of full reports on these subjects. It should be stated here that the depressing economic conditions and the resulting financial condition of the Dominican Government have grown steadily worse, and have reached the point of an almost entire collapse in business, and that the military Government now finds itself in the position of requiring immediate relief in the nature of long-term financing.

In addition to the above reports, special reports, to date, of each department of the military Government, including a report of all military operations conducted in the Dominican Republic, have been prepared and are available for the committee.

There are now serving with the military Government five officers and several American civilian officials, including the deputy receiver general of Dominican customs, whose periods of duty in Santo Domingo have covered more than two or three years. These persons possess a wide knowledge of Dominican affairs and the administration of the military Government, and their services are at the disposal of the Senate committee.

The military governor incloses for the information of the committee of a pamphlet containing all official documentary statements relative to proposed disoccupation of the Dominican Republic by the United States military forces.

S. S. ROBISON,  
Rear Admiral, United States Navy,  
Military Governor of Santo Domingo

From: Chief of Naval Operations.

To: Secretary of the Navy.

Subject: Material accomplishments in Dominican Republic under military government.

1. As you are aware, the announced policy of the United States Government in connection with the Dominican Republic is to withdraw the United States military forces now in occupation as soon as a duly constituted government be brought into existence by the voluntary action of the Dominican people.

2. The history of the Dominican Republic, since its foundation in 1844, has been characterized by a succession of revolutions and civil quarrels. The progressive improvements in world communications and the continuous expansion of commercial activities have served to give the internal dissensions of the Dominican Republic, in common with political turbulence everywhere, pronounced international significance. It undoubtedly has been the pressure of events arising from this international phase of Dominican internal affairs that has caused this Government repeatedly to extend its good offices to the Dominican Government and people in endeavors to smooth out the complex affairs of the country, overwhelmed as it was with public debt and unmet international obligations. This repeated intercession of the United States in the affairs of the Dominican Republic culminated in the midst of the World War during that period when the customary international checks and balances were inoperative, and resulted in a proclamation of occupation, issued under authority of November 29, 1916, which provided for a state of military occupation of the Dominican Republic by forces of the United States and made the Republic "subject to military government and to the exercise of military law applicable to such occupation."

3. The avowed and proclaimed purpose of the military occupation was to give aid to the Dominican Republic in returning to such a condition of order as would insure the country's ability to observe the terms of the Treaty of 1907, providing for the defrayment of the public debt. It was upon the assumption that the Dominican governmental officials would function well under the United States military authorities that the aid was to be extended. The refusal of the leading Dominican officials so to function, however, and their definite abandonment of their desks obligated the military governor to appoint officers under his command to take charge of the several departments of the Dominican Government. This unexpected evolution in the manner of administering the governmental affairs of the Dominican people resulted in the responsibility for operating the Dominican machinery of government being placed upon the Navy Department of the United States along broad lines of policy dictated by the Department of State.

4. The question has been raised as to the rights of the United States Government on these premises. With this question the Navy Department is not directly concerned. The Navy Department stands in the relation of a steward in a matter in which the United States Government has seen fit to exercise the power of conquest. It is to give an account in summary of the department's stewardship and record of material accomplishments in the Dominican Republic under its administration that this paper is submitted, it being particularly noted that the initial steps in these accomplishments were taken when the entry of the United States into the World War was imminent and that progress continued on a background of international war and world readjustment.

#### FINANCES.

5. The military occupation of November, 1916, took place at a time when the six months' salaries of all Dominican government officials were unpaid. Government supply bills were long overdue. A floating indebtedness of approximately \$15,000,000 had been incurred in direct contravention of the

f 1907. The Dominican government account with its depository was over-ran in the amount of \$14,234.63. There was, therefore, no cash balance of any description in the hands of the Dominican Government to carry on its current business. Financial records were found to be falsified in hundreds of uses and evidences of graft and bribery were everywhere apparent.

6. The aim of the military government has been to organize the financial administration of the country on an honest and efficient basis, to establish an equitable system of taxation, and so to revise the tariff as not to discourage the importation of such commodities as are essential to the country's development. In keeping with this aim, the military government has eliminated taxes which are unfairly upon the poor and acted as a drag on business, and has placed in operation and successfully administered a property tax, representing the first attempt at direct taxation in the Dominican Republic. It has also revised the tariff downward, after considering the recommendations of a tariff commission. Under the new tariff, transportation media, agricultural machinery and tools, industrial machinery, building material, and, in general, articles necessary for the development of the Republic are placed on the free list. Rates of duty are greatly reduced on articles of necessity where the reductions would tend to lower the cost of living. The expected result followed and importations increased, resulting in record customs collections.

7. Achievement in financial administration is measured not in words, but in results. The income of the Dominican Republic in 1910 and in 1916, under Dominican administration, was \$4,005,501.38 and \$4,441,415.27, respectively. In 1920, under the military government, the income of the Dominican Republic was \$10,494,386.35. The \$20,000,000 customs administration loan made in 1908 will be paid off in 1925, or 33 years before it is due. The \$4,000,000 bond issue of 1918 will be paid off about 1923, or 15 years before it is due. The \$2,500,000 short-term bond issue of the present year will be paid when due in 1925.

8. The criticism offered from time to time on the fact that it has been found to the interest of advancing the well-being of the Dominican people to borrow money and thus increase the bonded indebtedness of the Dominican Republic the face of the actual and well-known increase in the prosperity of the country under military government is based on a wholly faulty knowledge of facts. The various loan agreements are so drawn as not permit the Government to slow up the redemption of its bonds and so time their redemption as to extend the loan over the entire period it would normally run were the country's scale of prosperity the same as at the time the loan was contracted. If such a process were possible, the increased amounts of the customs revenues, instead of going toward the preretirement of bond issues, could be made to redound to the immediate advantage of the country in improved public works, improved educational and agricultural facilities, and improved material development generally.

9. It is appropriate to cite that, during the present fiscal year, beginning January 1, 1921, the Dominican Republic, in common with other West Indian governments, has suffered from the decided slump in the cacao, coffee, and sugar markets. This general set-back in the West Indies is only temporary in character, and is due to trade conditions over which the military government has no control. There is a distinct phase of this general financial set-back, however, that is undoubtedly within the control of the United States Government, inasmuch as it is peculiar to the Dominican Republic. It consists in the absence of a definite and stated policy in regard to the future of the country, the lack of which precludes that element of confidence so necessary to national prosperity.

#### SETTLEMENT OF CLAIMS.

10. The floating indebtedness of the Republic, which became a responsibility of the military government at its very inception, presented a difficult problem, which was met by turning over all claims for adjudication to a duly appointed Dominican claims commission of five members, two of whom were citizens of the United States, two of whom were Dominicans, and one a Porto Rican. This commission sat for about three years, considered 9,036 claims, aggregating \$6,960,513.48, and made awards in final adjudication of all claims in the amount of \$4,292,343.52. The work of this commission was rendered very difficult on account of the inadequate and involved treasury records, which were found to have been frequently falsified.

## PUBLIC WORKS.

11. *Roads.*—Previous to 1916 there were only about 65 kilometers of roads in the entire Dominican Republic. The various cities and towns connected mostly by trails or occasionally by crude wagon roads, which rains became impassable to traffic of all kinds. Since November, 1916, have been completed more than 150 kilometers of new macadam roads, 10 kilometers of second-class roads, 300 kilometers of third-class roads, 7 steel bridges, 8 large concrete bridges, and many wooden bridges. The building program aimed at connecting by suitable highways all important of the Republic, while at the same time opening up and facilitating the element of large areas of rich agricultural and mineral land. It has unfortunately been necessary to curtail to some extent the original highway program. The military government on account of what has appeared to be a prospect of drawal within eight months of last June, but provision was made to complete the important transisland highway of 290 kilometers connecting Santo Domingo, the capital city, on the south coast with the important north coast of La Vega, Santiago, and Monte Cristi. This road will shorten travel between Santo Domingo and New York by four days, the time at present consumed in the steamer trip around the eastern end of the island. Provision also been made for the completion of the Santo Domingo-San Pedro de Macoris Road, of 70 kilometers, connecting the two most important south coast cities.

12. *Harbor and coastal improvements.*—The Dominican Republic before had so many unfinished projects in the way of public works as to have forth the following statement from one observer: "The land is filled with completed projects that were never intended to reach completion. The of the people \* \* \* were not applied to the purpose for which they were imposed." Since November, 1916, the lighthouse service has been improved, new burners have been installed everywhere. A lighthouse tender has been chartered and placed in service. At Santo Domingo City 450 feet of concrete wall and 10,000 square meters of concrete paving have been constructed. A story customhouse 100 by 115 feet has been built and the harbor dredged to a depth of 17 feet, involving the removal of two sunken ships in addition to 70,000 cubic meters of material. Channel ranges have been placed on foundations. A new dredge has been purchased and placed in service. Dredging and wharf-extension work is going forward at San Pedro de Macoris. Extensive repairs to customhouses, wharves, and piers in all important ports have been undertaken or completed.

13. *Miscellaneous public works improvements.*—Numerous Government buildings in all parts of the Republic have been repaired and made serviceable. Sewerage systems have had sanitary improvements installed. A radio station, provided with a 150-foot steel tower, has been placed in operation at Santo Domingo. A modern leprosarium and a new penitentiary have been practically completed. Engineering aid has been extended to the various Provinces of the Republic. Schools and agricultural stations, treated of more in detail further on, have been constructed or established at various places throughout the Republic. Of the two railway lines open to public service, one, the Dominican Republic Railway, is the property of the Government. Conditions and service on this railroad have been improved, the central track system for grade crossings has been eliminated, and locomotives of the Shay type are being used for service on heavy grades. The net earnings on this road increased from \$49,750.63 in 1916-17 to \$217,039.74 in 1919-20.

14. *Public works program.*—It early became apparent to the military government, in order to insure the largest measure of benefit from the occupation for public works, there must be formulated a comprehensive program of items most immediately and pressingly necessary for the improvement of the general welfare of the country. Accordingly a program of public works was drawn up, which may be indicated in outline, with estimates, as follows:

## ROADS AND BRIDGES.

1. Santo Domingo, La Vega, Moca, Monte Cristi Road.....	\$400,000
2. Santo Domingo, Los Llanes, Hato Mayor, Seibo, Higüey, Macoris Road.....	100,000
3. Santo Domingo, Comendador Road and bridge.....	50,000
4. Monte Cristi, Dajabon Road and bridge.....	50,000

1. Santiago, Puerto Plata Road.....	\$300,000
2. San Francisco de Macoris, Moca, La Vega Road.....	400,000
3. La Romana, Seibo Road.....	300,000
4. Higüey, Boca Chavon Road.....	6,000
5. Railways in the Republic.....	2,000,000

## PUBLIC BUILDINGS AND PORT IMPROVEMENTS.

0. Puerto Plata Harbor dredging.....	\$25,000
1. Santo Domingo wharf extension and harbor dredging.....	152,500
2. San Pedro de Macoris dredging and wharf extension.....	675,000
3. Marine railway and machine shop, Santo Domingo city.....	100,000
4. Fire protection, Santo Domingo water front.....	18,000
5. Customhouse, San Pedro de Macoris.....	100,000
6. Wharf at La Romana and customhouse.....	45,000
7. Wharf extension and customs shed at Barahona.....	35,000
8. Custom warehouses at Santo Domingo city.....	198,000
9. Water-front property at Santo Domingo city.....	110,000
0. Customs shed at Sanchez.....	20,000
1. Supply storehouse on wharf for Contaduría and public works.....	85,000
2. Public-works building.....	60,000
3. Schools in different parts of the Republic.....	1,238,197
4. Correctional School, Santo Domingo.....	200,000
5. Correctional School, Santiago.....	210,000
6. Penitentiary.....	200,000
7. National Insane Asylum.....	243,000
8. Leprosarium.....	127,000
9. Topographical survey.....	500,000
0. Lighthouse tender.....	85,000
1. Telephone system, long-distance lines.....	200,000
2. Guardia Hospital, Santo Domingo.....	41,000
3. Guardia Barracks, San Francisco de Macoris.....	10,000
4. Guardia Barracks, Santiago.....	12,000
5. Guardia Barracks, Barahona.....	6,000
6. Guardia Barracks, San Pedro de Macoris.....	46,000

An analysis of this will indicate that the items of this program are mainly revenue producers or money savers. During the second Pan American financial conference in January, 1920, a resolution was passed in the conference and adopted by the conference committee of the Dominican Republic, composed of bankers, economists, and business men of large affairs, heartily endorsing the public works program of the Dominican Government and approving the proposed loan for the completion of the program, then well under way, as "amply justified by the projects and by the condition of the revenues." Informal assurances indicated that there would be no difficulty in obtaining the necessary loan and it was decided to proceed vigorously with the program until the reserve fund was entirely obligated, with a view to placing the loan at that time. Simultaneously with the attempt to secure the sanction of the Department of State for the public-works loan in December, 1920, came the wholly unexpected announcement of a change in policy in regard to the Dominican Republic. The West Indian commercial depression, not up to that time very keenly felt in the Dominican Republic, was given impetus, due to the immediate outbreak of political agitation and the prevailing uncertainty flowing upon the reception of the news of a change in United States attitude toward the military government.

The next result of a six months' delay in the loan and its curtailment from 0,000,000 to \$2,500,000 has been to cause the entire abandonment of such items of the public-works program as were not begun and, by causing a total cessation of work on many items for several months and the breaking up of working organizations, has added materially to the cost of such as are now being pressed to completion; in addition, the delay and curtailment in the program has gravely affected the local economic situation.

## POSTS AND TELEGRAPHS.

15. The military government found the mail, telegraph, and telephone service of the Republic practically paralyzed, on account of the disturbed condition of the country. The post office and telegraph telephone system has been unified

and placed under civil-service regulations. Twice as much business has been handled as formerly. Time for delivery of mail across the island has been reduced to 4 days from about 10 to 14 days. A 24-hour service has been established at all telephone stations. A trunk telephone line is being established from Santo Domingo city to the north coast, and the telephone system in Santo Domingo city is practically remodeled. Wood poles are being replaced by reinforced concrete poles. In short, posts and telegraphs, including telegraph systems, have been placed on a working basis and improvements made in all divisions of them.

#### EDUCATION.

16. The military government found public education in the Dominican Republic very ineffective. There was such confusion of thought in regard to the education that practically no school law was recognized. There were no rural schools. The usual salaries of teachers in primary schools averaged \$9 a month for about eight or nine months a year. There were not more than 18,000 pupils in all schools. The statistics of the period before 1916 are unreliable, but such as can be gathered show that the average attendance of pupils was not over 40 per cent. Commercial instruction was offered in some schools, but never given. Real vocational schools did not exist. There was no record of expenditures for public education, and some of the municipal councils never made a budget. No record existed of what schools were located in the Provinces nor of the teachers employed in them. One of the initial acts of the military government was to appoint a committee of prominent Dominicans to report upon educational conditions and to submit recommendations for improvement. This committee or commission, after about a year's labor, prepared and recommended seven laws for establishing a proper educational system for the country. Six of these laws were promulgated, with very few modifications, and now constitute the school code of the Republic. A tremendous improvement in public instruction has resulted. From a nominal attendance of about 18,000 the actual attendance has increased to over 100,000.

The increase in school attendance is not alone due to compulsory attendance. It is a consequence also of the more efficient teaching methods, improved buildings, and better social conditions resulting from the occupation. The average attendance has risen from about 40 per cent to more than 85 per cent. There are still upward of 100,000 children of school age who have still not been accomplished, and extension of school facilities will therefore continue to be necessary. Although the majority of schools are still in rented buildings, an extensive program of construction of schoolhouses is being carried on. In addition, many rural districts have been provided with temporary schoolhouses by the parents' associations who have already contributed some 150 such buildings. More than \$200,000 worth of school furniture has been distributed to the schools, and this distribution is continuing. The largest primary school in the country before the reform had less than 100 pupils. There are now scarcely a single school that has less than 100 pupils and many have 300 or more. Several primary schools in Santo Domingo City have more than 500 pupils each. Teachers' salaries have been materially increased, and now range from \$55 to as high as \$150 per month, the scale before the occupation being from \$8 to \$60 per month. The last statistics show that there are 1,200 primary schools, 7 secondary and normal schools, 6 completely developed industrial schools for girls, 2 schools of fine art, 2 correctional schools, and 1 central university. In addition, there are 647 rural schools and about 100 additional ones projected. Most of the rural schools have school gardens attached and agricultural instruction is stressed. The central university is now being used as a training institution for the professions. It is the aim of the military government to lay the foundation of a self-supporting democracy, believing that such a democracy can be maintained only by an intelligent public opinion. In turn can be developed only by extensive interchange of information and exchange of views. In keeping with this aim it has been the primary object of the educational system to concentrate for the present on the reduction of illiteracy, which is now found in more than 90 per cent of the adult population. When illiteracy is reduced to a nominal percentage in the Dominican Republic, democracy in that Republic will have a chance of success. It is laid on the fact that the military government has endeavored to give the Dominicans their own kind of education in the Spanish language, in accordance with a system devised by Dominicans of high attainments, such as have arrived at being secured by the Dominicans themselves. In this

ber of pupils, much greater than by any novel method, can be given the fundamentals of an education by methods to which they are accustomed. No pupil has ever been made to force the English language on the Dominicans.

#### AGRICULTURE.

Under Dominican administration nothing was done along the line of agricultural education. In June, 1917, the first agricultural instructor was employed, and now 35 instructors throughout the country are conducting farmers' meetings, demonstration plots, and farmers' associations. They personally visit farms and give advice and instruction on the best methods of preparation of the soil for planting, cultivating, and harvesting crops. The introduction of modern agricultural implements has been fostered by the Government's purchasing a supply of such instruments and selling them to farmers at cost, giving demonstrations of their use meanwhile. Specialists have been employed in the cultivation of cacao and tobacco. A central agricultural experimental station of 150 acres has been established near Santo Domingo City, two substations of 30 acres, one at Monte Cristi on the north coast and one at Constanza, 1,200 kilometers above sea level. Pure-bred poultry, horses, cattle, and hogs have been imported, and orchards of American fruit trees appear to be doing well. Mention has been made of the school gardens and of cultural instruction in the rural schools. In addition, demonstration plots are being worked on various farms, with a view to indicating the best agricultural methods. A forestry law and laws debarring from importation certain plants subject to serious plant diseases have been promulgated. A monthly Government publication, the *Agricultural Review*, containing information of agricultural value, has been established and has a free circulation of 3,000. The use of the military government is to better the condition of the Dominicans, both those of great possessions and those with only small plots of land.

#### METEOROLOGICAL SERVICE.

The military government established and has extended a meteorological service. A main station at Santo Domingo City and two principal substations at Romana and Puerto Plata are provided with suitable apparatus and calculate the necessary data, while 60 local stations throughout the Republic observe local weather conditions, including rain distribution. Hurricane and flood warnings are sent out, and marine disasters have been much reduced in frequency. The meteorological information is also of inestimable value in connection with agricultural enterprises.

#### LAND AND TOPOGRAPHICAL SURVEY.

In common with many Spanish settled countries, the lands of Santo Domingo originally pertained entirely to the Spanish Crown. The Kings of Spain from time to time made grants of land to various persons, these grants being only roughly delineated. Records were badly drawn and loosely kept. The country was ruled variously by Spain, France, and Haiti. The loss and destruction of such records as existed and could be considered as reasonably accurate provided opportunities for wholesale fraud. Titles became clouded and tenure insecure. Attempts of the Dominican Government to remedy the situation were half-hearted and led to small results. The military government has proceeded vigorously in cleaning up the debris of the old order by erecting a new system of land registration under which previous conditions are to be possible. A law has been issued providing adequate machinery to create all titles in the Republic under the "Torrens system," by means of which the validity of title is guaranteed. Adjudication and registration have been made compulsory. It has been the plan that a cadastral survey by Dominicans and a topographical survey under engineers loaned by the United States Geological Survey; extensive progress has been made with both these surveys, but a modification of plan in respect to these surveys was made necessary upon the announcement last June that the military government would withdraw at an early date. The settlement of the land question is particularly important to the new government may be in power in the Dominican Republic, inasmuch

as it will determine the extent of the public lands and clear the way suitable homestead law by which the development of small land holdings be fostered.

#### JUSTICE.

20. Dominican jurisprudence is based on a very old form of the Napoleonic. Court stenographers are not employed and only the main points of evidence are recorded, longhand being used. The legal code needs revision, in its present form, it is a translation from the French, dating from the first half of the last century. The military government found the members of the *ministerio publico*, lawyers, notaries, and public officials exercising their functions without any effective responsibility. Various punitive orders have provided an effective discipline, with attendant penal violation. During the occupation there has been no case of corrupt judge nor has any venal act upon the part of a judge been reported. The ramshackle and insanitary prisons of preoccupation times have been repaired or rebuilt and new ones have been constructed. A modern penitentiary has been constructed, providing for a total of 500 prisoners. Two commercial schools for young boys have been established, where normal training is given. Much has been done to ameliorate the hard lot of prisoners in keeping with modern ideas of prison administration. Penal offenses have decreased principally to the disarmament of individuals.

#### MISCELLANEOUS ADMINISTRATIVE FEATURES.

21. In view of the great mineral wealth of the country, the military government early took steps to prevent exploitation of mineral deposits and to work on in good faith. A new mining law covering mining concessions has been established and a number of concessions have been granted.

A road law and regulations for motor-driven vehicles has been put into operation.

A law for the conservation and distribution of water in arid and semi-arid regions is in operation.

At the time of the occupation only civil marriages were recognized by law. The judges civiles had a monopoly of the business and fees were reasonably high. In consequence many persons lived openly as husband and wife without ever having gone through a legal ceremony. The military government broke the monopoly of the judges civiles, legitimized church as well as civil marriages, and established provisions which have brought the matter down to as low as \$1. The result has been the joining of many parents in wedlock, thus legitimatizing the children.

A law requiring fathers and mothers to shelter, clothe, support, and educate their children has corrected the astounding neglect of children, common during the occupation, and has saved many from vagabondage, banditry, and prostitution.

Numerous other laws of a corrective liberalizing and constructive character have been enacted, including a civil-service law, a pension law, a law permitting the practice law, a law on asylums and for the protection of persons in institutions, and others have been promulgated and are in operation.

#### DOMINICAN NATIONAL POLICE FORCE.

22. The Dominican national police force, until recently known as "Guardia Nacional Dominicana" and formerly as the "Guardia Republicana," from being an instrument of oppression or revolution under Dominican rule has become an increasingly satisfactory organization of disciplined troops charged with the preservation of law and order and the suppression of the long-established practice of banditry. The force is officered partly by foreigners and partly by Dominicans. The medical officers are of the United States. It has been found necessary during the current year, due to decreased strength, to reduce the strength of the force to—officers (line), 64; officers (staff), 13; enlisted men, 493. The planned force considered adequate for the maintenance of normal order is 1,000 men, comprising two mounted companies, 200 men, six cars, six airplanes, and the necessary trucks. Continuous training of the force goes on, with a view to preparing it for the expansion and the new recruits necessary to bring the force to adequate strength.

aims of the military government has been to bring this force of national ice to such a high state of efficiency and esprit de corps that Dominicans good families will more and more be glad to be identified with it.

#### SANITATION AND PUBLIC HEALTH.

3. Before the establishment of military government in November, 1916, there was an almost complete absence of sanitary and public health activity. Attention was paid to the sanitary law existing, and only a slight attention to the medical practice law, which was itself inadequate. The practice of the medical profession was in a chaotic state. Cities and towns were dirty; elementary sanitation was neglected; the few hospitals were inadequate and neglected, disease control was not really attempted. Soon after the establishment of the military government a naval medical officer was appointed chief sanitary officer. His functions were confined to supervising the administration of the existing sanitary and medical practice laws, but all real authority remained in the Dominican bodies provided by these laws. There was improvement in sanitary conditions, due to a better administration of existing laws, but progress was slow and necessarily not fully satisfactory. The latter part of 1919 a national department of state for sanitation and beneficence was established, the old sanitary and medical practice laws were superseded, and the entire direction of public health measures was placed under a secretary of state for sanitation and beneficence coordinate with other department secretaries. The whole country is divided into sanitary districts under the charge of district sanitary officers. A national public health council is set up upon all sanitary regulations. All municipal sanitary budgets are excluded under the immediate direction of the district sanitary officer having jurisdiction. A hospitalization program has been drawn up, but its development is retarded through lack of funds. A series of small dispensaries is being established throughout the country for the treatment of the poor. Doctors and nurses testify to the decrease of disease, especially that of an infectious nature. Infant mortality rates have been lowered. Adequate national sanitary organization now exists for the administration of sanitary and public health, including municipal sanitation, hospitalization, quarantine, the practice of the medical professions, the sale of drugs, national and municipal charity work so far as the public health is concerned, the compilation of vital statistics, the control of disease.

#### GENERAL.

The administration of the Dominican Republic has been in the hands of the United States Navy for about five years. The question of whether or not administration shall continue is not, as has been already stated, a matter of concern to the Navy Department. If the military forces now administering the Dominican Republic are withdrawn, they can readily and will be used elsewhere in keeping with governmental policy. If, however, the military forces are to remain for a time, it becomes highly important that certain steps be taken in respect to policy to insure to the Navy the possibility of performing its function in the Dominican Republic in a creditable manner. The proclamation of 14 June, 1921, provides for a possible withdrawal of our military forces in eight months of the time the proclamation was issued. It is practicable for the military government to withdraw in that time, but it can not withdraw without the people, through their leaders, refuse to operate the machinery for setting up a suitably constituted governmental organization for taking over the administrative functions now being exercised by the military government. Such a proposal has been submitted. The immediate situation in the Dominican Republic therefore presents itself as one of suspended action. Enterprise of all kinds is paralyzed and the recovery of the country from its period of economic depression is hopelessly retarded. No enduring plan of governmental policy to the Dominican people can be formulated, only the routine day-to-day functioning being practicable. Commercial activity is hampered and business development arrested by the prevailing uncertainty. The United States, in due faith, has offered to withdraw its military forces from the Dominican Republic and turn over all administrative functions to a duly constituted Dominican Government. The offer is unacceptable to the Dominican people at the present time. Therefore, while holding open the offer to withdraw in favor

of a native Dominican Government, it is necessary for the immediate welfare of the country that a strong policy be enunciated, giving assurances of continuing status of peace, good order, and the ability of individuals, Dominicans primarily and others also, to proceed unhampered in carrying on their own activities with reasonable prospect of freedom from governmental interference. It is an obvious corollary that such assurance can only flow from a Government inspired by belief that the tenure of the existing government is secure within known and definite limits. A Government whose fall is continuously imminent can not inspire such confidence.

The CHAIRMAN. The committee will adjourn until 9 sharp to-morrow morning when it will expect the attendance of at least the first of these witnesses. I may add as we close that we are very glad to show this courtesy to the witnesses and to meet the convenience of the gentlemen who are arriving from Santiago de Plata.

(Whereupon the committee adjourned until 9 a. m., December 10, 1922.)

# INQUIRY INTO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

SATURDAY, DECEMBER 10, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Santo Domingo City.*

The committee met at 9 o'clock a. m. pursuant to adjournment, Senator McCormick presiding.

Present: Senators McCormick, Oddie, Pomerene, and Jones.

Also present: Mr. Howe and Mr. Knowles.

Mr. KNOWLES. Mr. Chairman, I have presented a list of the witnesses who will be called, in the order that their names are on the list. And by way of giving some outline of how the testimony of the witnesses will be given and the witnesses called, I will say that of the two parts of the investigation, the first part is directed to the occupation, and the second part to the administration of the Dominican Republic by the United States. We will take those up in their order.

The CHAIRMAN. Will you make clear what you mean by those terms?

Mr. KNOWLES. The resolution of the United States Senate states that the investigation is to be or relates to the occupation and administration of the Dominican Republic by the United States. That is all.

The CHAIRMAN. I only want to make sure whether you understand that the terms may be synchronous; that one does not, in point of time, necessarily follow the other.

Mr. KNOWLES. No; not at all.

The CHAIRMAN. I thought, by implication, your language denoted that perhaps you thought that occupation preceded administration.

Mr. KNOWLES. As a matter of fact, it seems to me that it did.

The CHAIRMAN. If you will think upon the English commentation of the terms you will realize that occupation and administration may very well be contemporaneous. You administer a territory which you are occupying. If you wish to distinguish between taking possession and the later occupancy and administration for any reason—

Mr. KNOWLES. Yes; as Senator Pomerene has suggested, that is exactly what was going to say now.

The CHAIRMAN. If you will note the distinction, the language of the resolution did not say "taking possession."

Mr. KNOWLES. No. Then our testimony as we shall produce it will be directed first to the first landing of the troops, which was on May 4, and, secondly, as to the occupation, with the formal proclamation on November 29.

Senator POMERENE. May 4, 1916?

Mr. KNOWLES. Yes; May 4, 1916. As to the occupation and landing of troops on May 4, our testimony will be presented on the order of combating the specific reasons given in the declaration presented by the Navy Department to the commission that appears in the records of the investigation.

The CHAIRMAN. Let me ask, Mr. Knowles. You will file a written brief covering that?

Mr. KNOWLES. Oh, undoubtedly.

The CHAIRMAN. You will not make an oral argument, I assume?

Mr. KNOWLES. No.

The CHAIRMAN. Because the tedium of the translation would be considerable and the time consumed considerable.

Mr. KNOWLES. No; I am only making this very brief statement now, Senator, let the committee know the order in which I shall present our witnesses.

The CHAIRMAN. Perhaps I did not make myself clear. I mean the witness who comes forward to discuss the first landing will file a written brief; he won't make oral argument thereon before the committee.

Mr. KNOWLES. Well, we did not plan to present a written brief as to that; I was to present himself here to the committee and make his statement to the committee.

The CHAIRMAN. Well, I suggest now—I assume you are a practical man; that oral argument involves translation of sentence by sentence, whereas written argument, introduced as we required the Navy to introduce that, can be translated in advance or after submission.

Mr. KNOWLES. Well, our first witness will be able to give his testimony in English to the committee.

The next stage of the testimony will be directed to the proclamation of occupation and the administration that followed that proclamation, and direct reasons given and assigned in the proclamation for the occupation.

Now, starting with that, or having that plan of presenting the testimony I will call as the first witness Dr. Francisco J. Peynada.

Senator POMERENE. Now, before you go to that, let the record show what you represent.

Mr. KNOWLES. I represent the political societies of the Dominican Republic; I represent the Junta Nacionalista—

The CHAIRMAN. Just a minute. "Political societies." Can you tell me names and by whom constituted?

Mr. KNOWLES. I can get that information and give it to the committee.

The CHAIRMAN. You have not it yourself?

Mr. KNOWLES. I have not it right now.

The CHAIRMAN. Can you give us beforehand the number of those societies?

Mr. KNOWLES. I can say this: All of these organizations, these many patriotic organizations, have now been embodied in the Junta Nacionalista.

The CHAIRMAN. Were they at the time of your retention?

Mr. KNOWLES. They were. They are organizations that have been formed and have their headquarters—that is, their provisional headquarters—in each of the 12 Provinces of the Republic. In addition to that, I represent and have formal credentials from, if the committee wishes me to present them, the deposed Dominican Government, the President De Jure of the Republic, Francisco Henriquez y Carvajal. I will present that document to the committee at its next session, because I left it with my papers at the hotel.

Senator POMERENE. Let me suggest for the information of the committee when you give a list of these various authorities whom you represent, that you give not only their names but their location; the president and secretary of these organizations—I assume they have such—and also that you make a statement as to the number of members in each of these societies, and also as to how they are financed.

The CHAIRMAN. And the sums collected, and from whom, and their aggregate amount.

#### STATEMENT OF DR. FRANCISCO J. PEYNADA, LAWYER, SANTO DOMINGO CITY.

Senator POMERENE. Doctor, I assume that you will understand that the hearings that we have had heretofore, all witnesses have been sworn; you will understand the reason for that.

Dr. PEYNADA. Certainly; and I am ready to be.

The CHAIRMAN. In the absence of an interpreter we will dispense that formality this morning and I will ask Senator Pomerene to do that.

Dr. PEYNADA. I waive the notary.

Senator POMERENE. I will administer it, at the same time realizing that I do not have legal authority. I doubt our authority outside of our Government to administer these oaths.

(The witness was then sworn by Senator Pomerene.)

The CHAIRMAN. Will the witness give his name?

Mr. KNOWLES. Doctor, will you state your name, your occupation, and your residence?

Dr. PEYNADA. Dr. Francisco J. Peynada.

Mr. KNOWLES. A native of where?

Dr. PEYNADA. Puerto Plata. I am a Dominican; pure Dominican; proud of it.

fr. KNOWLES. Your profession?

fr. PEYNADA. Lawyer.

fr. KNOWLES. Will you state in the beginning, Doctor, whether you have connection with any political organizations in the Republic?

fr. PEYNADA. Not at all.

fr. KNOWLES. Have you ever been connected with any, directly, as a lawyer?

fr. PEYNADA. Never.

fr. KNOWLES. Will you please, in your own way, proceed with a statement the committee bearing upon the occupation and administration by the United States of the Dominican Republic?

fr. PEYNADA. Well, I must declare, first, that I do not believe that I am able to speak well in English.

Senator POMERENE. You are doing very well, Doctor.

fr. PEYNADA. So you will excuse me for any shortcomings. I do that in order to help.

Second, I want your excellencies now before me to have in mind that I have personal grievance against the members of the military government of Santo Domingo nor against any of the officers of the military government, because I have been treated with exceeding kindness by every one of them with whom I have come in contact.

fr. KNOWLES. Mr. Chairman, pardon me just a moment. As the witness is speaking very slowly, the newspaper men say that they would like very much if you could have what he says translated, so that the papers can get it.

fr. CHAIRMAN. Would they be satisfied to have a translation from the notes at the end of the hearing? I only ask that, as I suggested at the beginning.

fr. KNOWLES. That will be all right.

fr. PEYNADA. Second, I beg you to keep in mind that I have no grievance against the military occupation, because it could deprive me of any political position, as I am ready at all times for one cent to give up my chance for public position. I do not want any position and I have never needed it. I am here only as a Dominican, proud of his nationality, and sorry for the present condition of the Dominican Republic. As a Dominican who has learned from the people of the United States I regret exceedingly that this occupation destroy the feeling toward the United States that every Dominican had in heart up to the moment of the occupation.

I am not a politician, and as I do not belong to any political party of the Dominican Republic, I have the confidence of many people belonging to all parties, and I am thus in position to affirm to you that every Dominican, notwithstanding his political affiliation or his relations with the military government, agrees on one point: That the Dominicans do not want the American occupation of their territory. And I believe I have authority to say that; and I am ready, if you will permit it, to present witnesses from all parts of the country to support that. We may disagree regarding methods, but not on that point.

Third, I affirm that there was no reason at all for the occupation. I know perfectly well that when the papers in the United States had published the news that there was a revolution in Santo Domingo the American people supposed it was such a revolution as they had in Mexico, where they destroyed railways, where bridges were blown up, and people—especially foreigners—were killed. But the revolutions in Santo Domingo never put in danger the life or the property of any foreigner. Here the sugar and other crops were always harvested, regardless of what party controlled the provinces in which the plantations were situated. I remember at one time the Province of Macoris was under the control of one revolutionary party and the Province of Santo Domingo was under the control of the Government, but the sugar cane was gathered and converted into sugar without the least interference. At the time that General Caperton came here nobody had been killed and no property was injured in what he called a state of revolution.

Fourth, Even if you want to believe that there was a reason, even slight, for the landing of the troops in April or May, 1916, because you believe that there was a revolution here at that time, you must admit that there was no reason for the proclamation of martial law on the 29th of November, 1916, because at that date the Republic was perfectly at peace. We had at that time a Constitutional Government. The President had been elected unanimously by all parties, and the Government of the United States was ready to accept

it as the constitutional Government if only we would accept the conditions tried to impose on us.

Senator POMERENE. Give the date of that election, if you please.

Dr. PEYNADA. The election, I believe, was in August or July, 1916. I am here; but what I affirm is that if in April or May Admiral Caperton had said that he needed to land troops because there was danger, I affirm that at that time Admiral Knapp proclaimed the military occupation of Santo Domingo by the troops of the United States, which was in November, there was no pretext, because there was no revolution at all, and nobody could say there was in danger here. Property was in no danger, and there was an established constitutional Government, elected unanimously by the electoral college established by the constitution.

Senator POMERENE. When should that President have assumed the office? Mr. KNOWLES. July 26 was the election.

Dr. PEYNADA. At that time there was no revolution at all.

Senator POMERENE. And his inauguration on July 31?

Dr. PEYNADA. He was not here at that moment—

The CHAIRMAN. Let me ask the witness in that connection: The President discharged the duties of his office?

Dr. PEYNADA. Yes.

The CHAIRMAN. From the 1st of August until the 29th of November?

Dr. PEYNADA. Yes. The point I want you to keep in mind is that it was a government acceptable by the United States as a constitutional government because it was according to our constitution; that there was no reason for maintaining martial law, because the United States were trading with us to recognize our Government if we accepted their terms. They said that if we did not accept them they would proclaim the military occupation and military law. So that proved that our contention was good; that there was no revolution at all and there was no reason for proclaiming martial law.

The CHAIRMAN. Do you remember the date when the treaty was proposed to you?

Dr. PEYNADA. No, sir; but it was presented to me by the American Minister, Hon. W. W. Russell, after the election of Dr. Henriquez as President, not secretary of foreign affairs, but as I was the only member of the Government who could speak English the matter of accompanying Secretary Baez in his conference with Mr. Russell and Admiral Pond was left to me.

The CHAIRMAN. You were in the President's cabinet?

Dr. PEYNADA. Yes, indeed, without any salary at all, because I proposed without any salary. I want you to keep that in mind.

The CHAIRMAN. What office did you hold?

Dr. PEYNADA. Secretary of the treasury. I had the distinguished honor of being the only secretary of the treasury in the world without a treasury; that was a honor for me, of course.

The CHAIRMAN. You can not indicate about when that treaty was proposed to you?

Dr. PEYNADA. No; I remember it was proposed to the Government of the year before; I think in November, 1915. To me it was proposed in September or October of 1916.

The CHAIRMAN. Why was it proposed to the Government of the year before that time?

Mr. KNOWLES. Was there any disorder?

Dr. PEYNADA. Not at all. There was no disorder in the Republic at that time.

The CHAIRMAN. What office did he hold in November, 1915?

Dr. PEYNADA. The President of the Republic, Jimenez.

The CHAIRMAN. You said governor.

Dr. PEYNADA. No, no; the President of the Republic.

Senator POMERENE. You used the word "governor."

Dr. PEYNADA. The Government of Jimenez.

The CHAIRMAN. November, 1915?

Dr. PEYNADA. 1915.

The CHAIRMAN. Well, at all events it was proposed to you before the 1st of August, when President Henriquez took office, and the 29th of November. The treaty was proposed to you in that interval?

Dr. PEYNADA. Yes; in exchange for the recognition. The United States Government would recognize us if we were ready to accept that treaty. Hon. W. W. Russell and Admiral Pond were representing the United States.

Senator POMERENE. Let me see if I understand you, Doctor. Do I understand that the Dominican Government was ready to accept the treaty and would have accepted it provided the United States Government would recognize—

Dr. PEYNADA. No; it was proposed to us that if we would accept that treaty we would be recognized. And the last meeting was held by Dr. Henriquez y Larvajal and myself, with the Hon. W. W. Russell and Admiral Pond, I believe, but this I remember very well; Gen. Pendleton, who was chief of the army of occupation at that time, resided at Santiago and came here for that purpose, as I suppose. He was in the conference, and when I asked him or him, "You have no modification at all?" he said, "No"; it must be accepted as it was.

The CHAIRMAN. Let me interrupt to ask the stenographer to introduce the text of the proposed treaty in the record at this point.

(The treaty will be filed with the clerk to the committee.)

Dr. PEYNADA. Those are the words of Gen. Pendleton. I can not say it was Admiral Russell or Admiral Pond. It was the only meeting he had with us.

The CHAIRMAN. This is the last conference?

Dr. PEYNADA. The last conference. He said to me, "You must accept, because otherwise we shall proclaim military law and appoint a military governor of Santo Domingo," and I said to him, "What does that mean, military law?" and he said, "Military law means that if you put your head or one finger in the way of the Government, the head or the finger will be cut off." I said, Gen. Pendleton, if you have no modification to that proposition, it is useless to go on with this meeting, because I declare in the name of President Henriquez in that of the Dominican Republic that we will not accept that proposition." That ended it. A few days afterwards Admiral Knapp came with the proclamation of military government.

Gentlemen, I believe that the Dominican people until that moment loved the people of the United States, and I hope the Dominican people still love the American people as I love them. All the depredations, the injuries to the lives of the Dominicans, all the bad actions of the troops, are secondary questions for me. The principal question is that there was no reason at all, no right at all, to land troops on Dominican territory and to impose on peaceful people like the Dominicans, who were not at war with the United States and who loved the United States, a military government for over five years. That is my principal grievance, and all the others are secondary. There were grievances, I don't deny, but the principal is that.

I have, as I told you, learned to love the people, the traditions and the history of the United States. In 36 trips that I have made to the States in 20 years and my study of their constitution, I have confirmed that sentiment, but more than this, that sentiment became a profound conviction when I learned that Secretary Root, in the Conference of Rio de Janeiro, speaking with the highest authority of the United States, said, "We, the United States, wish for no victories but those of peace; for no territory except our own; for no sovereignty except over ourselves. We neither claim nor desire any rights, privileges, or powers we do not freely concede to every American Republic." And I think everybody, was it right that after those words, the Government of the United States should jeopardize the confidence of the Latin-Americans by the actions taken in Santo Domingo.

Now, I am ready to answer any questions you want to ask me.

Mr. KNOWLES. In the direct testimony of the doctor, I would like to ask one or two questions. Doctor, were you in the city and in the country here continuously from the 1st day of July, 1916, up until the 29th of November of that year?

Dr. PEYNADA. In that year, I was in the United States. While I was in New York I was appointed Secretary of the Treasury, and I arrived here shortly after President Henriquez had taken office. I came here some day in August, when he was sworn in as President, I was not here, I was in New York. When he was sworn in?

Dr. KNOWLES. On July 31.

Dr. PEYNADA. I was not here. I came some day in August to this country. For one month I was fighting with him because I did not want to accept the position he offered me, until finally he prevailed on me to accept. But from the moment I accepted I was requested by him and by the Secretary of Foreign Relations to accept responsibility in all the meetings with Hon. W. W. Russell and Admiral Pond.

The CHAIRMAN. Did the witness speak of Admiral Kuntz?

Dr. PEYNADA. Admiral Pond.

The CHAIRMAN. But earlier. You never mentioned Kuntz? I misunderstood you.

Mr. KNOWLES. Do you recall the date, Doctor, of your accepting the portfolio?

Dr. PEYNADA. I have no interest in recalling that, because I did not want to draw my salary. For me it was immaterial what day I accepted it.

Mr. KNOWLES. It was, in any case, in the month of August?

Dr. PEYNADA. I believe so. You know I came unprepared for this. I did not know that I would testify this morning, so I have no data at all.

Mr. KNOWLES. Well, from the date of your arrival from the States in Santo Domingo City, until the 29th of November of that year, which was the date of the proclamation, was there any disorder of any kind whatever in the city of the country that you heard of?

Dr. PEYNADA. None at all. The first action of the United States was to take over our Government of all the treasury, and President Henriquez had not a cent and consequently had no paid soldiers, only volunteers. Notwithstanding this condition, there was not a case of banditry in the country. The banditry began after the occupation by the United States. I think the United States took money on the pretext that they had not yet recognized the Government. It was a new theory, of course.

Senator POMERENE. Let me ask you a question or two right there: In your direct examination you said, as I understood you, that under the conditions which existed at the time that Admiral Knapp took possession in, as I recall it—was it May?

Dr. PEYNADA. No; in November, 1916.

Senator POMERENE. Well, in November, 1916—that neither the person nor the property of any foreigner was in jeopardy?

Dr. PEYNADA. Certainly.

Senator POMERENE. Now, what am I to infer from that? Was the property or person of the Dominicans, or any portion of them, in jeopardy?

Dr. PEYNADA. No; not at all. Neither the property or life of foreign Dominicans. The revolutions we have had have never endangered the property of Dominicans.

Senator POMERENE. Will you not describe for us what the so-called revolutionary conditions were from May, 1916, up until November, 1916, when Admiral Knapp took control?

Dr. PEYNADA. What may be called—but which I do not call—a revolutionary place in April or May, when the secretary of war opposed some measure proposed by the President in deposing the chief of the fortress and the chief of the guardia, who were friends of the secretary of war. The constitutional President of Santo Domingo decided to depose those two people.

Senator POMERENE. That is, the secretary of war?

Dr. PEYNADA. No; the President decided that. To depose the chief of the fortress and the chief of the guardia, who were particular friends of the secretary of war.

Senator POMERENE. Oh, I see.

Dr. PEYNADA. Then the secretary of war assumed an attitude that was against the President, and some people went to help the President, and the secretary of war was with some troops in the capital. You may call that a revolutionary situation, not. When the Americans landed, Gen. Pendleton went to Santiago and obtained the surrender of the secretary of war, whose name was Desdery.

Senator POMERENE. Was there armed conflict between those opposing the secretary of war?

Dr. PEYNADA. I was not here during the time. They say there was some fighting. I was here at the beginning.

Senator POMERENE. What is your information about it now?

Dr. PEYNADA. That there was some skirmishing outside the city, but not in the city. Then President Jimenez decided to resign. I can not affirm that a skirmish occurred, because if I was here when the secretary of war assumed an attitude against the President I left the city some days after to go to the United States for a lawsuit, and came back only a few days before President Jimenez resigned. If there was some fighting it was while I was not here. I have heard that there was only one very sporting—no more than a sporting—action; but even that there was no danger at all for the property of anybody nor for the person of anybody.

The CHAIRMAN. You mean that skirmishing did not endanger life?

Dr. PEYNADA. Not at all. When we have our sport we may kill each other—not many. The taking of the Government never took many lives, but only a few of the people who liked the sport. Outsiders never were in danger. During the worst revolution we had the outsiders were never in danger. We went every day to the clubs, played cards—the same as to-day—during the revolution. In Puerto Plata during a fighting I have been playing cards in the club, which is a wooden house.

The CHAIRMAN. Let me ask: Do the officers of the contending armies come to the clubs during the trouble?

Dr. PEYNADA. No; no. The outsiders go to the club, the same as they do at the present time.

Senator POMERENE. Now, Doctor, let me ask you another question in that connection, because I want to develop the situation as you see it.

Dr. PEYNADA. Now, wait a minute. Excuse me. I have not finished answering your first question.

Senator POMERENE. Certainly, sir.

Dr. PEYNADA. After the surrender of the secretary of war to Gen. Pendleton there was absolute peace in the country until in November, and that is the reason why I say that if you take as a pretext that Admiral Caperton thought it was necessary to land troops in April or May, there was not even that pretext for the action in November. Admiral Knapp had no reason at all to proclaim martial law, because there was no revolution at all.

Senator POMERENE. What number of people were involved in this revolution in April or May?

Dr. PEYNADA. The number of people?

Senator POMERENE. Yes.

Dr. PEYNADA. Well, the secretary of war had 200 men, and I don't know how many the President had. I don't know the number.

Senator POMERENE. Did he use the regular military forces that were in existence at that time or did he summon people from the rank and file of the public?

Dr. PEYNADA. Nobody went to help him. He didn't summon anybody. He was in the fortress with his people. I don't know how many people, perhaps 50. But he did not call any help from outside. He didn't require anybody.

Senator POMERENE. Now, let me ask you another question, Doctor. As I call the fact, there was a treaty made in 1907 at the time when the United States Government provided for a loan.

Dr. PEYNADA. A reconversion. It was not a loan.

Senator POMERENE. Well, whatever it was. At that time there was a receiver of the customs, was there not?

Dr. PEYNADA. Yes.

Senator POMERENE. And are you able to state whether or not in the spring of 1916, April or May, the Dominican Government had met its financial obligations under that treaty?

Dr. PEYNADA. Yes, indeed. Our principal obligation was to pay the external debt and \$100,000 per month that we had to send to New York for the sinking fund, and the interest on our debts had been paid.

Senator POMERENE. Up to that time, as I understand that treaty—I don't have it before me—it recited that no internal debt should be incurred by the Dominican Government. Are you able to state whether any such debt had been incurred?

Dr. PEYNADA. There is a question there. The United States pretends that that article means any kind of debt. The Dominicans believe that we could not contract any public debt, but that if a debt resulted on account of anything, such a claim was not a debt contemplated by the treaty. But even if it was an internal debt contracted by the Dominican Government, and if the treaty of 1907 should refer to such kind of debt, there was not a reason for intervention, because the only thing the United States had to do was to say that such debt was not a debt, as the United States had not authorized it. The United States did not need to land troops to say that.

Senator POMERENE. Now, Doctor, I am not in my questions expressing any opinion of my own either one way or the other. I am here questioning you for the purpose of eliciting the truth, and I know you are going to give it to us if you understand it. What I want you to do is to give us the exact situation that existed. Now, my information is that this debt which was thus incurred without the consent of the United States Government aggregated in excess of 6,000,000, and that since that time and during the occupation by the Ameri-

can Government a commission was appointed, two of whom were Dominicans, two of whom were Americans, one of whom was a resident of Porto Rico—that in the adjudication of these claims that amount was reduced from in excess of \$16,000,000 to something in excess of \$4,200,000. Am I right about that?

Dr. PEYNADA. I think so.

Senator POMERENE. Substantially?

Dr. PEYNADA. More or less.

Senator POMERENE. There, of course, is a very considerable difference. The adjudication would indicate that only about 25 per cent of those claims—am I judging from the ordinary course of litigation—were bona fide, legal claims, and that the other 75 per cent were illegal. Am I right about that?

Dr. PEYNADA. I think so.

Senator POMERENE. I understand also—my information is not complete—is that many of these claims were what we in the States would call "padding" claims. That is, they were not genuine claims. And that many of them were claims held by, it may be, officers of the Dominican Government and perhaps some others who had contractual relations with the Dominican Government. Is that your understanding about it?

Dr. PEYNADA. I think so. Yes, indeed.

Senator POMERENE. Were these facts generally known to your people—that this large amount of indebtedness which was outstanding was for greater part spurious?

Dr. PEYNADA. I do not know that the people knew that there was such an amount. The people knew that there were people who claimed to be creditors.

Senator POMERENE. Well, now, Doctor, how do you explain the fact that these large amounts of claims were outstanding against the Government of the Republic here? Was it due to fraudulent action on the part of Government officials or on the part of citizens or sojourners here? What was the reason for it?

Dr. PEYNADA. I do not know; but members of the commission that acted it may inform you better than I. I do not know.

Senator POMERENE. Well, I am sure, Doctor, that if you had been the secretary of the treasury during all this time there would have been no such claims.

Dr. PEYNADA. I believe so, and I thank you for your opinion; but I cannot explain anything of that. But what I say is that without intervention by the United States could have helped us to reject those claims.

Senator POMERENE. Now, Doctor, I want you to aid the committee in asking another line of questions which I am about to ask, if I may. You have just said to the committee that it was your judgment that there was occasion for intervention here by Admiral Knapp. Will you give to this committee the reasons—I do not expect you to approve them, because you have already indicated that you felt that, in your judgment, there was no reason for it—what were the reasons advanced by those who were active here in the interest of the United States Government, for the intervention? Now, I realize the fact that you might answer that the proclamation sets them on fire—was there anything in addition to that—anything which might be of use to the committee? What reasons were given in your conferences with United States officials or others?

Dr. PEYNADA. No other reason but that the Dominican Republic had violated the treaty of 1907 by incurring debts that were not authorized by the United States Government. That was the reason given by them. Only that, of course, we believe that was a pretext; but I can not say that they had any other reason.

Senator POMERENE. Well, what in your judgment was the basis for the pretext, if we may call it that, to use your own words?

Dr. PEYNADA. It might have been the proximity of the war.

Senator POMERENE. You mean the World War, of course?

Dr. PEYNADA. Yes. And the desire of the United States to control Mexico, Nicaragua and Samana Bay.

Senator POMERENE. Well, Doctor, I am only one Senator and I am only an American citizen, but the people of America and the United States Government, in my humble judgment, never in their lives have entertained any such policy for your Republic here except what is for the good of your people.

Dr. PEYNADA. Senator, I know perfectly well the generous attitude of the United States through all their history. I remember the great impression caused on me by a little case decided by the Secretary of State of the United States against an American who pretended that the Island of Alta Vela

ged to him by virtue of a law, and the Secretary of State decided in favor of the Dominican Republic without the Dominican Republic presenting any sense at all. I remember also that when an American President, to the dismay of the patriotic party in control of the Dominican Republic, planned the annexation of our country to the United States, the Congress of that great nation opposed that plan. But times have changed, and as I have not the record of information that you have as Senator of the United States, I can be blamed if it seemed to me in 1916 that the minds and hearts of the American Government had changed. Now, it is a satisfaction to me to hear it you have to say.

Senator POMERENE. Well, we sometimes get wrong impressions.

Mr. PEYNADA. Certainly; I recognize that.

Senator POMERENE. And lest what I said a moment ago may be misunderstood I want to say for the record that I am perfectly clear that the occupying forces here have no desire other than what is for the good of the Dominican.

Mr. PEYNADA. Thank you for that.

Senator POMERENE. Now I want to ask you another question. It is looking to the future rather than to the past. What, in your judgment, for the good of the Dominican people, should be done by the United States Government?

Mr. PEYNADA. To give us our independence with the security of your friendship.

Senator POMERENE. You have got that.

Mr. PEYNADA. And that is all.

Senator POMERENE. There are some financial troubles down here and some social obligations, some of which have been incurred under the protection of the treaty of 1907. There are possibly some other obligations which it may be necessary for the Government of the Republic to incur. What have you to say with respect to these obligations, either present or contemplated?

Mr. PEYNADA. Senator, I am not a leader in my country.

Senator POMERENE. I beg to differ with you; I think you are.

Mr. PEYNADA. Thank you. My personal opinions are good for nothing, take into consideration the rest of the country; and, second, I came here prepared to answer as to the facts of the past. Necessarily, I am not prepared to answer for the future.

Senator POMERENE. I think you can give us a pretty intelligent idea on the subject, if you will permit us to have the benefit of your judgment.

Mr. PEYNADA. If you will give me the time.

Senator POMERENE. I was just about to suggest—and it has, I am sure, the concurrence of my colleague here on the committee—we would be very glad to have you formulate and present concretely what your views may be upon the subject as to what should be done. Go into the details. Just as you would be advising a client with regard to a very important business transaction. We may not accept your views, but we want the benefit of them.

Mr. PEYNADA. Well, Senator, I do not know the extent of the financial crisis. I do not know how the treasury is. I do not know the obligations incurred by the military occupation outside of our obligations derived from the treaty of 1907. I do not know anything regarding that. I do not know how I shall be able to give you a good opinion.

Senator POMERENE. Now, Doctor, let me suggest, I think about the best thing we have heard about your former President was the fact that he wanted you in his cabinet; and I think that you are very well informed, not only as to the conditions of your island but as to world-wide conditions, and your financial troubles here are not peculiar to the island.

Mr. PEYNADA. I know.

Senator POMERENE. We have it everywhere. Our people are suffering just as much as your people are suffering. I speak from an economical and industrial and an agricultural viewpoint. All of that must be borne in mind. And I am going to insist, with all the courtesy possible, that you shall give us the benefit of your views on that subject.

Mr. PEYNADA. I will try.

Mr. KNOWLES. Doctor in respect to the Henriquez government, I wish before you retire to ask you one or two questions. It was brought out in cross-examination that some time prior to the Henriquez government there had been disorders under the Jimenez government. I think you stated some time ago. When Dr. Henriquez was elected, on July 25, was he elected by the

unanimous consent of all the parties of the Dominican Republic? And as any evidence was manifest, was he not the choice of all the Dominicans?

Dr. PEYNADA. I was in New York when he was elected, so the only I know is that he lived in Santiago de Cuba, and he could not have personal influence in any election at that moment in Santo Domingo. The parties of the Republic decided to elect him as a man of great moral power, as a great Dominican who had been 12 years outside the Republic and who was not mixed up in the actual differences of the country and he was elected, as I understand, unanimously by all parties.

Mr. KNOWLES. From the time that he took possession of office as chief of the country, as long as he was permitted to exercise his duty, was the country under a peaceful reign and a complete constitutional government?

Dr. PEYNADA. Yes, indeed; and without money, but all the Dominicans in that position notified him that they would continue without salary, and the country during that period. All were working without salary, voluntarily.

Mr. KNOWLES. You say, Doctor, without money?

Dr. PEYNADA. Without money.

Mr. KNOWLES. Was the Dominican Government, constitutionally formed, entitled to any money?

Dr. PEYNADA. Certainly, because—

Mr. KNOWLES. From whom?

Dr. PEYNADA. From the receivership. Because our customhouse was only up to \$100,000. The rest belonged to the Dominicans. And, we have internal rentes, not pledged, so besides the internal rentes that were collected by Dominican functionaries, the American receivership was in the act of delivering to the Dominican treasurer the amount produced by the customhouse in excess of \$100,000 for the debt and 5 per cent for the cost of collection. And it was agreed that if the customhouse produced more than \$3,000,000 a year, the excess should be applied to the debt.

Senator POMERENE. What proportion of the excess?

Dr. PEYNADA. I can not remember that.

Senator POMERENE. Was it 60 per cent?

Dr. PEYNADA. I don't know. I do not like to talk about what I do not know, but I know in excess of \$3,000,000 something was to be taken by the receivership to be sent to the Guaranty Trust Co. But the Americans came to the Dominican Republic not only ordered the receiver not to deliver one cent to the Dominican Government, but went to the Dominican treasury and appointed an officer who would collect the money and not give one cent to the Dominican Government.

Mr. KNOWLES. Doctor, that provision that you state that the United States was to receive, or rather not to receive, but to retain from the collection of custom revenues, belonging to the Dominican Republic, after the receipt of the \$100,000 and 5 per cent for the cost of collection, was it the treaty of 1907 that that money should be paid to the Dominican Government?

Dr. PEYNADA. Certainly. The treaty says that.

Mr. KNOWLES. And at that time the Dominican Government was a constitutional government?

Dr. PEYNADA. Certainly.

Mr. KNOWLES. The country in perfect peace and quiet?

Dr. PEYNADA. Certainly.

Mr. KNOWLES. And the treaty of 1907 that provided for the payment of moneys to the Dominican Government was not lived up to?

Dr. PEYNADA. Of course not.

Senator POMERENE. Doctor, before we get away from it, you have to outline the election of your president. I ask, for the benefit of the record, to outline what your method of election is, from the beginning to the end of the election.

Dr. PEYNADA. Well, there are different methods, according to the question. One of the methods was employed in the case of Dr. Heredia. The method is this: When a president resigns or dies or is deposed, the legislative assemblies are not called to make the election. Then both chambers of Congress have the power to elect a president who shall be constitutional, a provisional president until the country is called to elect the permanent president, which are designed to elect the President finally. Congress, when President Heredia resigned, was begged by Admiral Caperton not to elect at that time because there was trouble. But when all the troubles that Caperton mentioned there were over by the surrender of the men who resisted at San Juan, Palta and the surrender of the Secretary of War in Santiago, when the

peace in the country, Congress elected Dr. Henriquez unanimously, because the Congress was the electoral college, according to the constitution.

The CHAIRMAN. Did the Congress fix the term of office of President Henriquez?

Dr. PEYNADA. Yes.

The CHAIRMAN. For how long?

Dr. PEYNADA. I think it was six months. I don't remember.

The CHAIRMAN. Is that according to the constitution?

Dr. PEYNADA. Yes.

The CHAIRMAN. Now, Doctor, for our information I was going to ask you to describe the election of Dr. Henriquez's predecessor, which I presume was held under the other provision requiring primary election.

Dr. PEYNADA. It is better to consult Mr. Bryan, because he gave, under his authority, the announcement to the United States that the people had elected President of the Dominican Republic very fairly.

The CHAIRMAN. Mr. who?

Dr. PEYNADA. Secretary of State Bryan. He had an inspector here, who reported to him and put him in a position better than I am to know, because was not here at the time, to say to the world, and especially to the people of the United States, that the elections of the Dominican Republic had been legally and orderly effected.

The CHAIRMAN. That was an election of the primary assembly?

Dr. PEYNADA. Certainly. That elected Jiminez, who was the predecessor of Henriquez.

Senator POMERENE. Define the legal procedure, etc., in the election of your primary assemblies from beginning to the end so we shall have it in the record.

Mr. KNOWLES. Of the Congress?

Senator POMERENE. No; of the presidency.

Dr. PEYNADA. According to my idea the citizens elect the members of the electoral colleges of the Provinces, and those electoral colleges meet in the capital of each Province at a fixed date. Then the vote of each member is put in a box and sent to Congress. Each one of the 12 colleges sends to Congress the result of the election, and Congress proclaims who has the majority.

Senator JONES. How many members of the electoral college are there in each Province?

Dr. PEYNADA. About 600. I don't remember exactly.

Senator JONES. Is it in proportion to the population?

Dr. PEYNADA. No; because we had no census at that time, and the constitution says that until we have a census and we could ascertain the population of each commune must appoint so many. In the Province of Santo Domingo 28—the electoral college of the Province of Santo Domingo. Each commune must appoint so many. So it is the constitution that fixes the number. It is very easy. I may provide you with the constitution.

Senator JONES. And the members of the electoral college for each Province decide on the candidate for whom the vote of that Province is cast?

Dr. PEYNADA. I beg your pardon?

Senator JONES. And the members of the electoral college meet together and decide on the person for whom, when they vote, the vote of that Province is cast?

Dr. PEYNADA. Yes.

Senator JONES. And the number of votes depends upon the provisions of your constitution?

Dr. PEYNADA. Certainly.

Senator POMERENE. Now, Doctor, just one other question along that line. I have said to us that President Jiminez was elected, you thought, for six months.

Dr. PEYNADA. No; for six years. President Henriquez for six months. President Jiminez resigned.

Senator JONES. What was the cause of his resignation?

Dr. PEYNADA. I think it was the pain caused in his heart by the landing of troops. That is my opinion. But I think there are people here who know exactly well the reason, because I was not with him at the time. I was in the capital. He was outside of the capital, and I could not see him.

Senator POMERENE. Through whom did he present his resignation?

Dr. PEYNADA. I don't know. I have not seen it. He resigned before 2 p.m. I don't know. I have not seen his letter.

Senator JONES. Was that resignation accepted by any constitutional authority?

Dr. PEYNADA. I do not know. I can not answer that.

Mr. KNOWLES. We have very competent evidence on that point. Dr. Peynada, you were asked by the chairman for what term Dr. Henriquez was re-elected President. You replied you thought it was for the term of six months.

Dr. PEYNADA. I think so.

Mr. KNOWLES. And whatever term it was, it was according to the constitution?

Dr. PEYNADA. Yes.

Mr. KNOWLES. I will ask you if Dr. Henriquez was permitted to serve a constitutional term for which he was elected?

Dr. PEYNADA. No; because Admiral Knapp came on the 25th of November before the six months had elapsed.

Mr. KNOWLES. And he was prevented serving out the term for which he was elected under the constitution by the people of his country or by whom?

Dr. PEYNADA. By the Army of the United States.

Senator JONES. Mr. Knowles, would it interfere if I were to ask the question there in what way did the Army of the United States interfere with the election of a successor?

Dr. PEYNADA. With the election?

Senator JONES. Yes.

Dr. PEYNADA. With the election?

Senator JONES. Yes. You say he was not permitted to serve out his six months' term, I suppose that was an ad interim term, and the idea was to elect a permanent successor.

Dr. PEYNADA. The idea was to depose him in order that the Army of the United States might be the President and Congress of Santo Domingo.

Senator JONES. Well, I don't think you have got my thought. Why was the term limited to six months?

Dr. PEYNADA. Because Congress considered that it was only necessary to elect a President for six months in order to elect another President.

Senator JONES. And in what way did the Army of the United States interfere with the election of a successor to serve after the expiration of six months?

Dr. PEYNADA. By proclamation of Admiral Knapp, chief of the Army, came here, which said "The territory of the Dominican Republic is hereby occupied and declared under American control and under the government of the United States. All elections will be postponed indefinitely," and by proclamation of Admiral Knapp, and taking possession of this palace, which is the residence of the President of the Dominican Government, and that room, which was the room of the President of the Republic. Then the President of the Republic could not come here any more, to be governor.

Senator JONES. You are going to present that proclamation of Admiral Knapp?

Mr. KNOWLES. Yes.

The CHAIRMAN. Mr. Stenographer, although it has already appeared in the record, I present the proclamation at this juncture, in order that it may be read here for the convenience of the committee and others as they read the report, if it is agreeable to you, Doctor.

Dr. PEYNADA. Certainly.

(The proclamation is as follows:)

#### "PROCLAMATION OF OCCUPATION.

"Whereas a treaty was concluded between the United States of America and the Republic of Santo Domingo on February 8, 1907, Article III of which reads:

"Until the Dominican Republic has paid the whole amount of its public debt its public debt shall not be increased except by previous agreement between the Dominican Government and the United States. A law shall be necessary to modify the import duties, it being an indubitable

condition for the modification of such duties that the Dominican Executive demonstrate, and that the President of the United States recognize, that, on the basis of exportations and importations to the like amount and the like character during two years preceding that in which it is desired to make such modification, the total net customs receipts would at such altered rates of duties have been for each of such two years in excess of the sum of \$2,000,000 of United States gold'; and

Whereas the Government of Santo Domingo has violated the said Article III on more than one occasion; and

Whereas the Government of Santo Domingo has from time to time explained such violation by the necessity of incurring expense incident to the repression of revolution; and

Whereas the United States Government, with great forbearance and with a friendly desire to enable Santo Domingo to maintain domestic tranquillity and observe the terms of the aforesaid treaty, has urged upon the Government of Santo Domingo certain necessary measures which that Government has been unwilling or unable to adopt; and

Whereas in consequence domestic tranquillity has been disturbed and is not now established, nor is the future observance of the treaty by the Government of Santo Domingo assured; and

Whereas the Government of the United States is determined that the time has come to take measures to insure the observance of the provisions of the aforesaid treaty by the Republic of Santo Domingo and to maintain the domestic tranquillity in the said Republic of Santo Domingo necessary thereto:

'Now, therefore, I, H. S. Knapp, captain, United States Navy, commanding the cruiser force of the United States Atlantic Fleet and the armed forces of the United States stationed in various places within the territory of the Republic of Santo Domingo, acting under the authority and by direction of the Government of the United States, declare and announce to all concerned that the Republic of Santo Domingo is hereby placed in a state of military occupation by the forces under my command, and is made subject to military government and to the exercise of military law applicable to such occupation.

'This military occupation is undertaken with no immediate or ulterior object of destroying the sovereignty of the Republic of Santo Domingo, but, on the contrary, is designed to give aid to that country in returning to a condition of normal order that will enable it to observe the terms of the treaty aforesaid and the obligations resting upon it as one of the family of nations.

'Dominican statutes, therefore, will continue in effect in so far as they do not conflict with the objects of the occupation or necessary regulations established thereunder, and their lawful administration will continue in the hands of such duly authorized Dominican officials as may be necessary, all under the oversight and control of the United States forces exercising military government.

'The ordinary administration of justice, both in civil and criminal matters, through the regularly constituted Dominican courts will not be interfered with by the military government herein established; but cases to which a member of the United States forces in occupation is a party, or in which are involved contempt or defiance of the authority of the military government, will be tried in the tribunals set up by the military government.

'All revenue accruing to the Dominican Government, including revenues heretofore accrued and unpaid, whether from custom duties under the terms of the treaty concluded on February 8, 1907, the receivership established by which customs in effect, or from internal revenue, shall be paid to the military government herein established which will, in trust for the Republic of Santo Domingo, disburse such revenue and will make all the proper legal disbursements therefrom necessary for the administration of the Dominican Government, and for the purposes of the occupation.

'I call upon the citizens of, and residents, and sojourners in Santo Domingo, to cooperate with the forces of the United States in occupation to the end that the purposes thereof may promptly be attained, and that the country may be restored to domestic order and tranquillity, and to the prosperity that can be attained only under such conditions.

"The forces of the United States in occupation will act in accordance with military law governing their conduct, with due respect for the personal property rights of citizens of and residents and sojourners in Santo Domingo upholding Dominican laws, in so far as they do not conflict with the provisions for which the occupation is undertaken.

"H. W. KNAPP.

"Captain, United States Navy

"Commander Cruiser Force, United States Atlantic Fleet

"U. S. S. 'OLYMPIA,' FLAGSHIP,

"SANTO DOMINGO CITY, DOMINICAN REPUBLIC,

"November 29, 1916."

Mr. KNOWLES. Referring to the question Senator Jones put to you as to the action of the American armed forces here in regard to the election of a successor of Dr. Henriquez, I think there was some confusion. When did that action take place, the interference of the armed forces? Was it before or after the expiration of the constitutional term for which Dr. Henriquez was elected?

Dr. PEYNADA. Before the expiration of the term that Admiral Knapp issued the proclamation, certainly.

Mr. KNOWLES. One other question, Doctor, I was about to ask you. In connection with what you said in your direct testimony as to the safety of American foreigners in this country. Can you tell the committee how many cases have been in which Americans particularly have been in danger of either being molested or injured, or their property in danger in any way whatever?

Dr. PEYNADA. Regarding property I don't know, because my belief is that the property in the Dominican Republic has been in danger by what we call revolution. Regarding life I assure you gentlemen that more foreigners have been killed in New York in one day, on any day of the year, than died in the revolution in Santo Domingo in 40 years. I remember one case in 1885 where an American called Platt was killed in a hotel, because the hotel was on the second floor of a house on the first floor of which lived an ex-President of the Republic and the actual President at the time sent the governor of the Province of San Pedro de Macoris officers to make him prisoner. The man was sitting in his house and told them, "General, please come with us to the city fortress." And he said, "I will go with you," and fired on them and ran away, climbing the stairs and blowing lights on the staircase, running to the floor above the office, and then followed him. The American was in his bed and heard the shots and went to his door to see what happened, and these officers believed that he was the man they were looking for and fired on him, and he was killed, and \$33,000 for that.

Senator POMERENE. When was that?

Dr. PEYNADA. That was in 1885. I don't say there is no other case, but it is the only case I remember.

Mr. KNOWLES. Do you recall any other case, Doctor?

Dr. PEYNADA. No; but I will tell you one thing: It is a profession of foreigners here. They enjoy all our rights, with our consent, because we protect them, the foreigners, and they have not our charges. This is a country where from many you know, where the foreigners are in danger.

The CHAIRMAN. Dr. Peynada, the vocation of foreigner, then, is more important than that of President or ex-President?

Dr. PEYNADA. Of course. Nobody doubts that. It is a business to be a foreigner, I assure you.

Mr. KNOWLES. So on that point, Doctor, that is your testimony on the safety of the city and country being in such a state of disorder at the time the proclamation was issued that the lives and property of foreigners were in danger. Is that your answer to that declaration?

Dr. PEYNADA. Well, wait a minute. No; indeed. My declaration was that there could be no danger at all by what Admiral Caperton believed to be a revolution, which, in my opinion, was not a revolution, because revolutions destroy the property and lives of the foreigners or Dominican citizens. We were not in danger; 1912 was a year in which we had a revolution which lasted 11 months.

The CHAIRMAN. Was that at the end of President Caceres's administration?

Dr. PEYNADA. Yes. We had 11 months of revolution, and the country carried out its agricultural, industrial, and commercial activities in normal times is the fact that in that year this country imported and

more than six other Republics in America, notwithstanding the 11 months of revolution and notwithstanding the circumstance that of all of the Republics in America only two are smaller in area, Haiti and Salvador, and only two were smaller in population, Panama and Costa Rica.

Senator JONES. How many revolutions have you had since 1907?

Dr. PEYNADA. I don't know.

Senator JONES. Several?

Dr. PEYNADA. Several; but they do not trouble us very much.

Senator JONES. They don't interest anybody except the immediate participants?

Dr. PEYNADA. Certainly.

Senator JONES. The remainder of the Dominicans are not molested?

Dr. PEYNADA. Certainly not.

Senator JONES. I believe you called it a sport?

Dr. PEYNADA. Why, it is a sport for a certain type.

Senator JONES. How many people lost their lives during that revolution, which lasted 11 months?

Dr. PEYNADA. Perhaps 200, I don't remember; but I am sure it was not many. It is a case of taking positions you know. The others don't feel very comfortable and they retire, and the people who have more power go into the capitol to take it. It is merely a question of position.

Senator JONES. What was the cause of that revolution?

Dr. PEYNADA. The belief of the opposition that the elections that resulted in the nomination of President Victoria were not fair.

Senator JONES. Doctor, what is your view about the fairness of the elections generally?

Dr. PEYNADA. While we have the kind of laws that we have just now we can have fair elections.

Senator JONES. Explain that, will you, Doctor?

Dr. PEYNADA. That will take too much time.

Senator JONES. That is all right. We shall be glad to hear you.

Dr. PEYNADA. My opinion is that we have not the fraud they have in other countries, by putting more votes in the box than were cast for the party which controls. That is not the trouble. The trouble is that as we have no census, as our election laws do not provide for registration, a man could vote seven or eight times, because each commune was an electoral district, so instead of having an electoral district for them all those people over there couldn't say to a man, "You can't vote because you have already voted," because they don't know him, and it was possible for the party in control to allow some people to vote seven or eight times. Until we change those laws we shall never have a fair election. There are other features, but I need time to go into them. That is enough.

Senator JONES. How many votes were cast at that election?

Dr. PEYNADA. Oh, I don't know, Senator, because I was not interested. I was not with one party or the other, so I did not take notice of that.

Senator JONES. They don't pretend to cast the vote for the absent ones, do they?

Dr. PEYNADA. No.

Senator JONES. I asked that question, because sometimes it is done in the United States.

Dr. PEYNADA. Certainly. But here it is chronic. Those frauds are more prevalent here, on account of our defects.

The CHAIRMAN. Dr. Peynada, if I understand Mr. Knowles, you wish to discuss the first period involving the taking possession of the country and continue with the issuance of a proclamation, and then later discuss the actual administration of the government of the country by the military governor.

Dr. PEYNADA. I have not said anything about that.

The CHAIRMAN. No; I was asking you if you did wish to talk about that. I were not present, perhaps, when Mr. Knowles made his introduction?

Dr. KNOWLES. I stated the order in which we were going to introduce the testimony.

Dr. PEYNADA. Well, I don't think I am the most useful witness on that line, I suppose.

The CHAIRMAN. Dr. Peynada, I want entirely to follow your wishes.

Dr. PEYNADA. I believe there are others who might take my place to answer that question, because I don't know anything at all about the treasury—what

has been done in the treasury. I don't know personally that some one has done some one else. I have heard that, and I believe many other things, because I have been told me by reliable people, but I can not say to you that occurred in such a place, because I did not see it, and second, it is to me immaterial that the military government had behaved very well and they contributed to my own happiness I would still stand for the liberty and independence of Santo Domingo.

The CHAIRMAN. Are there other questions to be asked of Dr. Peynada?

#### STATEMENT OF MR. PEDRO A. PEREZ.

MR. KNOWLES. What is your full name?

MR. PEREZ. Pedro A. Perez.

MR. KNOWLES. Where do you live?

MR. PEREZ. In Santo Domingo city.

MR. KNOWLES. Of what country are you a native?

MR. PEREZ. El Seibo.

MR. KNOWLES. Of the Dominican Republic?

MR. PEREZ. Yes.

MR. KNOWLES. Have you been actively connected with any political party or leader?

MR. PEREZ. I belonged to the Jiminista Party—formerly Hermanista and Jiminista.

MR. KNOWLES. You have lived in this Republic continuously for how many years past?

MR. PEREZ. The last time for six years, after returning from the United States.

MR. KNOWLES. What is your profession?

MR. PEREZ. I was a lawyer at El Seibo. I am not practicing at present.

MR. KNOWLES. Were you invited to become a member of the Junta Consultiva?

MR. PEREZ. Yes.

MR. KNOWLES. What was the object and purpose of that body?

MR. PEREZ. The Junta Consultiva had the duty to study some laws and report in laws to submit to the consideration of the military governor.

MR. KNOWLES. Who were the other members of the Junta Consultiva?

MR. PEREZ. Seven, including myself.

MR. KNOWLES. Will you please name the other members?

MR. PEREZ. Archbishop Noel is chairman of the Junta Consultiva. Jacinto R. De Castro, Mr. Francisco J. Peynada, Mr. Frederico Velasco, Rafael J. Castillo, Mr. Manuel Gonzalez, Mr. Marrero, and myself.

MR. KNOWLES. About when was the Junta Consultiva formed?

MR. PEREZ. There was one other board before this, of which I did not form a part, which had other duties. The last Junta Consultiva was originally composed of five members, and two more were added, myself being one. It was in accordance with the Wilson plan, which gave us the duties we have.

MR. KNOWLES. How was that Junta Consultiva formed? Who organized or invited the members to participate in it?

MR. PEREZ. Admiral Snowden.

Senator POMERENE. Has it continued down to the present time?

MR. PEREZ. By proclamation of June 14 it was dissolved.

Senator POMERENE. June 14, 1921?

MR. PEREZ. Yes.

Senator POMERENE. And there have been no sessions of the Junta Consultiva since that time?

MR. PEREZ. No. It was dissolved on June 14.

Senator POMERENE. I want to ask you if you were in the city all of the time during the Jimenez administration?

MR. PEREZ. No, sir. I was the governor of El Seibo Province.

MR. KNOWLES. Were you here any time during the session of congress when elected Dr. Henriquez President?

MR. PEREZ. I was at El Seibo.

MR. KNOWLES. Can you give the committee any information regarding the selection of Dr. Henriquez for President?

MR. PEREZ. He was elected by the congress of the Republic.

MR. KNOWLES. By and with the consent of all of the party leaders?

MR. PEREZ. No; it was by authority of the congress, after the resignation of President Jimenez.

Mr. KNOWLES. But did all of the party leaders agree to that election?

Mr. PEREZ. The different parties were represented by the members of congress, and they accepted the designation of President Henriquez.

Mr. KNOWLES. Was he elected unanimously by congress?

Mr. PEREZ. I don't remember. He obtained a majority.

Mr. KNOWLES. Were you present at any time in the city after the election of Henriquez?

Mr. PEREZ. I was.

Mr. KNOWLES. About how soon after the election of Dr. Henriquez did you come to Santo Domingo?

Mr. PEREZ. Almost immediately.

Mr. KNOWLES. Did you remain here for some time?

Mr. PEREZ. Two months.

Mr. KNOWLES. Was Dr. Henriquez elected in accordance with the constitution of the country?

Mr. PEREZ. Of course. The country was altogether at peace.

Mr. KNOWLES. Was there from the time of Dr. Henriquez's taking office, during all of the time that he was in Santo Domingo, any disorder of any kind whatsoever?

Mr. PEREZ. No, sir.

Mr. KNOWLES. Was there, so far as you know, any disorder of any kind outside of the city in the country?

Mr. PEREZ. I don't remember. It is five years ago.

Mr. KNOWLES. As far as you know, was Dr. Henriquez the choice of the people of the Dominican Republic?

Mr. PEREZ. According to the terms of the constitution, the Dominican people ad to accept him, because he was named by Congress.

Mr. KNOWLES. And in accordance with the constitution?

Mr. PEREZ. Yes. Mr. Henriquez was a provisional President. He came to fill the term of President Jimenez, to call the people to election.

Senator POMERENE. Was there an election after that?

Mr. PEREZ. No, sir. Then came the occupation.

Senator POMERENE. There has been no election since?

Mr. KNOWLES. No election since.

Senator POMERENE. So if he was elected for six months, there is in fact no resident at the present time?

Mr. KNOWLES. There is the question which I have not yet raised at all, as to exactly what was the term of a President.

Senator POMERENE. Well, state for the record, so that we may have the information now, so that we may be able to interpret his testimony as we go along.

Mr. KNOWLES. There is some difference of opinion as to the exact term for which the President was elected. Later in the investigation I will present the resolution adopted by Congress electing Dr. Henriquez, specifying under what conditions and for what term, in order that it, or the translation of it, may speak for itself.

Senator POMERENE. For the benefit of the committee, let me suggest that you express your view as to this proposition. When a President is elected, it is only for a given term of years, or is it for a given term of years and until his successor is elected and qualified? In other words, in the United States some of our officers are only elected or appointed for a given, specified term. Others are appointed to serve for a given term and until their successors shall be elected. The purpose of my question is, as you will readily see, to ascertain whether or not, under the law, you would have a President who was not qualified to act. I do not care to discuss it now, but bear that in mind.

Mr. KNOWLES. Yes; I will be prepared at the afternoon session, Mr. Senator, to present evidence bearing directly on that point.

Senator POMERENE. All right.

Mr. KNOWLES. Do you remember about the date that you left Santo Domingo on the occasion of the visit you have referred to, to return to your office at El Seibo?

Mr. PEREZ. About the 12th or 13th of October, 1916, more or less.

Mr. KNOWLES. Did you return after that any time prior to the 29th of November?

Mr. PEREZ. No. It is so long ago I can not readily ascertain whether I did return or not before November.

Mr. KNOWLES. Do you remember if you were here on the day or about the day of the proclamation of occupation?

Mr. PEREZ. I was not here.

Mr. KNOWLES. Then from the 1st of August until the 12th of October, were continuously in Santo Domingo city?

Mr. PEREZ. So it is.

Mr. KNOWLES. During all of that time Dr. Henriquez was President?

Mr. PEREZ. Yes, sir.

Mr. KNOWLES. Exercising the office in accordance with the constitution?

Mr. PEREZ. Yes.

Mr. KNOWLES. And without any discontent that you knew of on the part of the people against this Government?

Mr. PEREZ. Dr. Henriquez exercised his office with the pleasure of Dominican people. The people were content.

Mr. KNOWLES. During all of that time were there any disorders of any kind in the city?

Mr. PEREZ. I was not at the city, but I heard that American troops had been on some people on the other side of the river.

The CHAIRMAN. Is that a correct translation? Did not he say that they killed an individual?

The INTERPRETER. He says he can not well remember, but in his mind there is a recollection of a case in which American troops had killed an individual on the other side of the river.

The CHAIRMAN. Now, Mr. Interpreter, you have got to be more accurate. You do not know Spanish very well, but if I can correct you, that will hardly be the purpose.

The INTERPRETER. He said he did not have a ready recollection.

The CHAIRMAN. I understand what you said, but you did not tell the interpreter what he said.

Mr. KNOWLES. Was that the only case that you heard of up to the time you left for El Seibo?

Mr. PEREZ. The matter happened after I was at El Seibo.

Mr. KNOWLES. Mr. Chairman, as I wish to ask this witness something relating to the other part of the testimony to be presented, I will not continue further with him on this subject.

The CHAIRMAN. Do you wish to change the subject, or change the witness?

Mr. KNOWLES. No; the witness.

The CHAIRMAN. It is now a quarter past 12. Do you wish to put a witness on now, or after lunch?

Mr. KNOWLES. Either.

The CHAIRMAN. The members of the committee then will examine the witness, if any of them care to.

Senator POMERENE. A moment ago counsel asked you as to whether there was peace and quiet in the city of Santo Domingo. What was the condition of other sections of the island or the Republic during the administration of Dr. Henriquez?

Mr. PEREZ. The country was in a state of convulsion. That was not a revolution or anything like against President Henriquez, but it was a direct consequence of the disagreement between the secretary of war and the President, and consequently the country was in an unsettled condition.

The CHAIRMAN. Does he speak of the whole country or of parts of the country, especially?

Mr. PEREZ. In the Cibao section in the northern side of the island.

The CHAIRMAN. The witness means that as Desiderio Arias came from Cibao, there was unrest in the Cibao, in view of the differences between him and President Henriquez.

Mr. PEREZ. When Desiderio came from the Cibao?

Mr. KNOWLES. Jiminez.

The CHAIRMAN. No. He speaks of the term of office of President Jiminez.

Mr. KNOWLES. No, Mr. Chairman; when you were out, Senator POMERENE asked a question as to what was the state of order in other parts of the country outside of Santo Domingo City. He testified in his direct examination that it was all quiet here in the city at that time.

Senator POMERENE. The witness simply answered the question, what was the condition in the city? "Was it quiet in the city?" and that attracted my attention, and so I wanted to know what the condition was outside of the city in the rest of the country during the Henriquez administration.

The CHAIRMAN. That is the reason I am asking about the condition of El Cibao. Was I wrong? Had not there been a difference of opinion between Sen. Desiderio Arias and President Jiminez?

Mr. PEREZ. Oh, undoubtedly there was.

The CHAIRMAN. I was trying to learn if that unrest continued in the Cibao after the election of President Henriquez.

Mr. KNOWLES. Yes.

The CHAIRMAN. I want to know, Mr. Perez, if in the Cibao during the administration of President Henriquez there continued the agitation which was caused by the differences between Desiderio Arias and President Jiminez.

Mr. PEREZ. No, no; Desiderio had not coincided with the occupation of the American forces. He withdrew to Cibao. And when President Henriquez came he remained quiet.

Senator POMERENE. How many revolutions were there in the Santo Domingo Republic after the treaty of 1907 was ratified and up to the time of the occupation by the American forces?

Mr. PEREZ. There were several.

The CHAIRMAN. President Morales left office when and how?

Mr. PEREZ. That is a question of history. I do not remember, because, unfortunately, I have not a strong memory. From 1907 to 1916 there were several revolutions in the country.

The CHAIRMAN. Mr. Knowles, will you supply the names of the Presidents, beginning with President Morales and concluding with President Henriquez, the periods during which each held office, or for which each held office; the method, the way by which each came into office and went out; and if anything happened to them either during their incumbency or thereafter?

Mr. KNOWLES. I will, Mr. Chairman.

The data was subsequently supplied by Mr. Knowles and is on file with the committee.)

#### PRESIDENTE MORALES.

Este renunció constitucionalmente la Presidencia de la Republica, en Enero de 1906, y entonces fué promovido, constitucionalmente, a la Presidencia. Vice Presidente Ramon Caceres.

#### PRESIDENTE CACERES.

Gobernó hasta 1911; el día 19 de Noviembre, de este año, fué matado y entonces el Congreso Nacional eligió Presidente, constitucionalmente, al Senador don Victoria.

#### PRESIDENTE VICTORIA.

Fue el primero que luchó contra una fuerte revolución, y a fines de 1912, renunció constitucionalmente, construido por la Comisión americana compuesta por él y el Gral. McIntyre, que vino a investigar nuestros asuntos. El Congreso Nacional eligió Presidente, con forma a la constitución, al Arzobispo Nouel.

#### PRESIDENTE NOUEL.

Renunció por motivos de salud en Abril de 1913, constitucionalmente y constitucionalmente, también, el Congreso eligió Presidente al Senador Jose Bordas.

#### PRESIDENTE BORDAS.

Gobernó hasta el 13 de Abril de 1914 y cuando los partidos políticos observaron que el Presidente trataba de postularse para ejercer por un plazo mayor que había sido elegido (un año), se coaligaron e hicieron una poderosa revolución. Vino entonces al país, una nueva Comisión americana, compuesta por el Gobernador Fort y Mr. Smith. Esa Comisión, se impuso a Bordas y derrocó nuestro Gobierno Constitucional, inclusive el Congreso. Entonces los miembros de partido y Bordas, de acuerdo, nombraron Presidente, por tres meses, a hacer elecciones, al Dr. Ramon Baez. Esta forma de elección no era constitucional pero fué impuesta por los representantes de los Estados Unidos.

#### PRESIDENTE BAEZ.

Este cumplió su cargo de dirigir elecciones libres, en las cuales salió triunfante obteniendo la mayoría el señor Juan Isidro Jimenes.

## PRESIDENTE JIMENES.

Goberné desde que se hizo cargo constitucionalmente, de la Presidencia. Diciembre 5 de 1914, hasta el día 7 de Mayo de 1916, cuando renunció. Desembarcaron los marinos y obstruyeron la elección constitucional; debía y quería hacer inmediatamente el Congreso, hasta que este eligió presidente, con la unanimidad de los votos, de todos los Senadores y Diputados. Dr. Francisco Henriquez y Carvajal, en Julio 25 de 1916.

## PRESIDENTE HENRIQUEZ.

Hacia doce años vivía en Cuba alejado de la política. Vino, como presidente de la Presidencia en Agosto 1° y fue arrojado de su posición por los marines americanos, conforme a la Proclama del Capitan Knapp de fecha 29 de noviembre de 1916.

De 1907 a 1916, solo ha habido en el país, tres revoluciones; Una en 1907 otra a principios de 1913, durando un mes; y la última, en 1914.

En este país, durante toda su historia, solo han sido matados dos Presidentes: Heureaux y Cáceres. Uno menos que en los Estados Unidos, donde han sido matados: Lincoln, Garfield y McKinley.

Senator POMERENE. How many do you mean by your expression, "three revolutions" between 1907 and the beginning of the American occupation?

Mr. PEREZ. Four or five—about four.

Senator POMERENE. How long did these revolutions last?

Mr. PEREZ. I can not say. They lasted two, three, four months—one month.

Senator POMERENE. Dr. Peynada told us that one revolution in 1912 lasted about 11 months. Is that right?

Mr. PEREZ. Please say which.

Senator POMERENE. The revolution of 1912.

Mr. KNOWLES. Cáceres.

Mr. PEREZ. Against Cáceres? It may be.

Senator POMERENE. How long did the other revolutions to which you referred last?

Mr. PEREZ. I can not say definitely, because I have a poor memory.

Senator POMERENE. During these revolutions was there fighting between armed forces?

Mr. PEREZ. Of course.

Senator POMERENE. Was the Government overthrown during these revolutions?

Mr. PEREZ. Yes.

Senator POMERENE. How often?

Mr. PEREZ. I do not remember those details.

The CHAIRMAN. About how many men were engaged in the forces of the Government and in the forces of the revolutionists each time?

Mr. PEREZ. That can not be ascertained here. Revolutions have people, governments have people.

The CHAIRMAN. Would one side or the other recruit in Cibao?

Mr. PEREZ. Yes; in the country sections.

The CHAIRMAN. If the governor of Cibao was friendly to the Government, the capital, what steps did he take to secure troops?

Mr. PEREZ. The authority at El Seibo had at its disposal the troops the Government had authorized.

The CHAIRMAN. Would he add to their number?

Mr. PEREZ. No. That varies. The Government also had the right to put the men under arms, to call them from the country sections.

The CHAIRMAN. They had a right under the law to call the men from the country by compulsion to serve under arms?

Mr. PEREZ. According to the constitution, all citizens must serve the Government.

The CHAIRMAN. In arms?

Mr. PEREZ. In arms. The governor kept the arms in the—

The CHAIRMAN. No; but under the constitution, the governor had the right to require men in the country to come in and take arms in defense of the Government.

Mr. PEREZ. Yes; in accordance with the law of Santo Domingo, which provides for a special organization. Here there has always been a small army. In .

places there are military corps composed of all of the people of the country over 21 years of age up to the present, and the authority in accordance with orders from the Government, which is compelled to sustain public order, issues orders to the governor, and he may bring the people from the country and arm them to suppress any disorder that may occur.

The CHAIRMAN. What steps would the chief of the insurrection take to secure troops to oppose those of the Government?

Mr. PEREZ. To fight to put them down.

The CHAIRMAN. How would the leaders of the revolution secure men—troops—to make up their armed forces in Cibao?

Mr. PEREZ. All the men who were displeased with the Government would form the troops of the revolution.

The CHAIRMAN. Would the chiefs of the revolution use any active measures to induce men to join the forces of the revolution?

Mr. PEREZ. They call them simply.

The CHAIRMAN. Would they use any persuasion or moral pressure on the people out in the country to join their forces?

Mr. PEREZ. I have said that those who were discontented with the Government would join the opposing party.

The CHAIRMAN. It is not necessary, let me say, to repeat his testimony. If I ask a question I, conformably with our rules, seek a direct answer. It is now 12.30, and the interpreter gets tired easily, and I have arranged for relief for the interpreter. I hope Mr. Perez will be ready to continue the examination about 4 o'clock, when these other gentlemen have been here. The committee will rise until 2.30.

(Whereupon the committee took a recess until 2.30 p. m.)

#### AFTER RECESS.

The committee met pursuant to adjournment at 3 o'clock p. m., Senator McCormick presiding.

Present: Messrs. McCormick (chairman), Jones, and Pomerene.

Also present: Mr. Knowles and Mr. Howe.

The CHAIRMAN. The committee, which was very happy to be able to oblige Mr. Knowles yesterday and recessed to afford his clients an opportunity to be present this morning, regrets that the chamber of commerce, which made an engagement for this afternoon, is unable or unready to be present, and that the Junta Consultiva, for which likewise an engagement was made, is likewise unready. We are grateful to Mr. Perez for his presence here, which permits us to go on at this time instead of at 4 o'clock.

As some attention has been given to the history of events about the time of the resignation of President Jimenez and the election of Dr. Henriquez, with the permission of Mr. Perez I will ask him some questions.

Mr. PEREZ. I would like to say something first.

The CHAIRMAN. Certainly.

Mr. PEREZ. Do I have to reply only to the questions addressed to me, or can, as a citizen of a free country, make any statement I wish?

The CHAIRMAN. Certainly. He is free to answer in any fashion; only I trust that if questions be directed to certain subjects, he will be able to answer those questions. If he wishes to add anything more, we shall be very glad to have it.

Mr. PEREZ. There is something special that I may have to say that has no relation to the question.

The CHAIRMAN. Perhaps Mr. Knowles will explain the course which the investigation has followed in Washington and elsewhere until this time, either in English or in Spanish, Mr. Knowles.

Mr. KNOWLES. Say to the witness that the hearings that have been heretofore held—and I think will be held from now on—have been completely open to anything that any of the witnesses might wish to say bearing upon the subject matter of the investigation, and there is no restriction whatever, in reason, as to what information they can give to the committee.

The CHAIRMAN. These are questions which I ask in order that we may have in mind the sequence of events. How long before President Hermanez was elected were the Chambers and the Senate elected?

Mr. PEREZ. I have not an exact memory of all the happenings of the country, but that is something that is well known. Together with the election of President Jimenez the legislative powers were also elected.

The CHAIRMAN. Simultaneously?

Mr. PEREZ. Simultaneously.

The CHAIRMAN. I understand, then, at the same election in which the colleges were chosen which subsequently elected President Jimenez there were also elected the members of the Chamber of Deputies and the Senate?

Mr. PEREZ. That is correct. It was a constitutional government.

The CHAIRMAN. The president of the Senate and the president of the Chamber therefore were later elected?

Mr. PEREZ. From the same corporation, the Senate elects its president and the members of the House elect its president.

The CHAIRMAN. I mean that the election of the president of the Senate and the election of the president of the House must necessarily follow the election of President Jimenez?

Mr. PEREZ. According to the constitution of the country, on the 27th of February the regular meeting of the Congress—or any other date that Congress meets—when they meet the Congress elects its president and the Senate elects its president.

The CHAIRMAN. Who were the presidents of the Senate and the Chamber after the time that President Jimenez was elected in 1914 and had relations with the Senate and that Chamber at that period, who were the presidents of the Senate and the president of the House?

Mr. PEREZ. I don't remember well now. It is in the official gazette.

The CHAIRMAN. How long a time passed between the election of President Jimenez and the day upon which he formally took the oath of office?

Mr. PEREZ. I do not remember exactly.

The CHAIRMAN. Was there any delay in the assembly of the Chamber?

Mr. PEREZ. The President was elected in the latter part of December, 1914 and he took oath on February 27, 1915.

The CHAIRMAN. When did you first hear talk of the impeachment of President Jimenez?

Mr. PEREZ. I think between March and April, 1916.

The CHAIRMAN. When did you first hear of the differences between President Jimenez and his friend, Desiderio Arias?

Mr. PEREZ. At the beginning of the year 1916.

The CHAIRMAN. When was it that President Jimenez removed or attempted to remove Comandante de Arias and the comandante of the citadel, the brother of Jimenez?

Mr. PEREZ. Although I can not state definitely, I think that in the month of March or April, 1916. Not being at the capitol, being at El Seibo, I can not state the happenings at that time. Only in a general way.

The CHAIRMAN. When did President Jimenez resign?

Mr. PEREZ. In May, 1916.

The CHAIRMAN. I think, Mr. Perez, I have no further questions to ask perhaps other senators have.

Mr. PEREZ. After finishing. I would like to state what I have to declare.

The CHAIRMAN. Certainly.

Senator POMERENE. Have you lived in the Republic all your life?

Mr. PEREZ. Yes.

Senator POMERENE. And you are very familiar with the history of the Republic?

Mr. PEREZ. In general; yes.

Senator POMERENE. I have been advised that during the last 40 years there have been 16 principal revolutions in the country. Is that correct?

Mr. PEREZ. I have not counted them on my fingers, but we have had revolutions in all the countries of the world there are revolutions.

Senator POMERENE. Oh, surely. Give the committee your best judgment to the number of these revolutions during the last 40 years.

Mr. PEREZ. Exactly. I can not state. We have had several, but as I am this morning, I can not state.

Senator POMERENE. In each of these revolutions which you recall, was there an armed conflict between the opposing forces?

Mr. PEREZ. Of course.

Senator POMERENE. How many men have been killed as the result of these revolutions?

Mr. PEREZ. I can not tell that.

Senator POMERENE. How many times during the last 40 years has the government of the Republic been overthrown by revolutionists?

Mr. PEREZ. Several times.

Senator POMERENE. How many times did the Government overcome the revolutionists?

Mr. PEREZ. Sometimes the Government overcame and other times the revolutionists overthrew the Government.

Senator POMERENE. Now, our chairman, before the luncheon hour, asked the witness how the forces of the revolutionists were recruited. I want to pursue that a little further. How would the revolutionists get their supplies, their horses, their food, or produce, and other supplies?

Mr. PEREZ. I told this morning the way revolutionists have done in this country.

Senator POMERENE. No; as I understood you, your answer was only confined to the securing of the men or recruits. I am addressing myself now to their supplies, their military supplies. How did they get them?

Mr. PEREZ. I do not wish as a witness to continue declaring under that text.

Senator POMERENE. For what reason?

Mr. PEREZ. For the reason that the matter is unimportant, as it is not referring to the United States, because Santo Domingo is a free country.

Senator POMERENE. If that is your answer to my question I will not pursue that further. We will get the information somewhere else.

Mr. PEREZ. As I am allowed and will have complete liberty I would like to declare now.

Senator POMERENE. Let him make any statement that he wishes.

Mr. PEREZ. I, as a Dominican citizen, protest against the intervention of the United States, because the United States and the Dominican Republic were and are friendly nations. The Dominican Republic has given no reason to the United States to exercise the oppression that was acted on the Dominican Republic. I, as a civilized man and as a citizen of a free country, could not understand as yet, nor can I do it ever, that a country so advanced and so democratic and so willing to fulfill the republican practice, could have invaded with troops a sovereign country as the Dominican Republic was, and having treated us as though we were Negroes from the Congo. We were friends of the United States. We would have gone to their help during the World War with Germany.

In conclusion I protest against the American invasion, and I believe that the best service that the honorable senators while present here could do to the civilized cause of the world would be to report to the Senate of the United States the necessity that the United States is in to evacuate the Dominican Republic.

We were more happy in our previous condition than in the present status. The Dominican Republic is administratively lost. We do not know where the money of the nation goes nor from where it comes. The Province of El Seibo, to which I belong, is completely ruined. There is a condition of bandits there that never existed before the arrival of the American forces.

(The following members of the junta consultiva here appeared before the committee: Mr. Jacinto R. De Castro, Francisco J. Peynada, Manuel Gonzalez Marrero, Pedro A. Perez, Federico Velasquez, and Rafael Justino Castillo.)

The CHAIRMAN. The committee of the Senate of the United States is very happy to meet the junta consultiva.

Mr. DE CASTRO. The consultative committee appreciates highly the manifestation of sympathy of which it has been the object on the part of the honorable committee of Senators of the United States, a powerful nation which we consider as a friend. The presence of the consultative committee here collectively is not to produce any testimony against the procedure of the military occupation under which the country suffers, because none of its members have experienced personally any of the happenings that could be charged to the military occupation. In the capacity in which we were invested as men representative in character, we accepted on two occasions a place on the consultative committees that were created during the administration of the rear admiral of the United States Navy, Snowden, and as our mode of being on that occasion divided in a certain way the public opinion of the Dominican people, we considered it as a high duty of patriotism on our part to say that that disagreement was never fundamental. In the contact we had with the American military government, the same as the people who were in front of that American government, we protested and protest the occupation of the territory by forces

of the United States, and the dismemberment of its government, and the planting of its government by a military government, and the prolongation to-day of that state of affairs. In all the public documents that we submitted and in all our public declarations to the Dominican people we sustained a reparation that it by all means is due to the Dominican Republic that is reinstated in the plenitude of its attributes as a sovereign state. Because we do not recognize neither in the convention of 1907, nor in any other nor in any principle of international law, nor in any fundamental of law that the Dominican people could be given the intervention that has been posed. And I restate those declarations so that it may be always known all the services that we lent during the occupation were not to mean by implication that we recognized that anything can limit the sovereignty of the people of the Dominican Republic, and that we are the first to ask, and solemnly do, the end of this military occupation and the restitution of National Government, as the only means to repair the deep wound that has been done to the Dominican people. We have finished.

The CHAIRMAN. I thank the consultative committee for the presence of members here and for the considerate statement of its views through the of its very able and distinguished spokesman.

(The junta consultiva then withdrew.)

#### STATEMENT OF MR. ARTURO LAGRANO.

Mr. LAGRANO. The committee has not the right to make me swear in this country. In the interest of the country I have no objection to making a statement.

The CHAIRMAN. Will you ask him to observe that the committee has sought through any members of the committee to have him take oath; that is taking oath voluntarily, through the medium of a notary of his own country. The committee has already said that it has no jurisdiction to administer an oath.

(The witness was then sworn.)

Mr. KNOWLES. What is your full name

Mr. LAGRANO. Arturo Lagrano.

Mr. KNOWLES. Where do you reside?

Mr. LAGRANO. In the city of Santo Domingo.

Mr. KNOWLES. Where were you born?

Mr. LAGRANO. Here.

Mr. KNOWLES. What is your profession?

Mr. LAGRANO. Lawyer.

Mr. KNOWLES. Have you any direct and immediate interest or connection as leader of any political party here?

Mr. LAGRANO. In my capacity as secretary, which I was to President Jimenez I have an interest in clearing up some circumstances that the interest has been a little bit, presenting them at the same time as expressing the sentiment which I as a free citizen of a free country have toward the situation in that country finds itself to-day.

In virtue of that, I ask that the honorable committee of the United States Senate may make in the interest of truth and justice all the questions that I think convenient in connection with the last days of government of President Jimenez, or of any other period of our political history.

Mr. KNOWLES. Mr. Lagrano, what was your connection with President Jimenez?

Mr. LAGRANO. I was secretary to President Jimenez from two years before he was President of the Republic, and I continued being so even after he was no more President of the Republic.

Mr. KNOWLES. What date was it that Jimenez became President?

Mr. LAGRANO. The elections took place in the month of October of the year 1914. President Jimenez was proclaimed by the National Congress on the afternoon of the 4th day of December of the same year. The next morning, the 5th—he took oath of office and took possession of that high chair to which he had been legally elected and freely by the wishes of the Dominican people in an election that the Secretary of State, Hon. Mr. Bryan, described happily as legal and as the happy augury to the Dominican Republic of its relations with the United States.

Mr. KNOWLES. How long did Mr. Jimenez remain President?

Mr. LAGRANO. A year and five months.

Mr. KNOWLES. What was the general condition respecting order during the administration of Jiminez?

Mr. LAGRANO. Absolute peace. In the first few days of the Government there were little disturbances that never became armed clashes, but that were just the consequences of the changes of military authority. Those difficulties were solved with success by the Government and there was no interruption of peace until the happenings of May, 1916.

Mr. KNOWLES. Now, will you, in your own way, state, without any reservations whatever, to the members of the commission the occurrences that led up to the ending of the administration of Jiminez?

Mr. LAGRANO. Certainly. And I take advantage of this opportunity to have noticed that if it is true that between the secretary of war, Gen. Arias, and the President of the Republic there was misunderstanding in relation to the nomination to a military position of the second rank in the national guard, that misunderstanding would never have been a bloody clash. But after the disembarkment of the American marines, President Jiminez relieved Gen. Arias, because Gen. Arias did not obey his orders in the matter of putting as chief of the guardia republicana Gen. Mauritio, who was governor of the Province of San Francisco de Macoris, taking the place of Gen. Cesario Romano, who was brother of the commander of the army, Gen. Romano Romano. The disagreement between the President of the Republic and the secretary of war would never have resulted in war. There were many persons interested in trying to avoid the continuance of the friction. I believe that if a mediation of influence as powerful as that of the American minister had intervened in a manner to avoid a petty clash—though it had been with the least moral pressure—the clash would have been avoided.

On the 3d of May Capt. Crossley, captain of the United States transport *Virgie*, announced in the press a proclamation that if it was necessary for the American marines to disembark to guard the legation, as was the custom, they would not be responsible for any hostile act they would be permitted to make if they were attacked.

On the 4th the marines disembarked on the beach of San Geronimo, without any authorization from the President of the Republic. This is very interesting, because it has been said frequently, even by some of the people in the country that don't know very well the matters, that there were certain agreements between the Government in the capitol to allow the disembarkment of the marines with the consent of the Government. There was never and there will never be able to be found any official document, nor any private document, either, subscribed by President Jiminez in which it appears or in which it may appear that consent was given. Furthermore, Minister Russell, on the 10th of May, 1916, allowed the publication under his personal responsibility of a declaration which he made on that date—about 15 days after the disembarkment of the American forces in San Geronimo by the spontaneous initiative of the American legation and to guard the legation. On landing the American forces at the legation and around the receptory they placed upon which they brought, a few in number, but that were growing progressively in number, until they amounted to 750 marines on the 15th day of May, the day which they entered the city. On land those forces, as I say, remained in a state of expectation during two or three days. While there occurred the happenings which I am going to refer to immediately. On the 16th the President, having lost all hope of arriving at a friendly conclusion, decided, as it was natural to and within his capacity under the constitution, to dominate by force the city, which was in the power of the minister of war. The minister of war had, not by right but by fact, the possession of the city, because, due to our laws, the military forces are under the direct command of the minister of war, and more indirectly under the President of the Republic. So that the minister of war has more contact with the forces than the President. The President was not in the city. He was 23 kilometers out, at a summer resort, and he thought that he was not able to exercise at that moment in an effective manner authority over forces which were directly under the command of the minister of war. So that in reality there was a disconcertment, a crisis, as was the command between the President and the minister of war that lasted four or five days, and a state of uncertainty, and it was then that occurred the proclamation of Capt. Crossley, and subsequently the disembarkment of the marines, from the 28th of April to the 5th of May.

That was the reason why I said at the beginning that in fact there was any coup d'état, but that what really existed was merely a friction of inferior character, that could have been settled by a little good will part of a powerful mediator. It is so more true that there was no coup; that could justify, and even so it could not have justified that dismemberment of the American marines, that even Gen. Arias made efforts to give respect to his own disregard of the President's authority. It is possible if in our constitutional laws there would have been provided a mode of arbitration in similar cases, it would have been settled as to who was right. Arias's friends in the chamber began to agitate anew an accusation that had been presented five months before, with the object of putting the President in a peculiar state of intradiction and to prevent in that way adopting an official position for removing the secretary of war. The President of the Republic on his part, believed that he could not appear before the senate to answer charges brought by the chamber of deputies. The process here is the same as in the United States.

Impeachment is instituted in the chamber of deputies, and the senate acts as a high court. The President thought, and he so made it known to the senate by means of the secretary of the interior and police, that he could not physically appear in the city before the senate, because the chamber was surrounded and supported by military forces that he thought were rebels.

That was the situation on the 3d of May, when Capt. Crossley demanded his marines upon the island and the legation of the United States according to declaration of the 22d of May of the same Minister Rusconi. Landing coincided with the resolution made by President Jimenez to remove by force the rebel secretary of war. The rebel secretary of war in that case of not obeying the authority of the President of the Republic, but not the author of a coup d'état that never existed in fact.

On the 6th of May the forces of the Government, two days after the embarkment of the marines, attacked, without any help of the marines, were in a state of expectation—

Senator POMERENE. During this period, from April 28 to May 5, if I stand you correctly, the armed forces of the Republic were under the command of the secretary of war and were not obeying the President.

Mr. LAGRANO. Yes. I must explain that it is not the forces of the Republic. The forces in the city—the garrison of the city of Santo Domingo—were under the control of the President of the Republic had the control of the rest of the country, with the exception of the fortress of Santiago, where there was a commander-in-chief of the secretary of war, who was not either in a state of open rebellion or in a state of expectation.

Senator POMERENE. Let me put this in another way: Then, if I understand you correctly, you mean to say that the forces of the Republic which were in the city were under the control and command of the secretary of war?

Mr. LAGRANO. Certainly.

The CHAIRMAN. That they were in active sympathy—these forces—were in sympathy with a majority in both chambers, unfriendly to President Jimenez.

Mr. LAGRANO. The military forces of Santo Domingo, according to the law, have no right to deliberate, but just obey according to law the orders of the minister of war.

These events coincided in point of time, but independently of one another.

(Whereupon the committee adjourned until Monday, December 12, 1893, 9 o'clock a. m.)

# INQUIRY INTO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

MONDAY, DECEMBER 12, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Santo Domingo City.*

The committee met at 9 o'clock a. m. pursuant to adjournment.

Present: Senators Pomerene and Jones; Senator Pomerene presiding.

Also present: Mr. Howe and Mr. Knowles.

The CHAIRMAN. Let the record show that we convened and Mr. Knowles withdrew the witness, Mr. Lagrono, temporarily, for the purpose of introducing me other and additional testimony.

Mr. KNOWLES. Senator, I was asked on Saturday to present certain credentials. One of the credentials I have in my hand, and I would like to submit it to the committee.

The CHAIRMAN. Are they in English or Spanish?

Mr. KNOWLES. They are in Spanish. I can, however, have a translation made.

The CHAIRMAN. I wish you would have them translated for the record, and then we can incorporate them a little later on.

Mr. KNOWLES. Yes; I will do that. There are certain records that I would like to have produced before the commission that are in the possession of the military government. I would like to have a record showing the total amount of fines that has been collected from the natives during the military occupation.

The CHAIRMAN. Now, let me understand. Do you mean the total, or do you want an itemized list?

Mr. KNOWLES. No. I will be content with the total. It would take too much time to have it itemized.

The CHAIRMAN. Of course, if you desire yourself to investigate these records any time, they will be placed at your disposal.

Mr. HOWE. You mean, collected in the military court?

Mr. KNOWLES. Yes. If those records, however, are in such form as they are immediately available, I would like to see them now; but if not, I will take the total amount for the present.

The CHAIRMAN. If the committee had known that it was your desire to have them we would have had them placed at your disposal at once.

Mr. KNOWLES. I would like also the record of the proceedings, or the official account, in regard to the death of Gen. Ramon Bautista, also of Vincente Angelista and of Capt. Knox.

The CHAIRMAN. What was that in respect to Capt. Knox?

Mr. KNOWLES. The record in connection with his death.

I would like to have brought from the prison, under such circumstances as the military authorities deem proper, that he may be available for my examination. Armando Cabral.

The CHAIRMAN. You mean before the committee—examination before the committee?

Mr. KNOWLES. Well, possibly, later, after I have had an opportunity of talking with this witness. I think it will be that I will ask that he come here to testify to the committee. In any case, I would like to see the witness Armando Cabral.

Mr. HOWE. When and where do you want him produced?

Mr. KNOWLES. They could bring him here to this building.

Mr. HOWE. To the palace?

Mr. KNOWLES. Yes.

The CHAIRMAN. Why can not you go down there and see him and make some arrangement to have a conference with him?

Mr. KNOWLES. If that is available to me.

The CHAIRMAN. I don't know what the military regulations are.

Mr. KNOWLES. It would be better that way.

The CHAIRMAN. And then at any time you indicate we will see that arrangement is made. At least we have no objection now to it.

Mr. KNOWLES. Will you just add one more record I would like to have.

There is a document that has been published, either here or in Washington that gives a report of the commission on claims. And also an itemized statement of the different public works contemplated, with the estimated cost of each of the constructions.

Mr. HOWE. At what period the estimates?

Mr. KNOWLES. Well, this is for works to be constructed.

The CHAIRMAN. Let us see what you mean by that. There are a number of works that the committee are advised have not been completed, and I am without knowing anything about the facts, that it is the purpose to complete all of these works which are incomplete for one reason or another, principally because of financial conditions, as I take it. Will you want a complete statement of the works that have been contemplated?

Mr. KNOWLES. No; Senator. This is what I am asking. There is a pamphlet that is published that I had with me on the steamer and in some way somehow it has disappeared.

The CHAIRMAN. A pamphlet printed by whom or by whose authority?

Mr. KNOWLES. By the military government.

The CHAIRMAN. Oh, well, that ought to be available.

Mr. KNOWLES. Showing the estimate of the different public works that proposed to construct and the amount of the total cost and the particulars of each one of the projects.

Mr. HOWE. Is that the one [showing Mr. Knowles a pamphlet]?

Mr. KNOWLES. No; it is not that.

The CHAIRMAN. Well, what you want is the information that is contained in that pamphlet?

Mr. KNOWLES. Yes; or the pamphlet, if it is available.

Mr. HOWE. The point is, Mr. Chairman, there have been several projects of public works.

The CHAIRMAN. Can you give a little more definite description? Commander Lake says he does not recognize it from your description.

Mr. KNOWLES. This is an official publication, something about the size of one that Mr. Howe just held up to me that contains among other things a report of the commission on claims, the total amount of the claims, the amount that the committee agreed to pay, and how the payment was made. Some in bonds and some in cash.

Senator JONES. That is all in this report [indicating a pamphlet].

Senator POMERENE. Is this the report that you had in mind?

Mr. KNOWLES. That is not the report I refer to.

Senator JONES. Well, it contains the information you refer to.

Mr. KNOWLES. In addition, that pamphlet contains, which this does not, a page long of some 30 or 40 different buildings that it is proposed to build and the estimated cost of those buildings.

Mr. HOWE. All in one pamphlet?

Mr. KNOWLES. Yes; all in one pamphlet.

The CHAIRMAN. All right. The commander will look that up, and he will inform the committee tentatively that it may take some little time to get some information.

Mr. KNOWLES. I understand. I don't expect it immediately. As soon as we can get it.

Senator JONES. Is that what you want on that page [indicating]?

Mr. KNOWLES. Yes.

Senator JONES. "The history of the public debt," as appears in the report of the department of state of finance and commerce of the Dominican Republic for the period of 1916 to 1919, inclusive, and estimates for 1920 submitted by Arthur H. Mayo, and on pages 59, 60, and 61, the list of the actual and prospective expenditures appear, and also on pages 53, 54, 55, and 56.

The CHAIRMAN. Let the record show that these portions to which Senator Jones has referred and which are parts which Mr. Knowles wanted introduced in the record will be introduced here tentatively, with this reservation.

er Senator McCormick comes here I think we may introduce the whole record, that if that is done we will introduce the whole record at this point, instead of the particular parts to which you refer. My own judgment is that the whole report will be of interest to those who are investigating the subject. I think we might just as well dispose of this now, and we will introduce this report of the department of state of finance and commerce of the Dominican Republic for the period of 1916 to 1918, inclusive, and estimates for 1920, submitted by Arthur H. Mayo, lieutenant commander of Supply Corps, United States Navy, the officer administering the affairs of the department of state of finance and commerce for the military government. And you can furnish a stenographer with another copy of this. I want to keep this.

Mr. KNOWLES. I have a copy of that, Senator.

The CHAIRMAN. I want to keep this for my own record.

Mr. HOWE. Then, Mr. Chairman, it may very well be that the report for the coming year should be presented and introduced here.

The CHAIRMAN. Yes; I think that is proper.

Mr. HOWE. Because in that report the project was changed.

The CHAIRMAN. Very well.

Mr. KNOWLES. Is that in pamphlet form, Mr. Howe?

Mr. HOWE. I believe so.

Senator JONES. Yes; it is in pamphlet form.

The CHAIRMAN. Then furnish Mr. Knowles with a copy of that. Now, we are ready to proceed.

Now, Mr. Knowles, for the advice of the committee have you in mind now any other special parts of this report to which you wish to direct the attention of the committee?

Mr. KNOWLES. No other part, Senator.

The document directed to be introduced in the record at this point is as follows:)

**REPORT OF DEPARTMENT OF STATE OF FINANCE AND COMMERCE OF THE DOMINICAN REPUBLIC FOR THE PERIOD 1916 TO 1918, INCLUSIVE, AND ESTIMATES FOR 1920.**

Submitted by Arthur H. Mayo, lieutenant commander, Supply Corps, United States Navy, the officer administering the affairs of the Department of State of Finance and Commerce for the military government.]

*SANTO DOMINGO CITY, R. D., November 30, 1920.*

*MILITARY GOVERNOR OF SANTO DOMINGO,*

*Santo Domingo City, R. D.*

**INTRODUCTION:** As an introduction to this report it seems fitting that a brief record should be made of the causes leading up to the intervention of the United States in Santo Domingo.

Disturbed political conditions in the Dominican Republic created debts and claims against the Government amounting in 1907 to over \$30,000,000. These debts and claims were a burden to the country and a barrier to progress. The Republic effected a conditional adjustment under which the total sum payable amounted to not more than \$17,000,000. Part of the plan of settlement was the issue and sale of bonds to the amount of \$20,000,000, of which that part not required for the settlement of claims was to be devoted to the purchase of public concessions and to public works. The plan was conditional upon the assistance of the United States in the collection of the customs revenues of the Republic, and the Dominican Republic requested the United States to give assistance. This the United States consented to do, and in pursuance of the consent the American-Dominican convention of 1907 was entered into. Under this convention bonds to the face value of \$20,000,000 were issued in 1908 and the service of the 1908 loan has proceeded regularly and without interruption. In the year 1912 the United States Government consented to an increase of Dominican public debt by \$1,500,000, and the Dominican Republic contracted an amount secured by the customs receipts, subject only to the prior payment of the 1908 bonds. This loan was finally paid off in 1917.

Meanwhile the contracting of new indebtedness by the Dominican Government, without the consent of the United States, went on rapidly until the debts and claims against the Government aggregated over \$15,000,000. In a great measure the new indebtedness was due to the political disturbances and revolutions which were of continual occurrence in the Republic. In June, 1916, during a period of revolt and particularly unfortunate financial management, the American Government took action to establish order.

The control of the finances was taken over temporarily by the general receiver of Dominican customs. A special deputy general receiver was appointed—James Horton Edwards—and placed in direct charge of the contaduría de hacienda. This official, with three American assistants, immediately commenced work in an endeavor to bring order out of chaos and to do away with the thousands of accumulated accounts which the creditors of the Government were loudly demanding be paid. The cash balance of the Government in June, 1916, was \$14,234.63 minus, and supply bills and salaries unpaid for many months. Orderly government had been broken down in time and the morale of the employees of the Government, who had not been paid for months, was very low. Fraud against the revenues of the Government had for some time flourished without fear of either detection or punishment.

The financial system of the Government was disorganized. The collection of the internal revenue was irregular and only a fraction of what was due to the Government ever reached the national treasury. There was no effective check on disbursements, and while a budget system existed, the provisions of the budget received little attention and were only adhered to in so far as convenient to do so.

The immediate problem confronting the United States officials in charge of the finances was to sift the legitimate pending current accounts from the fraudulent ones. The difficulties attending this task will be realized when borne in mind that the frequent and violent changes in Government had led the people in general to believe that there was little wrong in defrauding the Government. Public office was considered more in the light of a license to take tribute from the national funds than as a sacred trust. In fact, the salaries paid to officials were so low as to almost make imperative the augmentation of their salaries by any means available. Pay rolls of a dozen or more were presented with unmistakable evidence of having been prepared and signed by one man who had attempted to simulate the handwriting of a dozen or more men. Instances were found where officials duly certified their right to the salary of an office who had never been within 30 miles of their work or office. In some cases it was discovered that it was the custom of the heads of some offices to certify the salary of all the employees of the office and to pay the employees as they deemed necessary. Pay rolls were found pledged by the heads of offices to local speculators who had purchased them for trivial amounts. Accounts for supplies never delivered, yet certified to as correct by the heads of the country, were presented and the number of accounts in which quantities delivered had been raised were almost innumerable. Reparations and damages committed by Government and revolutionary troops in the wake of political disturbances amounted to a very considerable item. The general office of the Government did not and could not, under the lack of system, contain an accurate record of the finances. Attempts to audit and rectify them were found hopeless, and they were only useful in determining the amount of pending accounts. Even for that purpose they were found to be worthless as in many cases they had been deliberately falsified.

At first an attempt was made to pay current accounts where their necessity could be established, but on August 14, 1916, all payments were suspended for the time being.

#### PROCLAMATION OF MILITARY OCCUPATION.

On November 29, 1916, acting under the direction of the President of the United States, Capt. (now Rear Admiral) H. S. Knapp, United States Army, declared the Republic in a state of military occupation and subjected it to military government.

The proclamation of occupation was as follows:

"Whereas a treaty was concluded between the United States of America and the Republic of Santo Domingo on February 8, 1907, article 3 of which reads:

"Until the Dominican Republic has paid the whole amount of the debt its public debt shall not be increased, except by previous agreement between the Dominican Government and the United States. A like agreement shall be necessary to modify the import duties, it being an indispensable condition for the modification of such duties that the Dominican Executive should recognize that the President of the United States recognize that on the exports and importations to the like amount and the like character as two years preceding that in which it is desired to make such modification."

at customs receipts would at such altered rates of duties have been for each such two years in excess of the sum of \$2,000,000 United States gold.'

"Whereas the Government of Santo Domingo has violated the said article 3 more than one occasion; and

"Whereas the Government of Santo Domingo has from time to time explained such violation by the necessity of incurring expense incident to the repression of revolution; and

"Whereas the United States Government, with great forbearance and with a friendly desire to enable Santo Domingo to maintain domestic tranquillity and observe the terms of the aforesaid treaty, has urged upon the Government of Santo Domingo certain necessary measures which that Government has been unwilling or unable to adopt; and

"Whereas in consequence domestic tranquillity has been disturbed and is not now established, nor is the future observance of the treaty by the Government of Santo Domingo assured; and

"Whereas the Government of the United States is determined that the time has come to take measures to insure the observance of the provisions of the aforesaid treaty by the Republic of Santo Domingo and to maintain the domestic tranquillity in the said Republic of Santo Domingo necessary thereto:

"Now, therefore, I, H. S. Knapp, captain, United States Navy, commanding the cruiser force of the United States Atlantic Fleet and the armed forces of the United States stationed in various places within the territory of the Republic of Santo Domingo, acting under the authority and by direction of the Government of the United States, declare and announce to all concerned that the Republic of Santo Domingo is hereby placed in a state of military occupation by the forces under my command and is made subject to military government and to the exercise of military law applicable to such occupation.

"This military occupation is undertaken with no immediate or ulterior object of destroying the sovereignty of the Republic of Santo Domingo, but, on the contrary, is designed to give aid to that country in returning to a condition of eternal order that will enable it to observe the terms of the treaty aforesaid and the obligations resting upon it as one of the family of nations.

"Dominican statutes, therefore, will continue in effect in so far as they do not conflict with the objects of the occupation or necessary regulations established thereunder, and their lawful administration will continue in the hands of such duly authorized Dominican officials as may be necessary, all under the oversight and control of the United States forces exercising military government.

"The ordinary administration of justice, both in civil and criminal matters, through the regularly constituted Dominican courts will not be interfered with by the military government herein established; but cases to which a member of the United States Forces in occupation is a party, or in which are involved contempt or defiance of the authority of the military government, will be tried in tribunals set up by the military government.

"All revenue accruing to the Dominican Government, including revenues thereto accrued and unpaid, whether from custom duties under the terms of a treaty concluded on February 8, 1907, the receivership established by which remains in effect, or from internal revenue, shall be paid to the military government herein established, which will, in trust for the Republic of Santo Domingo, hold such revenue and will make all the proper legal disbursements therefrom necessary for the administration of the Dominican Government and for the purposes of the occupation.

"I call upon the citizens of and residents and sojourners in Santo Domingo to cooperate with the forces of the United States in occupation to the end that the purposes thereof may promptly be attained, and that the country may be restored to domestic order and tranquillity, and to the prosperity that can be attained only under such conditions.

"The forces of the United States in occupation will act in accordance with the military law governing their conduct, with due respect for the personal and property rights of citizens of and residents and sojourners in Santo Domingo, holding Dominican laws in so far as they do not conflict with the purposes for which the occupation is undertaken.

H. S. KNAPP,

*Captain, United States Navy,*

*Commander Cruiser Force, United States Atlantic Fleet.*

U. S. S. 'OLYMPIA,' flagship,  
Santo Domingo City, D. R., November 29, 1916."

It will be noted that this proclamation provided that:

"All revenue accruing to the Dominican Government, including revenue hitherto accrued and unpaid, whether from custom duties under the treaty concluded on February 8, 1907, the receivership established by the treaty remains in effect, or from internal revenue, shall be paid to the military government herein established which will, in trust for the Republic of Santo Domingo, hold such revenue and will make all the proper legal disbursements there necessary for the administration of the Dominican Government and for the purposes of the occupation."

On December 1, 1916, the military government resumed payments, because apparent at once that it would be impossible to meet the large amount of claims presented from current income.

By executive order No. 4, dated December 8, 1916, Paymaster I. T. Hagler (United States Navy (now Commander I. T. Hagner, Supply Corps, United States Navy) was appointed to administer the office of secretary of finance and commerce for the military government. The military government proceeded at once to reorganize the finances of the country. A new system of accounts was opened. The collection of internal revenue was placed under the direction of an American official—Mr. Walter M. St. Elmo—and a supply department was organized under the direction of Mr. John Loomis. Provision was made for an audit of accounts and an effective control over disbursements was put in effect.

By executive order No. 9, issued December 18, 1916, an auditing department was established for the purpose of auditing all revenue, disbursement and property accounts of the Dominican Government.

At the time the military government began it was the practice to require in payment of customs and other taxes certificates of indebtedness from former Dominican Governments when legally due accounts could not be paid in cash. In view of the imperative necessity of administering the affairs of the Dominican Republic under the military government and meeting its obligations from current income it became necessary to issue executive order No. 15, requiring that all revenues and income due to the Dominican Republic be paid in cash and that no document or evidence of indebtedness of any kind be received in lieu thereof. It was also ordered that no account, claim, or certificate antedating or originating before the establishment of military government be paid except duly authenticated salary claims for services rendered and for supplies actually furnished and covered by appropriations in the budget of 1916.

There had been during 1916 such an extensive business conducted by speculators and others in loaning money on prospective salaries of officers and employees, and these speculators had become so insistent in their demands against the Government for the payment to them of the salaries of the officers and officials that it became necessary for the military governor to dictate executive order No. 16, to the effect that the departments of the Government were not and would not be regarded as collecting agencies for debts against individuals and inviting attention to the fact that the remedy of creditors against personal indebtedness lay in the ordinary process of law. It was plainly evident that the Government did not condone the nonsettlement of indebtedness by its employees and that evidence of such nonsettlement might, in the discretion of the Government, suffice to cause the removal of offenders.

The military government having been in effect but a short time and no recent data being available to render the preparation of a new budget for the year 1917 practicable, executive order No. 17 was enacted and by it the budget for the year 1916 was ordered continued in force for the year 1917 until it should be practicable to prepare a new budget. This in effect the enacting of the appropriations in the same amount and for the same purpose for 1917 as had been in force for 1916.

Effective February 1, 1917, the duties and functions of the commanders of the ports were transferred from the department of war and marine to the department of finance and commerce and the deputy receivers of customs were put in charge of the duties which had formerly been performed by the mandancias de puertos. This change was inaugurated by executive order No. 18, dated January 8, 1917, and effected the centralization of responsibility for the handling of shipping and of port facilities, which rendered an improvement in port conditions practicable.

There being insufficient shipping under the Dominican flag to carry the coastwise trade of the Republic, by executive order No. 22, dated January 15, 1917,

917. foreign vessels of any nation were permitted to engage in coastwise trade between Dominican ports subject to regulations to be issued by the general receiver of Dominican customs. This facilitated commerce.

As has been mentioned above various claims were being presented to the military government for payment based on services rendered, materials supplied or funds loaned to the Dominican Government for purposes of an extraordinary nature, and which were not specifically provided for by any article of the budget. Such claims and pending accounts constituted part of the floating indebtedness of the Dominican Republic incurred without the consent of the United States required by the American Dominican convention of 1907. It was decided that all such claims and accounts should be placed in a class of claims reserved for future adjustment, and provision was made by executive order 32, dated 30 February, 1917, for acknowledgment and registration by the *contaduría general de hacienda*.

One of the troublesome matters which arose at this time was that frequently more than one person held appointment to the same office, and in some cases those holding appointment had never officially been to their offices or rendered any service, yet they demanded their salaries on the ground that an appointment entitled them to a salary no matter whether they had rendered any services or not. This class of appointment holders was so persistent in urging its claims, that it became necessary to enact executive order No. 34, dated 3 February, 1917, serving notice that the possession of an appointment did not in any sense imply a right to the salary corresponding to an office unless the appointee had actually occupied such position and performed the duties hereof; and advising that vouchers covering same might legally and honestly be certified to for the payment of salary only in accordance with the above. It was also necessary to set forth in this order that the amounts appropriated for the purchase of supplies or for defraying expenses in connection with the performance of official duties were in no sense perquisites of an office nor a part of the salaries of such officials to whose office the allowances pertained. This order declared it to be an infraction of law to sign any false receipt or certify any rolls or other documents or in any manner attempt to collect or procure the collection of an improper or fraudulent account against the Dominican Government, either for services rendered or materials or funds alleged to have been furnished and placed a penalty of a fine of from \$100 to \$1,000 or imprisonment for from one month to one year for any violation of the terms of this order. This law had a very salutary effect. It had the immediate effect of deterring the unscrupulous from manufacturing false claims and, although it has been violated on a few occasions, there is no doubt that it materially reduced the number of fraud against the revenues.

The next important step taken in the form of legislation affecting this department particularly was executive order No. 36, dated 23 of February, 1917, which provided that no material, supplies, or property should be purchased, or indebtedness of any kind incurred for the account of the Dominican Government by any officer or employee, except upon formal authorization of the officer administering the department of finance and commerce. In the past almost any official of the Government would, if he chose order supplies for his account of the Government. Such a practice resulted in the creation of needless indebtedness, and as no records of the property purchased were maintained and no accountability required for the same, though typewriters and office equipment and materials of kinds were being purchased continuously, at least 80 per cent of the public offices were either without any furniture or equipment at all or with but a table or desk or two and a few miserable chairs. It seems to have been the practice to procure equipment by purchase for the Government's account only to sell it out of the back door of the office for the private account of some individual officeholder. Officials collecting revenues frequently paid for supplies ordered by them but never delivered, from revenues collected, deducting the said payments and depositing in the treasury the balance only. The enactment of executive order No. 36 stopped a practice which had undoubtedly cost the Dominican Government many thousands of dollars. At the same time a system of property accountability was placed in effect and it was provided that unexpendable property could only be disposed of upon recommendation of a board of survey. The supply division of this department will be treated of further in a separate section of the report.

Under executive order 42, dated 17th of March, 1917, the International Banking Corporation, of New York City, was appointed depository of funds for the Dominican Government, and the officer administering the affairs of the depart-

ment of finance and commerce was authorized to execute the necessary work to establish the respective rights, obligations, and duties of the contracting parties.

A special tribunal, to be known as the Dominican claims commission of 1917, was created for the purpose of settling outstanding claims against the Dominican Republic which had their origin after the adjustment made to conform to the terms of the American Dominican convention of 1907 and before the establishment of the military government by the United States under the provision of November 29, 1916, and of making an estimate of the amount due to the claimant, and for the purpose of recommending ways and means for the settlement of these claims. This commission was composed of the following members:

Mr. J. H. Edwards, president.

Lieut. Col. J. T. Bootes, United States Marine Corps.

Mr. M. de J. Troncoso de la Concha.

Mr. Emilio Joubert.

Mr. Martin Travieso, jr.

On June 8, 1919, Lieut. Commander Ralph Whitman replaced Col. Bootes as a member of the claims commission, Col. Bootes having been ordered to return to the United States.

Mr. John Brewer was named to succeed Mr. Martin Travieso, jr., who resigned effective November 29, 1919.

This commission was created on the 26th of June, 1917, by executive order No. 60. By executive order No. 65, dated July 9, 1917, the powers of the commission, and its duties were set forth. Executive orders Nos. 77 and 169, issued at various periods, amplified the powers of the claims commission.

By the middle of 1918 the claims commission had rendered a preliminary report to the military governor covering the claims presented for registration but not yet adjudicated, showing that more than 8,800 claims had been presented, representing a face value of \$15,000,000. The commission expressed the opinion that many of the claims would not be sufficiently substantiated to warrant payment of the full face value as claimed, and that in all probability the amount required to liquidate the awards would be much less than the value of the claims presented.

The consent of the Government of the United States, required by the terms of the American Dominican convention of February 8, 1907, for the increase of the financial debt of the Dominican Republic, was obtained, and executive order No. 193, dated August 2, 1918, provided that all awards made by the Dominican claims commission of 1917 should be paid in bonds of the Dominican Republic at par, provided, however, that all fractional amounts of such awards in excess of \$50 should be paid in cash. This measure was necessary, due to the abnormal conditions existing in the financial centers of the world and to the impracticability of negotiating a foreign loan at this time for the purpose of providing for the payment in cash of the said awards. For the payment of interest on said bonds and of the principal the good faith of the Dominican Republic was irrevocably pledged, and it was ordered that the obligations created should not be impaired by any law or decree which the Government of the Dominican Republic or any other authority thereof might subsequently enact or issue, or by any interpretation thereof, or by any interpretation of any law or decree heretofore enacted or issued, but said bonds, when duly issued, should constitute a legal and binding obligation of the Government of the Dominican Republic until properly redeemed and paid. The necessary amounts for the payment of the amortization and interest were pledged from the customs receipts of the Dominican Republic as an additional charge upon the customs revenues after their application to the first four objects designated in Article I of the American Dominican convention of 1907 and before any amount from the customs receipts could be made to the Dominican Government. The general receiver of Dominican customs was authorized to make the necessary deductions and to pay same to the International Banking Corporation, New York, the fiscal agents of the bond issue.

Certain bankers and others who deal in such securities expressed the opinion that there was a possibility of the termination of the American Dominican convention of 1907 before the retirement of all the bonds of 1918, issued under the provisions of executive order 193, above mentioned, and the termination thus raised affected adversely the market value of the said bonds, increasing the possibility of the termination of the said American Dominican convention before the redemption of all the bonds of the 1918 issue, which was wholly dependent upon the amount of customs revenues collected, and consequently the value

which additional amounts are applied to the sinking fund for the redemption of the bonds first issued in 1908, it became advisable and necessary to provide for additional payments for account of the amortization fund for the redemption of the 1918 bonds in order that the market value of the said bonds might be maintained on a parity with the bonds of 1908. Therefore by executive order 272, dated March 31, 1919, additional amortization to the extent of 60 per cent of the one-half of the surplus above \$3,000,000 of customs revenues from imports and exports collected by the general receiver of Dominican customs, which would otherwise accrue to the Dominican Government, was made applicable to the purchase and retirement of the 1918 bonds, and the general receiver of Dominican customs was authorized to make the necessary segregations and payments to the fiscal agents of the loan.

This department has constantly endeavored to assist claimants to whom bonds of the 1918 issue were awarded to market their bonds and in 1919 entered into a contract with the Fletcher American Co., of Indianapolis, Ind., for the purchase and resale of these bonds. Bonds of the par value of approximately \$1,000,000 were delivered to the Fletcher American Co. on this contract. The Dominican Claims Commission had expected to complete the adjudication of the claims before it by December 31, 1919, and the contract with the Fletcher American Co. had therefore been so worded as to require delivery of such bonds as they were obligated to purchase by January 31, 1920. The claims commission was not successful in completing its work in time to permit of such delivery, and as in the meantime the bond market in the United States had been depressed to such an extent that these bonds could not be successfully marketed in the United States at a reasonable price, the Fletcher American Co. declined to renew their contract. At the date of writing this report conditions have improved considerably and during the past month or two it has been possible to remarket a considerable quantity of bonds in the United States.

The Dominican Claims Commission of 1917 completed the settlement of the existing debt of the republic in August of this year. Inasmuch as there were approximately 9,000 claims filed and as the records of the treasury were inaccurate, involved, and in some cases had been falsified, it is easy to imagine a tremendous amount of work involved. A résumé of the work just finished by the claims commission is given below:

total number of claims filed.....	9,038	
total amount of claims filed.....		\$16,960,513.48
claims definitely disposed of:		
Awards.....	6,287	4,292,343.52
Rejections.....	2,610	7,496,796.38
Annulled.....	48	211,982.16
Without the jurisdiction of the commission.....	93	437,832.93
Total.....	9,038	12,438,954.99
collected and deducted items of adjusted claims.....		4,521,558.49
		16,960,513.48
total amount of awards has been liquidated as follows:		
Bonds issued.....		4,025,600.00
Cash paid in lieu of bonds of series L, \$50 denomination.....		135,700.00
Cash paid in settlement of fractional amounts of less than \$50.....		131,043.52
Total awarded.....		4,292,343.52

All executive orders mentioned above relating to the Dominican claims commission of 1917, and the bond issue of 1918, to meet the awards of the commission will be found printed in full in the appendix to this report.

#### FIDELITY FUND.

Because of the fact that employees of the Government had not proved themselves to be entirely worthy of trust in the past it was an impossibility for them to obtain fidelity bonds from any reliable bonding companies. It seemed expedient to arrange some method for the bonding of all Government officials occupying positions requiring the handling of funds or property. There was therefore established under the terms of executive order No. 88, issued the 27th

of October, 1917, a fidelity fund of \$100,000 and it was required that every person, officer, or employee handling public funds, or who was responsible for the custody or safe-keeping of public property, should give bond under this fund for the faithful performance of his duties. The premium for this was fixed at three-fourths of one per cent per annum; two-thirds of the premium to be paid by the Government and one-third to be withheld from the salary of the bonded officer or employee. It was provided that all claims against the fidelity fund should be prepared and certified to by the Encargado de la Contaduría General de Hacienda and forwarded together with evidence relating thereto to the secretary of finance and commerce. Upon approval by the secretary of finance and commerce and by the executive the claim would then become a legal claim against the fidelity fund and the necessary amount paid to the account from which the loss or defalcation occurred. This plan has so far worked successfully and, while there have been a number of losses, the premiums paid by the employees have covered the losses to date. There is at present pending a case which may result in the first appreciable loss to this fund. The employee guilty of embezzlement in a case committed suicide when detection became a certainty. It has been found, however, only by requiring a regular and frequent inspection of accounts that losses have been avoided. While this inspection has effected good results in the case of National Government funds, there are only too frequent occurrences where inspectors find that municipal treasurers have misappropriated funds belonging to the municipalities and in their care.

The conservative policy maintained resulted in the accumulation of a surplus of 1919 of \$3,270,203.97, from which it has been practicable to make special appropriations for public works totaling \$3,270,203.97. These appropriations have been used for the building of roads, schools, public buildings, and for port improvements. Every effort is being bent to the prompt completion of the roads, which will open up and permit of the development of the interior. When it is remembered that when the United States intervened in the finances of the Dominican Republic the treasury balance was minus \$14,234.63 and that current salaries and bills had been unpaid for six months, the effect of the change in the management of the finances is made clear. At the second Pan-American financial convention held at Washington, D. C., in January, 1920, at which the Dominican Republic had the honor of representing the Dominican Republic, the conference committee from the Dominican Republic, composed of bankers, economists, and business men of large affairs, in its resolutions stated that from a study of the financial condition and information supplied by the official delegation that it had been established that:

"(a) That the financial condition of the Dominican Republic as a result of the currency reforms and fiscal system described in the annexed report is excellent and that the finances are established on a sound basis which will permit the further growth and development of the Republic," and resolved

"(1) That this committee takes pleasure in endorsing the policy pursued and at present pursued in establishing currency reform and a fiscal system which has resulted in the present satisfactory financial condition of the Dominican Republic and which will permit of the further growth and development of the Dominican Republic's resources."

There is shown on the following pages a statement of estimates of income and expenditures for the years 1916 to 1920, taken from the budgets of those years:

#### Año 1916.

##### Ingresos:

Se presupone como ingreso probable del año la suma de \$4,465,000.00

##### Así distribuida. Aduanas—

Derechos de importación	\$3,400,000.00
Derechos de puerto	65,000.00
Derechos de exportación	200,000.00

3,725,000.00

##### Impuestos—

Sobre alcoholes	150,000.00
Sobre estampillas	100,000.00

250,000.00

##### Comunicaciones—

Venta de sellos de Correo	36,000.00
Telégrafos y Teléfonos	5,000.00
Radiografía	5,000.00

46,000.00

## Ingresos—Continúa.

Derechos Consulares, Consulados varios		\$36,000. 00
Especies timbradas, Papel sellado		80,000. 00
Propiedades del Estado—		
Arrendamientos	\$700. 00	
Alumbrado Ría Ozama	3,800. 00	
Ventas Públicas	600. 00	
Derechos de Registro	5,000. 00	
Muelles del Estado	200,000. 00	
Apartados de Correos	300. 00	
Ferrocarril C. Dominicano	120,000. 00	
Registros de Marcas de fábrica	600. 00	
		<u>331,000. 00</u>
		4,468,000. 00

## deducir:

Para intereses y amortización del empréstito de \$20 millones	1,200,000. 00	
del empréstito de 1912	360,000. 00	
50% del exceso sobre \$3 millones de los ingresos aduaneros que se destinan a aumentar el fondo de amortización del empréstito de \$20 millones	330,000. 00	
Reembolsos probables por derechos aduaneros cobrados con exceso	12,000. 00	
Reembolsos probables por derechos aduaneros cobrados en exceso, sobre el artículo X de la Tarifa Aduanera	2,512. 00	
Tarifa Aduanera sobre artículo 180 Ley de Aduanas	2,852. 00	
Honorarios personales	14,000. 00	
Suma para cancelar la acreencia de los Sres. Noboa & Recio a cargo del Estado, según Resolución del Congreso Nacional publicada en la "Gaceta Oficial" No. 2593, a razón de \$2,507.81 mensualmente	30,093. 72	
		<u>1,951,457. 72</u>
		2,516,542. 28

## Ingresos:

Capítulo I	4,468,000. 00	
A deducir	1,951,457. 72	
		<u>2,516,542. 28</u>

## Ingresos:

Capítulo II Poder Legislativo	97,960. 00	
Capítulo III Poder Ejecutivo	19,920. 00	
Capítulo IV Poder Judicial	296,556. 00	
Capítulo V Interior y Policía	262,818. 00	
Capítulo VI Rel. Exteriores	111,536. 46	
Capítulo VII Hac. y Comercio	300,250. 04	
Capítulo VIII Guerra y Marina	690,909. 00	
Capítulo IX Justicia e I. P.	268,244. 00	
Capítulo X Agricultura e Inm.	16,520. 00	
Capítulo XI Fomento y Comun.	332,596. 00	
Capítulo XII Cámara de Cuentas	7,800. 00	
Capítulo XIII Gastos Imprevist.	50,000. 00	
		<u>2,455,109. 50</u>
Superavit		61,432. 78
Año 1917.		

## Ingresos:

Se presupone como ingreso probable del año la suma de	4,468,000. 00
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## Así distribuida, Aduanas—

Derechos de importación	\$3,460,000. 00
Derechos de puerto	65,000. 00
Derechos de exportación	200,000. 00
	<u>3,725,000. 00</u>

## Ingresos—Continúa.

## Impuestos—

Sobre alcoholes.....	\$150,000.00
Sobre estampillas.....	100,000.00

\$250.00

## Comunicaciones—

Venta de sellos de Correo.....	36,000.00
Telégrafos y Teléfonos.....	5,000.00
Radiografía.....	5,000.00

46.00

## Derechos consulares, consulados varios.....

30.00

## Especies timbradas, papel sellado.....

50.00

## Propiedades del Estado—

Arrendamientos.....	700.00
Alumbrado Ría Ozama.....	3,800.00
Ventas Públicas.....	600.00
Derechos de Registro.....	5,000.00
Muelles del Estado.....	200,000.00
Apartados de Correos.....	300.00
Ferrocarril C. Dominicano.....	120,000.00
Registros de Marcas de fábrica.....	600.00

331.00

4,468.00

## A deducir:

Para intereses y amortización del empréstito de \$20 millones.....	1,200,000.00
del empréstito de 1912.....	360,000.00
50% del exceso sobre \$3 millones de los ingresos aduaneros que se destinan a aumentar el fondo de amortización del empréstito de \$20 millones.....	330,000.00
Reembolsos probables por derechos aduaneros cobrados con exceso.....	12,000.00
Reembolsos probables por derechos aduaneros cobrados en exceso, sobre el artículo X de la Tarifa Aduanera.....	2,512.00
Tarifa Aduanera sobre artículo 180 Ley de Aduanas.....	2,852.00
Honorarios personales.....	14,000.00
Suma para cancelar la acreencia de los Sres. Noboa & Recio a cargo del Estado, según Resolución del Congreso Nacional publicada en la "Gaceta Oficial" No. 2593, a razón de \$2,507.81 mensualmente.....	30,003.72

1,951.72

2,516.28

## Ingresos:

Capítulo I.....	4,468,000.00
A deducir.....	1,951,457.72

2,516.28

## Egresos:

Capítulo II Poder Legislativo.....	97,960.00
Capítulo III Poder Ejecutivo.....	19,920.00
Capítulo IV Poder Judicial.....	296,556.00
Capítulo V Interior y Policía.....	262,818.00
Capítulo VI Rel. Exteriores.....	111,536.46
Capítulo VII Hac. y Comercio.....	300,250.04
Capítulo VIII Guerra y Marina.....	690,909.00
Capítulo IX Justicia e I. P.....	268,244.00
Capítulo X Agricultura e Inm.....	16,520.00
Capítulo XI Fomento y Comun.....	332,506.00
Capítulo XII Cámara de Cuentas.....	7,800.00
Capítulo XIII Gastos Imprevist.....	50,000.00

2,455.00

Superavit.....

Google

ño 1918.

grosos:

Balance aproximado al 31 de Diciembre de 1917, empoder del Depositario designado	\$1, 600, 000. 00
Se presupone como ingreso probable durante el año 1918, la suma de	6, 210, 000. 00
Distribuida así—	
Derechos de Importación	4, 380, 000. 00
Derechos de Exportación	300, 000. 00
Derechos de Puerto	120, 000. 00
Derechos de Consulares	75, 000. 00
Impuesto de Muelles	200, 000. 00
Impuesto de Alcoholes	250, 000. 00
Impuesto de Estampillas	280, 000. 00
Papel Sellado	160, 000. 00
Ferrocarril Central Dominicano	320, 000. 00
Sellos de Correos	40, 000. 00
Telégrafos y Teléfonos	20, 000. 00
Radiografía	5, 000. 00
Arrendamientos	500. 00
Ventas Públicas	500. 00
Derechos de Registro	7, 000. 00
Apartados de Correos	500. 00
Marcas de Fábricas	500. 00
Intereses sobre Depósitos	20, 000. 00
Derechos de registro, licencias y multas impuestas por la nueva Ley de caminos	5, 000. 00
Suma destinada por la Orden Ejecutiva No. 88 y no gastada, para la parte proporcional que corresponde al Gobierno en los premios del Fondo de Fidelidad	25, 000. 00
Extraordinarios	1, 000. 00
	<hr/>
	\$8, 210, 000. 00
	<hr/>
	7, 810, 000. 00

deducir:

Para intereses y amortización del empréstito de \$20,000,000	1, 200, 000. 00
50 por ciento del exceso sobre \$3,000,000 de los ingresos de importación y exportación y que se destinan al fondo de amortización del empréstito de \$20,000,000	840, 000. 00
5 por ciento sobre \$4,800,000 estipulado en la Convención Dominico-Americana para que la Receptoría cubra los gastos de recaudación	240, 000. 00
Para el servicio del nuevo empréstito	375, 000. 00
Honorarios personales según la Ley de Aduanas y Puertos	20, 000. 00
60 por ciento de los fondos cobrables de acuerdo con una Ley de Caminos para trabajos especiales en caminos y carreteras	3, 000. 00
40 por ciento de los fondos cobrables de acuerdo con una nueva Ley de Caminos atribuido a los Municipios	2, 000. 00
Para reembolsos probables según art. X de la Ley de aranceles de importación y de exportación	10, 000. 00
Para reembolsos probables por derechos aduaneros cobrados en exceso	10, 000. 00
Para reembolsos según art. 180 de la Ley de Aduanas y Puertos	5, 000. 00
Para el reembolso de sumas que sean cobrados en exceso sobre rentas internas por errada aplicación de las Tarifas u otras causas, inclusive los reembolsos autorizados por la Orden Ejecutiva No. 64	12, 000. 00

## A deducir—Continúa.

Para cubrir los sueldos, gastos de entretenimiento, mejoras, etc., del Ferrocarril Central Dominicano	\$320,000.00	
Para cubrir los gastos de las remesas al Agente Fiscal en New York del Empréstito de \$20,000,000	10,000.00	
Balance al 31 de Diciembre, 1917, destinado a ser invertido de tiempo en tiempo por medio de autorizaciones especiales en mejoras publicas, obras de utilidad y fomento, trabajos especiales, etc	1,600,000.00	
		<b>\$4,647.00</b>
		<b>3,163.00</b>

## RESUMEN.

Ingresos:		
Capítulo I	7,810,000.00	
A deducir	4,647,000.00	
		<b>3,163.00</b>
Egresos:		
Capítulos—		
II. Poder Legislativo	8,280.00	
III. Poder Ejecutivo	21,468.00	
IV. Poder Judicial	508,790.52	
V. Interior y Policía	265,928.00	
VI. Relaciones Exteriores	71,307.25	
VII. Hacienda y Comercio	483,494.00	
VIII. Guerra y Marina	713,221.50	
IX. Justicia e Instrucción P	378,680.00	
X. Agricultura e Inmigración	92,210.00	
XI. Fomento y Comunicaciones	409,154.00	
Superavit	210,466.73	<b>3,163.00</b>

## Año, 1919.—Ingreso:

Balance aproximado y no comprometido por Ordenes Ejecutivas, al 31 de Diciembre, 1918		1,500.00
Se presupone como ingreso probable durante el año 1919 la suma de \$8,173,000, distribuida así—		
Derechos de Importación	3,680,000.00	
Derechos de Exportación	200,000.00	
Derechos de Puerto	120,000.00	
Derechos de Consulares	80,000.00	
Impuesto de Muelle	200,000.00	
Impuesto de Producción Alcohol	450,000.00	
Rentas Internas provenientes del recargo sobre los derechos de Importación	160,000.00	
Rentas Internas sobre Documentos	160,000.00	
Rentas Internas sobre Productos, Domésticos	240,000.00	
Ferrocarril Central Dominicano	180,000.00	
Sellos de Correos	55,000.00	
Telégrafos, Teléfonos y Radiografía	50,000.00	
Arrendamientos	1,000.00	
Ventas Públicas	2,500.00	
Derechos de Registro	10,000.00	
Apartados de Correos	2,000.00	
Marcas de Fábricas	500.00	
Intereses sobre Depósitos	75,000.00	
Impuestos Ley de Caminos	10,000.00	
Diversos y Multas	10,000.00	
Excedentes Fondo de Fidelidad 1918	7,000.00	
Ley de Patentes	500,000.00	

6,173.00

7,973.00

deducir:

Para intereses y amortización del empréstito de \$20,000,000-----	\$1, 200, 000. 00
50 por ciento del exceso sobre \$3,000,000, de los ingresos de importación y exportación y que se destinan al fondo de amortización del empréstito de \$20,000,000, 5% estipulado en la Convención Dominico-Americana para que la Receptoría cubra los gastos de recaudación-----	200, 000. 00
Para intereses y amortización de la emisión de bonos de 1918-----	500, 000. 00
Honorarios personales según la Ley de Aduanas y Puertos-----	20, 000. 00
60 por ciento de los fondos cobrados de acuerdo con la Ley de Caminos para trabajos especiales en caminos y carreteras-----	6, 000. 00
40 por ciento de los fondos cobrados de acuerdo con la Ley de caminos, atribuido a los Municipios-----	4, 000. 00
Para reembolsos probables según Art. X de la Ley de Aranceles de importación y de exportación-----	10, 000. 00
Fondos dedicados a la Instrucción Pública, provenientes de la Ley de Patentes-----	500, 000. 00
Para reembolsos probables por derechos aduaneros cobrados en exceso-----	10, 000. 00
Para reembolsos según Art. 180 de la Ley de Aduanas y Puertos-----	5, 000. 00
Para el reembolso de sumas que sean cobradas en exceso sobre Rentas Internas, por errada aplicación de las Tarifas u otras causas, inclusive los reembolsos autorizados por la Orden Ejecutiva No. 64-----	10, 000. 00
Para el pago a los Ayuntamientos durante el año 1919, de conformidad con el Art. 79 de la Ley de Rentas Internas-----	80, 000. 00
Para el pago en efectivo de las sumas menores de cincuenta pesos, de las adjudicaciones de la Comisión Dominicana de Reclamaciones de 1917-----	200, 000. 00
Para pago de indemnizaciones y gastos, de acuerdo con el sistema postal de cartas certificadas-----	2, 500. 00
Reserva para Obras Públicas en proyecto-----	835, 000. 00
Fondo de Reserva-----	400, 000. 00
	<hr/> \$4, 422, 500. 00
	<hr/> 3, 550, 500. 00

## RESUMEN.

Capítulo I-----	\$7, 973, 000. 00
deducir-----	4, 422, 500. 00
	<hr/> \$3, 550, 500. 00

Capítulos:

II. Poder Legislativo-----	8, 280. 00
III. Poder Ejecutivo-----	28, 360. 00
IV. Poder Judicial-----	558, 630. 28
V. Interior y Policía-----	1, 175, 085. 22
VI. Relaciones Exteriores-----	65, 583. 21
VII. Hacienda y Comercio-----	487, 304. 00
VIII. Justicia e Instrucción P-----	462, 500. 00
IX. Agricultura e Inmigración-----	198, 545. 00
X. Fomento y Comunicaciones-----	532, 516. 00
	<hr/> 3, 516, 813. 71

Superavit----- 33, 686. 29

Año 1920.

## Ingresos:

Balance aproximado y no comprometido por Ordenes Ejecutivas, al 31 de Diciembre, 1919 .....		\$1,400.00
Se presupone como ingreso probable durante el año 1920, la suma de \$6,929,800, distribuida, así:		
Derechos de Importación y Exportación.....	\$3,300,000.00	
Derechos de Puerto.....	56,000.00	
Derechos Consulares .....	75,000.00	
Impuesto de Muelle.....	25,000.00	
Impuesto Producción Alcohol.....	765,000.00	
Rentas Internas sobre Documentos.....	165,000.00	
Rentas Internas sobre Productos Domésticos.....	275,000.00	
Sellos de Correos.....	70,000.00	
Telégrafos, Teléfonos y Radiografía.....	75,000.00	
Arrendamientos.....	1,500.00	
Ventas Públicas.....	2,500.00	
Derechos de Registro.....	18,000.00	
Apartado de Correos.....	4,200.00	
Marcas de Fábricas.....	900.00	
Intereses sobre Depósitos, etc.....	90,000.00	
Impuesto Ley de Caminos (O. E. No. 101).....	16,000.00	
Diversos.....	7,500.00	
Excedente Fondo de Fidelidad.....	7,000.00	
Multas.....	28,200.00	
Recargos y Transferencias de Patentes.....	16,000.00	
Ferrocarril Central Dominicano.....	150,000.00	
Ley de Patentes.....	582,000.00	
Ley de Impuesto a la Propiedad.....	1,200,000.00	
		<b>6,929.80</b>
		<b>8,329.80</b>

## A Deducir:

Para intereses y amortización del empréstito de \$20,000,000.....	\$1,350,000.00
Para intereses y amortización de la emisión de Bonos, 1918, por \$5,000,000.....	551,669.00
5 por ciento estipulado en la Convención Dominico-Americana para que la Receptoría cubra los gastos de recaudación.....	165,000.00
Honorarios personales, según Ley de Aduanas.....	30,000.00
60 por ciento de los fondos cobrados de acuerdo con la Ley de Caminos para trabajos especiales en caminos y carreteras.....	9,000.00
40 por ciento de los fondos cobrados de acuerdo con la Ley de Caminos atribuidos a los Municipios.....	6,400.00
Art. X de la Ley de Aranceles de importación y de exportación.....	2,500.00
Para reembolsos probables por derechos aduaneros cobrados en exceso.....	7,500.00
Para reembolsos de derechos sobre efectos para las fuerzas militares.....	3,500.00
Para reembolsos de sumas que sean cobradas en exceso sobre Rentas Internas por errada aplicación de las Tarifas u otras causas, inclusive los reembolsos autorizados por la Orden Ejecutiva No. 64.....	6,000.00
Pago a los Ayuntamientos, de acuerdo con la Ley de Impuesto a la Propiedad.....	600,000.00

deducir—Continúa.

Reserva para Obras Públicas en proyecto-----	\$876, 701. 00	
Fondo de Reserva-----	500, 000. 00	
		\$3, 918, 870. 00
Balance-----		4, 420, 930. 00
Total-----		8, 329, 800. 00

## RESUMEN.

grosos:		
Capítulo I-----	\$8, 329, 800. 00	
A deducir-----	3, 908, 870. 00	
		4, 420, 930. 00

regos.

Capítulos—

II. Poder Legislativo-----	3, 420. 00	
III. Poder Ejecutivo-----	34, 240. 00	
IV. Poder Judicial-----	627, 409. 28	
V. Interior y Policía-----	852, 746. 00	
VI. Sanidad y Beneficencia-----	182, 991. 15	
VII. Relaciones Exteriores-----	62, 653. 21	
VIII. Hacienda y Comercio-----	603, 000. 00	
IX. Agricultura e Inmigración-----	183, 620. 00	
X. Fomento y Comunicaciones-----	658, 756. 00	
XI. Justicia e Instrucción P-----	1, 170, 264. 00	
		4, 379, 099. 64

Superavit----- 41, 830. 36

## REVENUE LAWS.

very effort was made beginning at an early period of the military government to insure that all revenue of every nature reached the national treasury; guard expenditures and to prevent illegal incurring of indebtedness. Administrative audit regulations Nos. 1 to 7 were issued during this period, as also Executive Order No. 89, dated October 29, 1917. These orders and regulations dealt mainly with the depositing of collections; the accountability funds and property; the inspection of accounts and their audit.

he one certain source of income at the time that the military government established was the customs revenues which had, under the American dominican convention of 1907, been collected by a general receiver of Dominican customs appointed by the President of the United States. Under honest control collections of this revenue had increased from \$2,500,000 in 1905 to \$4,000,000 in 1916. The internal revenues had not been efficiently administered, however, those charged with their collection were careless and negligent in requiring compliance with the laws. While the general laws affecting the internal revenue had some good points, in other particulars they were bad and all of them had been poorly enforced because of the almost impossibility of punishing offenders against the law and because in many cases the officials charged with the collections either because of friendship or through bribery winked at violation of the law. The internal revenue taxes were therefore made a subject of study with the object of replacing them by laws which would insure the taxes due to the Government would be collected and would find their way to the national treasury without deduction of any nature. Mr. Walter St. John did excellent work in the drafting of the new measure, which was placed in effect. Prof. Fred R. Fairchild, of Yale University, was also called into consultation by the Military government, and under date of January 26, 1918, rendered a comprehensive report covering the existing sources of revenues and making recommendations in regard to such changes as appeared to him to be necessary and practicable. The chief sources from which internal revenue was derived were the following: Papel sellado, estampillas, sellos de correos, derechos consularios, muelles de Estado, alcoholes, radio and telephone charges, derechos de registro, arrendamientos, marcas de fabrica.

Executive Order No. 158, enacted a new ley de patentes, the product of which was to support public education, and under Executive Order No. 197, dated August 19, 1918, a new general internal revenue law was enacted.

Executive Order No. 282 of April 10, 1919, placed in effect in the Dominican Republic for the first time a direct tax on property. This latter order has been amended in such manner as to make it more equitable and just and such changes as were found expedient after a year of operation. The section of internal revenue will be treated of somewhat more in detail in a subsequent section of this report.

#### WHARFAGE AND STORAGE CHARGES.

Early in 1918 it became advisable to revise the tariff of wharfage and storage charges. This was accomplished by Executive Order No. 139 of February 16, 1918, which provided a schedule for wharfage dues and charges and placed the collection of the same under the several interventores de aduana requiring them to account for and remit all funds collected to the aduana general de hacienda. The administration and control of the wharves, warehouses, and customs premises, including the necessary police power, also vested in the interventores de aduana. The general receiver of customs was given authority by this order to arrange by contract with reliable individuals and firms for the lighterage and handling of goods on wharf and to fix the rates to be charged by the contractor for such services. This department has in course of preparation an executive order modifying the mentioned and exempting from wharfage dues all articles either imported or shipped from wharves not owned by the Government. It is held by this department that inasmuch as no service is rendered by the Government in such cases, no charge should be made.

#### SALE AND TRANSFER OF VESSELS.

Under Executive Order No. 140 it was prescribed that no vessel registered and licensed under Dominican law, should be sold or transferred without the permission of the Military government in each individual case. A violation of the order was made subject to a fine of not more than \$200,000 or imprisonment for not more than one year, or both, and vessels sold or transferred in violation of the order were made subject to confiscation. This order was enacted March 22, 1918, and made effective immediately. The order has been successful and no violations thereof have come to the attention of this department.

#### REGISTRATION OF TITLES UNDER EXECUTIVE ORDER NO. 203.

There have been registered in this department under the provisions of Executive Order No. 203 to November 1, 1920, 523 titles recording legal sales of land from the Government to those persons who were entitled to titles who were able to prove that they had fully complied with the requirements of the said executive order and the decrees of the Dominican Government which the said order was based.

#### DOMINICAN SURVEY FUND.

By executive order No. 207, dated September 12, 1918, the sum of \$1,000,000 was set aside as the "Dominican survey fund" to provide for a topographical survey, with triangulation control, of the Dominican Republic and of its natural resources. The survey is being made by the Geological Survey of the United States, and to December 31, 1919, expenditures to the amount of \$80,487.92 had been made from this fund. The cost of the work according to date indicates that the appropriation of \$900,000 will be insufficient to provide for the completion of the work, and it is believed that an additional appropriation of \$200,000 will be necessary to carry the work through to its completion. The present funds will cover all expenditures during 1920 and however, the matter of additional appropriations will be taken up at a later date but in ample time to insure that there will be no interruption or delay in the completion of the survey.

#### LOANS TO MUNICIPALITIES.

In order to encourage the municipalities of the Republic to undertake works which would improve the living conditions of the people and promote health, comfort, and convenience, the military government, by Executive Order No. 208, dated September 12, 1918, authorized loans to ayuntamientos of not over \$500,000, the individual municipality being limited to \$50,000.

one time. It was required that the principal of such loans made be liquidated by a fixed number of equal payments to be determined by the executive through this department, but in no case to be less than 5 per cent of the principal. The rate of interest was to be determined in like manner, but in no case was the rate of interest to be less than 5 per cent. The interest and liquidation charges were made a first lien upon the revenues of the municipality. In order that the Government might be thoroughly protected it was provided that the financial affairs of any municipality should, during the existence of a loan contracted by it under the provisions of the above order, be subject to inspection and audit at any time by agents of the National Government, and that should occasion arise, in the discretion of the executive, the financial affairs of the municipality should be subject to control and actual administration by an agent of the National Government. It was further provided that contracts for works for public utilities constructed from loans received from loans made under this order should be subject to the approval of the secretary of fomento y comunicaciones. This order has been issued by Executive Order No. 439, dated the 27th of March, 1920, which set the limit of the total of such loans to \$1,000,000 and provided that the loans should not exceed the following amounts:

Municipalities having a population of—	
10,000 or less.....	\$50,000
10,000 to 15,000.....	75,000
15,000 to 25,000.....	100,000
25,000 or over.....	200,000

Loans made under the provisions of these two orders up to the time of this report are as follows:

*Loans to municipalities for public works.*

Romana.....	\$50,000	Comendador.....	\$5,000
Do.....	7,000	El Cercado.....	5,000
Chona.....	25,000	San Juan.....	5,275
Do.....	11,000		
Do.....	35,000	Total.....	147,275
Mella.....	14,650		

**ELIMINATION OF CUSTOMS SEIZURES ON TECHNICALITIES.**

Under the Dominican law the proceeds of sales and fines arising from violations of the provisions of the law of customs and ports were distributed among the customs employees and others who detected the said violations. The law of customs and ports was very strict in its requirements, and made liable to seizure even though it were plainly evident that such errors were not made from any intent to violate the law or evade the payment of customs charges. This system, while putting the employees of the customs on their inquiry for violations of the law, resulted in a great deal of injustice being done under cover of the law, since the merest technicalities invoked for seizure of goods and the application of fines. This condition was so bad as to discourage exporters in foreign countries from doing business in the Dominican Republic, many exporters preferring to pass up the losses rather than run the risks of losses by seizure of goods and fines. There had been no intent to defraud the revenues. To correct this situation, Executive Order No. 218, dated the 3d of October, 1918, was issued, amending articles 176 and 180 of the law of customs and ports. This amendment, while clearly defining under what circumstances merchandise could be seized and fines applied, also provided that the proceeds of such sales and fines should be paid to the Government; that no part thereof or other compensation should be paid to informers or other persons who seized or caused to be seized merchandise under the provisions of the order. This amendment has thus eliminated the cases of injustice, and now where simple and evident violations are made the customs authorities are able to waive same, or if it seems necessary assess merely a nominal fine.

LIEUT. COMMANDER I. T. HAGNER BY LIEUT. COMMANDER ARTHUR H. MAYO.

Under date of October 15, 1918, and under authority of executive order No. 1, Lieut. Commander Arthur H. Mayo, Supply Corps, United States Navy, was temporarily relieved Commander I. T. Hagner, Supply Corps, United States

Navy, of the duties of the administration of the affairs of this department. Commander Hagner returned to the Republic on December 4, 1918, and date resumed his duties in this department. He was permanently relieved Lieut. Commander Mayo on February 5, 1919, under authority of Executive Order No. 253, who still has the honor to administer this department.

#### NEW CUSTOMS TARIFF.

By executive order No. 207, dated September 12, 1918, a commission composed of the following gentlemen was appointed to prepare a revision of Dominican customs tariff:

Mr. J. H. Edwards, special deputy general receiver of customs, president Alfredo Ricart y O., president of the chamber of commerce, Santo Domingo; Mr. R. H. Vorfeld, of Washington, D. C.; Mr. Julio Senior, special customs receiver; Mr. R. Aburquerque, interventor de aduana, Santo Domingo; Mr. L. E. Lavandier, official translator, customs receivership.

The commission made a very careful study of the tariff in force at the time and of the changes desirable, and on July 21, 1919, rendered a preliminary report of a comprehensive nature, discussing in the said report the requirements of the Government; the advisability of reductions and curtailments in revenues other than customs duties; the advisability of the addition of certain groups of imports to the free list; tonnage and wharfage dues; the reduction of storage charges; stamps on customs documents; the condition of export duties; protection to Dominican industries and to Dominican culture; the possibility of quasi reciprocity with the United States; transportation to and within the Dominican Republic; the project of a free zone in Samana Bay; and the extension of bonded-warehouse facilities. This report also outlined in general the plan which the commission recommended be followed in the preparation of a new tariff.

The recommendation of the tariff commission was approved by the governor, and the preparation of the new tariff was proceeded with. Completion of the tariff, as required by the American-Dominican convention, the consent of the United States Government was secured and the tariff placed in effect on January 1, 1920, by Executive Order No. 322. Under the new tariff transportation media, agricultural machinery and tools, industrial machinery, building material, and in general all articles necessary for the development of the Republic were placed upon the free list. The rates of duty were reduced on articles of necessity where the reduction would assist in the cost of living.

That this action has been for the best interests of the country, when it is known that it has resulted in an increase in importations. In the first five months of its operation amounting in tons of cargo imported to 70 per cent, while following the rule of tariff revision the increase in importations even at the reduced rates has resulted in record collections. The customs collections under this tariff from January 1 to December 30 are given below, together with the collections for the corresponding months of the previous year under the old tariff.

*Comparative statement, by months, of the customs collections for 1919, and 1920.*

	1920	1919
January.....	\$512,253.52	\$304,704.36
February.....	537,970.51	345,302.17
March.....	531,675.92	352,901.14
April.....	709,346.68	312,632.13
May.....	569,164.32	347,932.45
June.....	601,597.79	333,779.30
July.....	536,554.62	312,506.05
August.....	564,042.41	309,373.00
September.....	497,691.58	293,209.05
October.....		319,906.10
November.....		402,061.08
December.....		419,152.51
	5,063,300.51	4,367,736.36

The president and members of the tariff commission deserve the gratitude the Republic for their careful, conscientious, and valuable work in the preparation of the tariff.

#### DEPOSITARIES FOR GOVERNMENT FUNDS.

Under Executive Order No. 292, dated May 12, 1919, it was provided that government funds may be deposited in such bank or banks as may be designated in writing by the officer administering the affairs of the department of finance and commerce. This order also provided for the deposit of bonds of the Government of the Dominican Republic or of the Government of the United States of America as security for deposits. Bonds to an amount equal or exceeding at par value of 25 per cent of the amount of any deposit were required and also that all funds of the Dominican Government or of the municipalities intrusted to or collected by the municipalities should be deposited only in such banks as may have been designated as a Government depositary under the terms of the order. To date the following banks have been designated as depositaries for Government funds: International Banking Corporation, American Foreign Banking Corporation, and the Banco Territorial y Agrícola de Puerto Rico.

#### ADDITIONAL FUNDS FOR THE MUNICIPALITIES.

On the 15th of February, 1920, by Executive Order No. 402, additional funds amounting to \$250,000 annually were provided to be paid the several *comunes* in proportion to the proportion which the collections under the tax on *patentes* in common for the preceding calendar year bears to the total collection of *patentes* of the Republic for the same year. Under this order the *ayuntamientos* of each municipality are required to submit their budgets to the secretary of interior and police for approval, who takes such action thereon as he deems advisable after reference to the secretary of finance and commerce for comment and recommendation. Provision was also made for the rendition of accounts of the *comunes* to the *contador general de hacienda*. In the event of failure to comply with the above provision, payments to the *comunes* may be withheld. It is believed that this order will have a good effect on the municipal treasurers and will lead to better methods of collection, disbursement, and accounting for the funds with which they are intrusted.

To provide the funds to be appropriated to the *comunes* under Executive Order No. 402, commented on above, an additional tax was placed upon alcohol and manufactures of tobacco by Executive Order No. 403.

Executive Order No. 413, issued February 28, 1920, provided that the remaindances of public instruction funds for the year 1919 should be deposited in the municipal treasurers in the national treasury in a special account to be called "Balances of public instruction funds for 1919," the said funds to be subject to appropriation by the Executive power upon recommendation of the secretary of justice and public instruction, for the purpose of providing schools in those *comunes* in greatest need thereof.

#### FUNDS FOR BENEFICENCE.

Executive order No. 496, amending executive orders No. 420 and No. 466, relating to lotteries conducted for charitable purposes, it was prescribed that in the event that it should become necessary to revoke the permit granted to a person or persons to conduct a lottery in the Dominican Republic the executive power might at its option continue the operation of the lottery through the agency of the secretary of finance and commerce. It was soon necessary to institute the prescriptions of this order and this department is at present conducting the *lotería benéfica*. The sums due to the beneficence fund and to the municipalities as well as all prizes have been regularly paid and the administration of the lottery is being efficiently conducted and at a cost considerably less than the allowance for administration purposes. Such balance as may exist in the administration fund at the end of the year will be deposited in the beneficence fund and used for the upkeep of hospitals, insane asylums, and other charitable institutions. The conduct of the lottery by this department has met with the approval of the people in general who have shown their confidence in its management and in the safeguards provided by the Government by purchasing all tickets available. The demand for tickets has been so great that it

is proposed to increase the number from 15,000 to 20,000 on January 1, 1920. The additional revenue thus made available for beneficence purposes permit that very helpful work to go forward more expeditiously with the greater good to the people of the Republic in need of the assistance by the institutions maintained from this fund.

#### LAW OF EMINENT DOMAIN.

Under executive order No. 480, dated May 20, 1920, the law of eminent domain was enacted. This law has assisted this department in securing land needed for public purposes with a minimum of delay. It provides for the expropriation of values in an equitable and just manner.

#### LAW OF PENSIONS.

The law of pensions was enacted by executive order No. 456, dated April 1, 1920. The benefits of this law accrue to every officer and employee of the Dominican Republic, including all persons paid from the national treasury who at the time of applying therefor have the following qualifications:

(a) Twenty years' Government service; service after the 1st day of January, 1917, to have been continuous.

(b) Sixty years old, or shall have suffered physical disability incurred as an officer or employee of the Government which render him physically unable to perform the duties of the position.

(c) Shall have been a Dominican citizen for at least 10 years. Civilian employees retired under the operation of this law receive one-half of the compensation of the position from which retired.

Members of the navy and military forces of the Republic receive three-fourths of the compensation which they received at the time of retirement.

#### DISBURSING SECTION.

A disbursing section was established in the contaduría general de hacienda shortly after the advent of the military government. It was essential that disbursements be legally made and be free from even a suspicion of irregularity. The centralization of this work in one office was decided upon only after a careful study of the subject, and it was adopted in the beginning with the rule that all revenues be deposited immediately upon collection in the Government depository and that all payments for salaries or materials would be made by official check drawn after the preparation and proper verification of voucher and bearing a notation on the face of the official check of the object for which it was drawn and the appropriation chargeable.

At first, to prevent the pledging of salary vouchers by officials with creditors in Government accounts, only nonnegotiable checks were issued by the Government, but after a lapse of two years the old pernicious practice was passed and it became possible for the convenience of the Government to resume the issue of negotiable Government checks.

The disbursing section does not handle one cent of actual cash. All payments on the Government depository are met by funds transferred daily on the books of the depository from the general account to a special disbursement account. The amount of the disbursement is recorded on the books of the depository in an amount equal to the checks issued. This is done by transfer of the amount approved daily by the contador general de hacienda.

The disbursing section has since its organization paid out more than \$1,000,000 by checks without a single loss. The personnel of this section consists of 10 employees by whom an average of 4,000 payments are recorded monthly. While the section was at first in charge of an important part of the Government work, for some time only Dominicans have been employed by it, and it is what may be accomplished by training in careful and accurate habits and by an adequate and carefully guarded system.

#### SECTION OF BOOKKEEPING AND ACCOUNTS.

This section had to be reorganized and a new and modern system installed. A complete new set of books were opened. An effort was made to accomplish the work with the Dominican personnel found in the Government. The bookkeepers were not competent, however, nor were any Dominican bookkeepers to be obtained, as the books kept in the hands of

ments in the country have been of the simplest kind and no trained accountants have been developed. As the activities of the Government increased, accurate accounting data became a necessity, it was found wise to place an American accountant in charge. The books are now intelligible and show a record of the Government's transactions in simple but complete form. The section is gradually developing a set of competent bookkeepers, but the changes in personnel are frequent, due to the fact that bookkeepers trained in this section find little difficulty in obtaining employment in the growing private business in Santo Domingo city. Until many more bookkeepers have been employed in the Republic there will be great difficulty in obtaining a thoroughly trained, competent personnel. Taking into consideration the difficulties encountered, the section is doing excellent work and the improvement in the books of the Government is quite noteworthy.

This section serves as an efficient check on the disbursing section, and errors in payment or classification of accounts would be discovered immediately by bookkeepers since the entries in the general cash book of the Government are based on the vouchers forwarded from the disbursing section.

#### SUPPLY SECTION.

Earlier in this report reference has been made to the irregularities in common practice in the purchase of supplies and equipment and of the necessity for the organization of a supply section. Executive Order No. 36 placed the responsibility on this department for the purchase of all supplies and equipment for the entire Government, and in order that such purchases might be efficiently made it became necessary to organize the present supply section. Purchases in Santo Domingo are made direct by this section. Purchases in the United States are made through the Government purchasing agent, W. R. Grace & Co. under requisition issued by the supply section and in accordance with the regulations prescribed by it. All purchases, except those of a trivial nature, are made competitively by sealed offers with public opening, the award being given in each case to the lowest responsible bidder on material, conforming to the specifications set forth in the schedules issued by the supply section. The purchasing agent in New York is also required to make all purchases in similar manner, submitting for the approval of the chief of the supply section a complete file of all bids received on each purchase made. The services of the purchasing agent have been in the main satisfactory, and it is believed

that the difficulty in securing supplies has not been due to want of zeal on the part of the purchasing agent, but rather to the unusual conditions existing in the industries in the United States, such as underproduction, strikes, and transportation troubles. The purchasing agent has an organization equal to or superior to any such house in the United States, and is equipped to handle business of any nature. They have shown a disposition to render as prompt and efficient a service as is physically possible and have at all times shown an earnest willingness to go out of their way to accommodate the Dominican Government.

When the supply section was first established, practically all Government supplies were possessed of very inadequate equipment, and as soon as funds became available requisitions were submitted, totaling to an amount which the treasury at that time could not have well borne. It became necessary for an officer in charge of the section of supplies to scrutinize carefully such requisitions, and he was given the authority to reduce all such requisitions to actual and necessary requirements of the offices submitting same. The supply section and the general supply account, established in connection therewith, have resulted in the necessity of carrying much smaller stocks of supplies for general issue than were each department to carry its own stock. Technical knowledge of stores and acquaintance with market conditions have prevented many unwise and unnecessary expenditures. It has been possible to standardize equipment in a much greater degree than would otherwise have been practicable. Considerable economies have been effected by purchase in large quantities where the nature of the material rendered same desirable, as served to simplify the accounting for Government property.

The supply section is also charged with the duty of maintaining a record of all equipment and unexpendable Government property in use in the several departments of the Government. Card records of same are maintained and an office is required to submit a semiannual inventory of articles actually on hand in the said office, expenditures only being permitted when a board

of survey and appraisal have so recommended. Where equipment, when for further use in the Government service, still has a sale value, it is not that it be turned in to the supply section for public sale.

This section could be greatly assisted by the cooperation of the other departments since in view of the fact that the vast majority of supplies and equipment purchased must be purchased in the United States if it is to be obtained at a reasonable price, or, in many cases, if it is obtained at all, a reasonable amount of notice is necessary, and the foresight of departments in requisitioning for supplies frequently leads to ask impossibilities in the way of delivery or necessitates purchasing the local market at unnecessarily high prices. On such supplies as are by all departments, or continuously by any one department, the supply section will endeavor to keep an adequate stock on hand to fill the normal demand that is not possible in the case of special equipment.

The motto of the supply section is service and it is its desire to render departments the greatest degree of efficient service in its power.

The supply section occupies three warehouses, carries a large stock of standard supplies, such as cement, lumber, gasoline, drugs, and office supplies and equipment. It has two motor trucks and has recently moved its office building which has been reconstructed with a special view to its necessities.

#### SECTION OF INTERNAL REVENUE.

The old department of Alcoholes and Estampillas was reorganized and became known as the Dirección General de Rentas Internas. Attention at once turned toward improving the collection methods, the establishment of efficient safeguards to insure that revenues once collected would reach the treasury and also to insure that the revenue laws were applied equitably that the same interpretation was given in all parts of the Republic.

During the year of 1917 some measures were taken of a corrective nature to make the laws already existing more equitable and workable. Executive order No. 53, dated May 4, 1917, regulated the collection of consular fees. Executive order No. 64, dated July 3, 1917, regulated the matter of refunds of internal revenue taxes on goods exported. Executive order No. 68, dated August 1, 1917, regulated the collection of a tax on alcohol imported into the country. Executive order No. 69, dated August 2, 1917, regulated the collection of taxes on imported articles.

While these new regulations were being given a trial the operation of revenue laws existing was carefully watched and a study made as to the necessity for further legislation. Day by day it became more and more apparent that fraud on a large scale against the revenue was being committed. In July, 1917, the director general of internal revenue seized the books and records of the largest distillery in the Republic. Evidence was obtained of fraud in the books, where only a transparent effort to disguise it had been attempted. The seizure was so unexpected that no opportunity was given for the destruction of written evidence. Proceedings were at once instituted in the court, but the case was finally settled out of court by the payment of the distillery of the sum of \$64,340.10. This case was typical of what was going on in the majority of distilleries in the Republic. Mechanics were installed in this distillery to measure accurately the alcohol produced, but the violator of the law had learned to cheat the meter. Mechanics, as they were at that time known, were employed by the Government to watch the meters, but no check was kept on the inspectors, and they were paid ridiculously low salaries, often as little as \$25 a month, which forced them to accept bribes to wink at violations of the law.

It soon became clear that an entire revision of the laws of internal revenue was necessary as well as the building up of a corps of men subject to checks as would prevent collusion between them and the violator of the law. The preparation of a new law of internal revenue was commenced.

It was also determined to place a new license law in effect, and on November 27, 1917, by executive order No. 98, it was announced that a new law would go into effect on March 31, 1918. There was no intention of imposing new taxes, but the old tax law was to be rewritten, improved, revised and administered under a plan that would eliminate fraud. The tax collected was to be paid to the communal treasurers and set aside for their instruction. Enforcement of the old license law (*ley de patentes*) was to be in the hands of the local municipal governments. Due to poor methods

practice of selling the right to collect taxes it was not a success. Of the taxes imposed and collected by the municipalities it is doubtful if more than 70 per cent of the taxes due and payable were ever collected, and in cases the cost of collection was enormously high, often reaching as much as 50 per cent. The license tax was collected in the same haphazard manner as the other taxes of the municipalities, and when the preparation of the new law was begun it was conservatively estimated that by centralizing collection under the National Government at least 30 per cent additional could be collected and that in addition the cost of collection would be very greatly lowered.

The best proof of the enforcement of a law and its proper administration is the result obtained. While exact figures are not available it is known that collections under this law, when entirely administered by the municipal government, did not amount to over \$260,000. The collections since the promulgation of the new law have been as follows: 1918, \$263,489.16 (part year); 1919, \$630,306.25; 1920, \$700,000 (estimated).

The ley de rentas internas, executive order No. 197, was issued on August 1918, only a few months subsequent to the license tax law. It took the place of the ley de alcoholes and the ley de estampillas. As indicated in the preceding paragraph the tax on alcohol had been poorly administered, but the abuses committed in the administration of the alcohol tax were far exceeded by illegal traffic in stamps and stamped paper. Government stamps and stamped paper had been used by the Government or by officials of the Government, to barter for the purpose of obtaining ready cash, and both were often used in large quantities at an almost ruinous discount. Officials of the Government frequently collected commissions on such sales. There was no efficient check to determine if stamps were used on documents as required by the law; therefore, the people were very lax on conforming to the requirements of the law.

Under the new law the former officials known as administradores de hacienda were made subject to the supervision of the director general of internal revenue and their title was changed to collectors of internal revenue. These officials as provincial collectors, as a basis, a corps of internal-revenue inspectors was built up and attached to the offices of the different cororias (collectors' offices) for convenience of administration. Directly under the contador general de hacienda were placed the special agents, five in number who were employed in checking up and inspecting the work of the collectors and collectors of internal revenue. A careful office inspection was also instituted of all reports of collections, and the records established soon were in such shape as to give warning if an inspector became lax in his work, and when it was found to be the case a special agent would immediately be sent to investigate the cause of the apparent falling off in collections. Special agents have authority to suspend collectors or inspectors if in their judgment it was necessary for the protection of the interests of the Government. That the system thus built up has proved efficient is evident when it becomes known that it has been necessary to prosecute but one inspector in the last year. The inspectors, 28 in number, are all Dominicans, very much better paid than heretofore, and when the temptations to which they are subject are considered they have made an enviable reputation for attention to duty and integrity.

Under the new internal-revenue law distilleries were required to discard the old meters and to store their alcohol in a separate part of their distilleries, the apartment is under complete supervision of the Government and to which alcohol can only be obtained in the presence of an inspector. The average collections on alcohol for the years 1909 and 1916, inclusive, was a little more than \$210,000 yearly. The collections for the year 1918 amounted to more than \$300,000, in 1919 to \$809,000, and it is estimated that the collections from this source of revenue for 1920 will be very close to \$1,000,000. The collections under the ley de rentas internas, executive order No. 197, for the year 1919, were as follows:

alcohol	\$809,270.21
tobacco, cigars, and cigarettes	243,560.59
rights on merchandise importations	154,845.02
on documents	247,549.20
other sources	125,642.08
<b>Total</b>	<b>1,583,867.10</b>

NOTE.—It should be noted that the above figures do not include receipts for wharfage, consular charges, posts and telegraphs, Government lands, incomes, property tax, or license tax.

One of the great helps in the administration of this law is the system of applying administrative fines, as in each case the fine would be large enough to be carried to court. Administrative fines are almost always accepted without question by the violator of the law, and the fact that such fines are levied promptly and immediately upon detection of fraud acts as a very effective deterrent to violation of the law.

There is submitted herewith a comparative statement showing the collections of all internal revenue for the first six months of 1919 and 1920 as well as a comparative statement of the entire years 1918 and 1919.

*Comparative statement of internal revenue for 1918 and 1919*

Source.	1918	
Telegraphs—telephones	\$37,543.27	
Civil register	13,938.70	
Public sales	2,938.77	
Stamped paper	100,011.98	
Alcohol tax	511,188.65	
Postage stamps	47,670.14	
Internal revenue stamps	383,570.97	
Rentals	983.98	
Central Dominicana Railway	87,957.80	
Docks	200,854.41	
Rental—Post-office boxes	4,169.55	
Registry—Trade-marks	440.00	
Radiograph	2,618.97	
Consular invoices	56,412.80	
Extraordinary	7,573.10	
Stamps	375.89	
Interest	93,158.22	
Consular fees	2,143.83	
Sale of laws	344.57	
Official Gazette	482.70	
Surcharge on licenses	2,331.04	
Licenses—Narcotic drugs	2,162.80	
Fidelity fund	12,100.73	
Transfer of licenses	1,372.00	
Fines	20,428.12	
Sales at agricultural station	262.65	
Sales, official paper	5.35	
Duplicate licenses	4.00	
Patents	50.00	
Sales of public property	24,678.32	
Forty per cent road tax	6,850.64	
Survey fund earnings		
Tuition students		
Property tax		
Total	1,697,163.32	1 M

*Comparative statement of collections of all internal revenue for the first six months 1919 and 1920.*

Source.	1919, six months	1920, six months
Derechos Consulares	\$34,315.00	
Impuesto Muelle	101,682.00	
Impuesto Producto Alcoholes	334,534.70	
Sellos Rentas Internas sobre Documentos	128,778.65	
Sellos Rentas Internas sobre Productos Domesticos	134,388.13	
Sellos de Correos	31,418.00	
Arrendamientos	434.41	
Ventas Publicas	732.00	
Derechos de Registro	7,794.30	
Apartados de Correos	2,041.55	
Marcas de Fabricas	200.00	
Telegrafos, Telefonos y Radios	34,888.67	
Recargo Ley de Patentes	4,015.57	

## Comparative statement of collections of all internal revenue for the first six months 1919 and 1920—Continued.

Source.	1919, six months.	1920, six months.
Anta Leyes.....	\$754. 15	\$139. 85
Certificado Drogas Narcoticas.....	1, 250. 00	1, 005. 00
Cargo Derecho Importacion.....	74, 413. 83	36, 563. 55
Costas Tribunales.....	9, 093. 11	12, 404. 90
Costas Ley de Patentes.....	1, 851. 00	1, 075. 50
Costas Rentas Internas.....	498. 00	715. 00
Costas Ley de Sanidad.....		10. 00
Costas Control de Alimentos.....	355. 00	
Costas Concesion Terrenos.....	250. 00	198. 00
Transferencias Patentes.....	2, 094. 00	
Costos Manutencion Caminos Nacionales.....	156. 00	
Costos Consulares Exterior.....	832. 86	1, 245. 80
Costa Papel Oficial.....	26. 90	130. 62
Certificado Suficiencia.....		865. 00
Costa Oficial.....	309. 20	409. 20
Estacion Experimental.....	517. 09	368. 83
Carro Central Dominicano.....	77, 040. 81	46, 613. 51
Costo Ley de Patentes.....	284, 718. 78	385, 150. 55
Costa efectos oficios manuales.....	110. 50	
Costo Ley de Caminos E. O. 329.....	15, 594. 50	19, 803. 31
Gastos Universidad.....	271. 50	255. 00
Impagos Patentes.....		34. 00
Costos Invenccion.....		205. 00
Laboratorio Nacional.....		565. 00
Costas Ley Inmigracion.....		250. 00
Costas Medicinas Hospital Militar.....		33. 50
Costas Extraordinarias.....	302. 56	53, 360. 35
Costo sobre la Propiedad 1919/20.....		194, 320. 54
Costo sobre la Propiedad 1920/21.....		288, 039. 44
Costas sobre Depositos.....		4, 693. 11
Costa Moneda Nacional.....		51, 908. 12
	1, 285, 812. 56	2, 219, 500. 54

## Statement of revenues in comparison with budget appropriations and sums devoted to reduction of public debt and public works from surplus.

Year.	Rentas internas.	Customs revenues.	Otras entradas.	Total receipts.	Payments for interest and amortization on public debt.
5.....	\$782, 144. 90	\$3, 967, 325. 44		\$4, 749, 370. 54	\$1, 953, 588. 13
7.....	1, 232, 697. 05	5, 408, 221. 68	\$22, 285. 37	6, 663, 214. 10	2, 721, 450. 97
9.....	1, 697, 163. 23	4, 563, 270. 69	476, 384. 31	6, 736, 818. 23	1, 851, 093. 18
1.....	3, 014, 230. 12	4, 572, 063. 62	644, 869. 49	8, 231, 163. 23	1, 953, 262. 82
12.....	3, 329, 800. 00	6, 200, 000. 00		9, 529, 800. 00	4, 180, 000. 00

  

Year.	Payments against budget appropriations and to communes.	Payments against special appropriations public works, etc., from surplus. <sup>1</sup>	Purchase of foodstuffs for resale.	Total payments.
5.....	\$2, 113, 551. 69			\$4, 067, 139. 82
7.....	2, 254, 011. 88			4, 975, 462. 85
9.....	2, 699, 157. 06	\$379, 045. 98	\$42, 056. 85	4, 971, 353. 07
1.....	3, 046, 235. 72	1, 319, 693. 23	926, 074. 76	7, 275, 266. 53
12.....	4, 950, 000. 00	2, 500, 000. 00	150, 000. 00	11, 780, 000. 00

These figures do not include expenditures made from the trust funds of the Dominican Government created in the Guaranty Trust Co. of New York for public works.  
1920 estimated.

# 998 INQUIRY INTO OCCUPATION OF HAITI AND SANTO DOMINGO.

*Estado Comparativo de los Egresos del Gobierno Dominicano durante años 1916, 1917, 1918, 1919 y el primer semestre del 1920.*

	1916.	1917.	1918.	1919.	1er 6 m. 1920.
Poder Legislativo.....	\$80,821.24	\$19,948.75	\$6,726.48	\$6,540.00	6.1
Poder Ejecutivo.....	14,338.23	4,212.56	18,549.44	12,000.00	12.1
Poder Judicial.....	223,165.53	379,893.87	471,657.40	528,572.97	52.1
Secretaría de Estado de Int. y Policía.....	191,338.02	240,363.88	623,985.40	366,116.73	36.6
Secretaría de Estado de Rel. Exteriores.....	98,722.06	72,736.61	55,044.69	59,994.79	5.9
Secretaría de Estado de Hac. y Comercio.....	148,676.83	183,557.94	287,068.95	433,403.25	43.3
Secretaría de Estado de Guerra y Marina.....	445,332.97	184,934.57	6,434.55		
Secretaría de Estado de J. e I. Pública.....	201,595.79	260,345.26	314,322.37	423,154.27	42.3
Secretaría de Estado de A. e Inmigración.....	9,899.88	8,001.07	66,237.99	93,891.44	9.3
Secretaría de Estado de Fomento y Comum.....	196,416.57	229,804.84	341,209.12	335,623.74	33.5
Secretaría de Estado de Sanidad y Benef.....					
Suministros y Equipos.....			213,763.60	462,414.72	46.2
Gastos Imprevistos y Miscelaneos.....	264,957.85	387,992.05	37,014.94	77,405.95	7.7
Presupuesto 1917 Pagos resagados.....			257,052.04	39,842.81	3.9
Presupuesto 1918 Pagos resagados.....				217,375.07	21.7
Presupuesto 1919 Pagos resagados.....					
Gastos y Reembolsos Recep. G. de Aduanas.....	238,586.72	282,170.48	348,853.51	326,531.44	32.6
Reembolsos de Rentas Internas.....				123,540.50	12.3
Pagos para ayudar a los Ayunt. O. F. No. 232.....				422,000.05	42.2
Compras Control Alimentos.....				832,692.29	83.2
Const. y Mayoras Incl. Apeo Dominicano.....			72,249.32	568,634.67	56.8
Pago de Reclamaciones 1918 en Efectivo.....			2,692.75	83,896.70	8.3
Redención de Bonos 1918.....			3,200.00	263,878.00	26.3
Pago de Intereses Bonos 1918.....			157.70	116,895.61	11.6
Amortización e Intereses Bonos 1908.....	1,593,588.13	2,414,644.47	1,845,042.73	1,488,668.51	14.8
Pagos al Nacional City Bank—Emprestio \$2,000,000.....	360,000.00	306,806.50			
Total Desembolsos.....	4,067,139.82	4,976,462.85	4,971,353.07	7,275,266.53	72.7
Menos Reembolsos Rentas Internas.....				125,840.50	12.5
Memos Reint. y Ventas Suministros y Control Alimentos.....	4,067,139.82	4,975,462.85	4,971,353.07	7,149,426.03	71.4
Egresos Retos.....		22,280.37	42,056.85	926,074.76	9.2
	4,067,139.82	4,953,182.48	4,929,296.22	6,223,351.27	62.2

## Notes:

Interior y Policía, Guerra y Marina:

En el año 1918 los gastos de Guerra y Marina fueron involucrados con los de Interior y Policía

Justicia e Instrucción Pública:

En el año 1920 la apropiación del Departamento de Instrucción Pública era aumentada en \$705,064.00.

Interior y Policía, Sanidad y Beneficencia:

Anterior al año 1920 los gastos por este concepto fueron pagados por el Departamento de Interior

Pagos para ayudar a los Ayuntamientos:

Representa la parte del Impuesto s/ la Propiedad distribuida entre los Municipios s/ la O. F. N. N.

Compras: Control Alimentos:

Fijese Ventas Control Alimentos en Estado de Egresos y años 1918, 1919, 1920 y rebajados de 19

*Estado Comparativo de los Egresos del Gobierno Dominicano durante los años 1916, 1917, 1918, 1919 y el primer semestre del 1920—Continúa.*

	1916	1917	1918	1919	6 meses, 1920
mpuesto de Alcoholes.....	\$216,711.83	\$326,061.91	\$511,188.65	\$909,270.21	\$483,987.80
mpuesto Muelles.....	201,194.46	238,838.02	200,854.61	195,034.25	134,394.78
ales Doc. y Papel Sellado.....	78,386.94	161,358.54	160,011.98	247,549.20	78,650.66
ales Prod. Domest. Recarg.					
Imp. Estamp.....	171,023.18	317,237.87	384,246.86	448,026.10	249,882.82
acturas y Dorechos Consulares.....	53,898.25	75,896.80	61,562.62	73,381.93	71,992.02
orreo, Teleg. Telef. y Radios.....	42,275.26	79,315.51	92,001.93	145,933.31	110,260.35
errocaril Central Dominicano.....	4,000.00		87,967.80	125,655.59	46,613.51
tereses y Primas de Fianzas.....		9,454.29	105,259.00	121,588.64	22,667.35
ultas.....			20,428.12	28,745.23	14,653.40
mpuesto sobre la Propiedad.....				740,024.07	482,359.98
aportes.....					385,150.55
entes Internes Diversas.....	14,654.98	24,534.11	73,641.66	79,021.59	104,953.36
Total Restas Internas.....	782,144.90	1,232,697.05	1,697,163.23	3,014,230.12	2,185,566.65
Restas Aduaneras.....	3,967,225.44	5,408,221.68	4,563,270.69	4,572,033.62	3,426,379.78
Otras entradas.....		22,295.37	476,384.31	644,869.49	213,272.60
Total Ingresos.....	4,749,370.34	6,663,214.10	6,736,818.23	8,231,133.23	5,825,219.04
enos Reint. y Ventes de					
Suminist. y Con. A.....		22,280.37	314,537.50	622,134.91	117,495.68
Total.....	4,749,370.34	6,640,933.73	6,422,280.73	7,608,998.32	5,707,723.36
enos Reembolsos de Rentes					
Internas.....				125,840.50	112,599.75
Ingresos Netos.....	4,749,370.34	6,640,933.73	6,422,280.73	7,483,157.82	5,595,123.61
<b>TALLE DE "OTRAS ENTRADAS."</b>					
ántegros y Cancelaciones.....		20,800.10	15,604.35	28,421.49	54,759.33
ntas Suministros.....		1,480.27	26,452.50	66,111.56	31,278.95
ndos Depositados.....		15.00	10,275.96	1,577.42	
ntas Control Alimentos.....			272,480.65	527,601.86	31,459.20
ndos Inst. Pública.....			151,570.85	27,157.16	2,721.43
ndos Inst. Pública 1919.....					93,055.49
Total.....		22,295.37	476,384.31	644,869.49	213,272.60

*egresos y egresos de la receptoria general de aduanas durante los años 1916/1919 con el 1° semestre del 1920.*

	1916	1917	1918	1919	1er. Semest. 1920
Balance Enero 1°.....	\$367,597.56	\$464,365.60	\$413,182.08	\$338,582.69	\$967,069.41
egresos.....	3,967,225.44	5,408,221.68	4,563,270.69	4,572,033.62	3,471,814.42
Total.....	4,334,823.00	5,872,587.28	4,976,452.77	4,910,616.31	4,438,883.83
egresos.....	3,870,457.40	5,459,405.20	4,637,870.08	3,943,546.90	3,903,233.15
Balance Dic. 31.....	464,365.60	413,182.08	338,582.69	967,069.41	535,650.68
<b>ANALISIS DE LOS EGRESOS.</b>					
ortización e Intereses:					
préstito \$2,000,000.00.....	360,000.00	308,806.50			
nos 1904.....	1,593,588.13	2,414,644.47	1,845,042.73	1,488,668.51	2,003,336.65
nos 1918.....			375,000.00	500,000.00	638,176.91
mesas a la Contaduría.....	1,678,282.55	2,455,763.75	2,068,973.84	1,638,346.91	1,099,722.74
stos y Reembolsos.....	238,586.72	282,170.48	348,853.51	326,531.48	161,996.85
Total.....	3,870,457.40	5,459,405.20	4,637,870.08	3,943,546.90	3,903,233.15

The cost of collection of all internal revenue has been reduced from 14 per cent in 1915 to 5 per cent in 1919.

Early in the present year, 1920, by Executive order 403, the tax on cigars is slightly more than doubled in order to raise additional revenues from which

to make payment of the \$250,000 set aside for municipalities by Executive order No. 402. This increase in taxation has met with some opposition from the cigar industry but it is believed that such slight opposition at first met with soon disappear.

#### SECTION OF THE PROPERTY TAX.

On April 10, 1919, a tax on property, Executive order No. 282, was promulgated by the military governor. It became necessary to organize a force to supervise and collect taxes laid under this law, as this tax on real property was an absolutely new form of taxation in Santo Domingo and the first tax ever placed upon the people. It was necessary that it be administered in such a manner as to create the least possible friction, and it was therefore essential that the employees of this section, and especially the tax assessors, should be men competent in their work and tactful and diplomatic in dealing with the Dominican people. This tax took the place of a number of other taxes which had been collected by the various municipalities and which bore heavily upon the poor and acted as a drag to business in general, and it was provided by the law that there be paid to the municipalities an amount equal to that which each municipality had collected under the taxes suppressed during the year 1917.

The people in general were informed of the nature of the tax by the publication of notices in the newspapers, by the civil governors of the Provinces, and by the military governor. Notices were sent through the country to explain the requirements of the tax law. All officials of this department, no matter where located, were also instructed to render any needed assistance to the people in the preparation of their declarations. While there was some grumbling, as was natural and to be expected against the first direct tax ever promulgated in Santo Domingo, the opposition soon gave way and the people in general paid their property tax cheerfully. Some of the large sugar estates protested against the tax, on the cause of its rate but for certain technical reasons. These protests also were dropped.

A complete new organization was built up. The first tax assessors were almost entirely Spanish-speaking Americans, but it has now been possible to increase the assessment force by the addition of many Dominicans, and an American can be placed, however, in charge of the assessment work in each district. The work of appraisement is going forward as rapidly as possible. It hardly needs to be said that it is a long task. Protests to the board of review and equalization have been comparatively few, and the awards of the board have been well received, though in many cases the assessments have been withheld. In one or two towns it has been necessary to reassess the entire town due to the failure of an assessor to properly perform his duty. While this has caused a great deal of additional work, it has, as a matter of fact, reached the benefit of the Government, as the feeling of satisfaction and trust and confidence in the justice of the Government has been plainly expressed when the awards of the board of review and equalization were made known. One of the main causes of the tax on peso titles has been to cause the destruction of many fraudulent titles which have been manufactured for sale. This wholesale manufacture of titles was made possible by the fact that the original titles were split up into many small parts and a faulty system of records, and in some cases the destruction of records, rendered verification of the authenticity of the titles very difficult. The amount of uncollected tax at the present time is about \$2,000,000 but in this amount is included taxes on a considerable portion of land which has been collected because existing owners are doubtful of their titles, and on property owned by the municipalities. The total declared valuation of the real property of the country is \$141,000,000. This amount will be increased by a very considerable percentage when the reassessment of property has been completed. As a result, therefore, in a country of this kind with but few completed roads, the difficulties of the way are many. The present chief of the section of property tax, Mr. Oliver, deserves special commendation for his success in building up the efficient force.

Collections under the property tax for the year 1919 amounted to \$741,000 and for the year 1920 up to June 30, \$482,359.98 was collected. It is estimated that the total collections for 1920 will amount to from \$800,000 to \$1,000,000.

## SHIPPING.

During the period of the war the shipping allotted to Santo Domingo, while entirely adequate, was still much more so than that of many other Latin American countries. At the close of the war the Clyde Steamship Co. placed additional ships in the Santo Domingo service as they were released from other service by the Shipping Board, but the very high freight rates were continued in effect. These rates were in many cases over 100 per cent higher than those in effect in January, 1917, and still higher than those in effect before the beginning of the World War. This department for a long period endeavored to interest other steamship lines in Santo Domingo, and in addition to the Clyde Steamship Co. we now have the Columbus Steamship Co. and the Bull Insular Steamship Co. regularly sending ships to Dominican ports. In addition, the R. Grace & Co. send a monthly steamer from New Orleans to Santo Domingo. The Royal Mail Steam Packet Co. also makes Sanchez and Puerto Plata regular trips of call as do also steamers of the Royal West Indian Mail Steamship Co. of Amsterdam. Competition has resulted in a very much better service and freight is being more carefully handled and claims are fewer than they have been for many years.

After a year's work, this department finally succeeded in obtaining a reduction from the Clyde Steamship Co. of half the surcharge applied to shipments from the ports of Puerto Plata and Barahona. Additional equipment was installed at Puerto Plata to handle freight exportations, and the wharf at Barahona was improved. The Columbus and Bull Insular Steamship Cos. immediately followed the lead of the Clyde Steamship Co. and made the same reduction in the surcharge under their tariffs.

The increase in trade and the large number of vessels visiting Dominican ports during the present year has strongly shown the need for immediately increasing and improving all port facilities to care for the natural increase in trade, and this department urges that the Government program for port improvements and roads be carried through to completion as rapidly as possible. Customhouses, wharves, and other properties of the State, were found by the military government in deplorable condition. Very little money had been spent on maintenance. These properties have now been placed in good condition. Wharves have been extended and warehouse facilities increased in practically all the ports. The program of this department calls for the continuation of this work. A report of the work already accomplished and that planned is given by ports below:

## IMPROVEMENTS IN PORT FACILITIES SANTO DOMINGO.

In accordance with the military governor's policy, attention has been given to the reclaiming of the property of the Government in the vicinity of the port, which, though formerly belonging to the Government, had been given away by the Dominican administrations or leased for long period at nominal rentals. This property is either now needed or will be needed in the very near future for the development of the port. A number of these parcels have already been reclaimed.

A new customhouse has been completed at this port. Two additional warehouses have been purchased and a large modern warehouse is now under construction by the Government. Upon completion of this latter warehouse one of the present sheds will be torn down and replaced by a modern two-story fireproof warehouse. Two iron deposit sheds have been repaired, painted and had concrete floors laid in them. It is planned to extend the wharf on the west bank of the river and to install a marine railway and machine shop on the east bank of the river. The channel will also be dredged to a depth of 24 feet.

## SAN PEDRO DE MACORIS.

At this port the existing wharf has been repaired and placed in good condition. Wharf extension and dredging estimated to cost \$675,000 is under way. It is also planned to build a new customhouse at an estimated cost of \$1,000. It is believed that one pier of the new wharf will be ready for use during the coming sugar season; the second pier will probably be completed the following year.

## LA ROMANA.

A wharf at La Romana to cost \$15,000 will be built to care for co-shipping, and the customhouse partially constructed at that port is completed at an estimated cost of \$30,000.

## SANCHEZ.

At this port the wharf facilities are furnished by the Samana & S. Railway Co. The present customhouse has been placed in good repair. It is planned to build an additional customs shed of iron to cost approximately \$20,000.

## PUERTO PLATA.

A new wharf and customhouse has been completed at this port and the customs warehouses have been placed in excellent repair at a cost of approximately \$20,000. It is also planned to do some additional dredging at the

## MONTE CRISTI.

Urgent repairs to the wharf at this port have been made, but it is in poor shape. No definite plans have yet been made as to what will be done here, but the subject will probably be taken up within a comparatively short time.

## SAMANA.

The customhouse at this port has been repaired and placed in good condition.

## AZUA.

Repairs to the wharf and wharf equipment at Azua have been made. It is considered undesirable to do further work or enlarge the port facilities at this port at the present time due to the fact that little shelter is available for vessels and the work of unloading and discharging can only be carried on during certain hours of the day. It is possible that this port may have been abandoned at a later date.

## BARAHONA.

The customhouse at Barahona has been placed in good repair and the wharf widened. A contract will shortly be let for an extension to this wharf. It is also planned to construct an additional warehouse of iron.

## GENERAL.

An examination of the comparative statement of revenues of the Republic for the years 1916 to 1920 shows a steady increase in the importance of the customs revenue compared to the customs revenue. Prior to the occupation, the customs revenue was comparatively insignificant and amounted to an average of approximately \$700,000 for a term of years. For the year 1919 the customs revenue was almost three and one-half times that of 1916, an increase of \$782,144.90 to \$2,911,124.20 (net), and as a percentage of the total revenue had increased from 16.4 per cent in 1916 to 39.8 per cent in 1919. The collections for that year were the highest in the history of the Republic. This was largely due to the heavy importation orders placed by the Government that year in anticipation of difficulty in obtaining stocks during the war. Fortunately for Santo Domingo its shipping service was much better than that of other Latin American countries during the war, largely due to the fact that Santo Domingo sugar and tobacco by the countries at war. The military Government aided in this situation by arranging for commercial ships and Navy transports. The high prices sugar, tobacco, and cocoa were paid during this period all served to increase the purchasing ability of the Republic and consequently the importations. 1918 and 1919 collections, while high as 1917, were still satisfactory in amount. The importations and collections for 1920 will break all records, both in tonnage of cargo received and in the amount of duty collected, the latter notwithstanding the reduction of approximately 38 per cent in the customs tariff. At the date

paration of this report it is estimated that the customs collections for 1920 reach the high mark of \$6,200,000.

The increase in revenue due to additional taxation is estimated at \$1,200,000, against this should be set the amount of municipal taxes, which were receded by the additional national taxes, from which the amount of approximately \$850,000 will be allotted annually to the municipalities. This reduces net additional taxation to \$350,000. The balance of the increase is due to the increase in the efficiency of the section of internal revenue and to the collection of taxes without fear or favor, and also to the general prosperity of the country with the corresponding heavy importations.

While the revenues have increased, so also have the budget appropriations. The general increase in the cost of living it became necessary to allow other salaries to Government employees; all material used by the Government increased very materially in price so that apart from the necessity of increasing the activities of all departments to provide better service to the public, an increase in appropriations was unavoidable. Many economies were in force, however, and greater efficiency demanded from employees, and as a safe statement that the Dominican Republic is now obtaining a decidedly better value for every dollar spent than ever before in the history of the public. Attention is invited to the statement showing the revenues in comparison with the budget appropriations and showing also the sums devoted to reduction of the public debt.

During the year 1918 an inspection of accounts of the Government railroad, Ferrocarril Central Dominicana, was made by the firm of W. T. Woodridge & Co., of Porto Rico. At the same time a complete audit of the accounts of the public works department from its inception to the end of the year 1917 was commenced. This was completed by the firm of W. T. Woodridge & Co. during the year 1919.

There is given below the public works program of the military government. This program includes items under way and also projects for which additional funds will be necessary before completion of the program is possible. It should be noted that the program includes transportation routes, port improvements, schools, and other national projects. It is confidently believed that the increased commercial and agricultural development of the country from the roads and port improvements will in a short time result in increased treasury receipts and that the projects will pay for themselves in a comparatively short term of years. The value to the citizenship of the country in the expenditures for schools will be inestimable.

*Military government of Santo Domingo, public works program.*

	Estimated cost.
to Domingo-La Vega-Moca-Monte Cristy Road.....	\$4,045,000.00
to Domingo-Los Llanos-Hato Mayor-Seybo-Higüey Macoris Road.....	1,725,000.00
to Domingo-Comendador Road and Bridge.....	544,000.00
to Monte Cristy-Dajabon Road and Bridge.....	100,000.00
to Santiago-Puerto Plata Road.....	300,000.00
to Francisco de Macoris-Moca-La Vega Road.....	400,000.00
Romana-Seybo Road.....	300,000.00
Higüey-Boca Chavon Road.....	6,000.00
Second-class roads.....	1,000,000.00
Highways in the Republic.....	2,000,000.00
to Puerto Plata Harbor dredging.....	25,000.00
to Domingo Harbor dredging.....	60,000.00
to Domingo wharf extension.....	92,500.00
to Pedro de Macoris dredging and wharf extension.....	675,000.00
to Fine Railway Santo Domingo City and machine shop.....	100,000.00
to protection, Santo Domingo City water front.....	18,000.00
to Bombhouse, San Pedro de Macoris.....	100,000.00
to Wharf at La Romana.....	15,000.00
to Wharf extension and customs shed at Barahona.....	35,000.00
to Customs warehouses, Santo Domingo.....	198,000.00
to Water-front property, Santo Domingo City.....	100,000.00
to Purchase of additional building for customs warehouse, Santo Domingo City.....	22,656.50

	Estimated
La Romana customhouse.....	\$9,000.00
Customs shed at Sanchez.....	20,000.00
Supply storehouse on wharf, Santo Domingo, for contaduria and public works.....	80,000.00
Public works building.....	60,000.00
Guardia Hospital, Santo Domingo.....	41,000.00
Guardia Barracks, San Francisco de Macoris.....	10,000.00
Guardia Barracks, Santiago.....	12,000.00
Guardia Barracks, Barahona.....	6,000.00
Guardia Barracks, San Pedro de Macoris.....	48,000.00
Penitentiary.....	200,000.00
National Insane Asylum.....	243,000.00
Leprosarium.....	127,000.00
Correctional school, Santo Domingo City.....	200,000.00
Correctional school, Santiago.....	210,000.00
Ten-room school, Santo Domingo.....	95,000.00
Six-room school, San Carlos.....	8,000.00
Ten-room school, San Pedro de Macoris.....	100,000.00
Twelve-room school, Santo Domingo City.....	125,000.00
Six-room school, San Pedro de Macoris.....	40,000.00
Purchase of wooden school building, Seybo.....	4,000.00
Ten-room schools at Santiago (two).....	250,000.00
Ten-room schools at La Vega.....	125,000.00
Four-room school at Baní.....	24,000.00
Six-room school at Azua.....	64,000.00
Six-room school, Puerto Plata.....	68,000.00
Ten-room school at Puerto Plata.....	110,000.00
Reconstruction school at San Pedro de Macoris.....	17,000.00
Four-room school, Sabaneta.....	11,200.00
Two-room school, La Victoria.....	10,000.00
Two-room school, Enriquillo.....	10,000.00
Four-room school at Samana.....	17,000.00
One-room school at San Jose de Las Mates.....	2,000.00
Purchase of school property from Church, Santo Domingo City.....	70,000.00
Experimental station and college at Haina.....	173,000.00
Concrete vaults in the Republic.....	27,000.00
Topographic survey.....	50,000.00
Public works department, field, expense, and central office.....	300,000.00
Telephone system, long distance lines.....	200,000.00
Lighthouse tender.....	5,000.00
For loans to municipalities for public works and for new hospital construction as may be expedient.....	524,000.00
<b>Total.....</b>	<b>16,270,000.00</b>

Here follows a statement showing projects upon which funds derived from \$20,000,000 customs administration loan of 1908, deposited with the Trust Co. of New York, have been expended and which are not included above program:

Project.	Estimated cost.	Appropriated from loan.	Exp.
Installation of Lighthouses.....	\$120,000.00	\$115,671.61	\$
Custom House Pto. Pta.....	50,000.00	50,000.00	
Custom House Sto. Dgo.....	61,000.00	61,000.00	
Yaque Bridge Santiago.....	82,000.00	82,111.45	
Nigua Bridge.....	50,000.00	45,000.00	
Ozama Bridge.....	170,000.00	170,000.00	
Santo Domingo Bani Road.....	20,000.00	20,000.00	
Bridges & Road "El Numero" Hill.....	1,500.00	1,300.00	
Santiago San José de Las Matas Road.....	56,000.00	56,000.00	
Carretera del Oeste.....	540,800.66	540,800.66	
Camino de La Vega a Moca.....	240,900.55	240,900.55	
Camino de Moca a Stgo.....	4,684.80	4,684.80	
Camino de Santiago a Monte Cristy.....	406,706.55	406,706.55	
Camino de Sánchez a Matanzas.....	5,271.87	5,271.87	
Camino de la Ceiba a Castillo.....	62.62	62.62	
Avenida Bolívar.....	35,587.00	35,587.00	

Project.	Estimated cost.	Appropriated from loan.	Total expended.
no de Azua a San Juan.....	\$306,242.36	\$306,242.36	\$306,242.36
o Presidente Billini.....	19,919.04	19,919.04	19,919.04
Colombia y Campo de Deportes.....	5,122.32	5,122.32	5,122.32
ación de la Ciudad de Santo Domingo.....	6,940.95	6,940.95	6,940.95
ucto de Sto. Dgo.....	2,184.00	2,184.00	2,184.00
rrea de Barahona a Neyba.....	13,144.48	13,144.48	13,144.48
no de Barahona a Enriquillo.....	6,861.32	6,861.32	6,861.32
ños del Puerto de Barahona y reparación del Muelle.....	17,384.37	17,384.37	17,384.37
carril del Norte.....	44,391.20	44,391.20	44,391.20
o de la Capital.....	199,455.63	199,455.63	199,455.63
te de Santo Domingo.....	189,154.83	189,154.83	189,154.83
ción de Azua.....	26,693.77	26,693.77	26,693.77
ción de Monte Ciy.....	72,576.03	72,576.03	72,576.03
fo de la cremallera del Ferrocarril C. D.....	50,498.66	50,498.66	50,498.66
nstrucción del Muelle de S. P. de Macoris.....	57,979.71	57,979.71	57,979.71
a Ozama.....	65,853.78	65,853.78	65,853.78
le de Azua.....	10,652.37	10,652.37	10,652.37
esa del Jura.....	7,717.94	7,717.94	7,717.94
ado de los Puertos.....	30,933.29	30,933.29	30,933.29
a Sanitaria.....	1,390.92	1,390.92	1,390.92
telegrafía.....	17,215.44	17,215.44	17,215.44
mas en el Palacio de Gobierno.....	2,734.14	2,734.14	2,734.14
tenimiento de Carreteras.....	4,627.69	4,627.69	4,627.69
	3,074,436.31	3,064,919.57	3,059,097.90

will be noted from the following statement the degree to which the execution of the public works projects have been speeded up. This statement shows the expenditures by the public works department for the period from July 1, 1919, to June 30, 1920. It is estimated that the period from July, 1920, to June 30, 1921, will show expenditures for this purpose of approximately \$1,000,000, as the public works department has now at work a full force of mechanics and many thousand laborers. It is needless to say that the prompt execution of the public works program is a matter of great moment to the Republic.

*Expended by the public works department for the years from 1909 to June 30, 1920.*

	Amount.
-----	\$276,970.45
-----	285,991.43
-----	246,672.09
-----	656,847.11
-----	709,692.21
-----	414,920.38
-----	386,901.26
-----	244,528.78
-----	184,639.64
six months, 1917.....	533,407.47
1917-June 30, 1918.....	1,107,757.16
1918-June 30, 1919.....	2,166,906.00
1919-June 30, 1920.....	
	7,215,233.98

#### PUBLIC DEBT.

*History of the public debt.*—Disturbed political conditions in the Dominican Republic created debts and claims against the Government amounting in 1907 to over \$30,000,000. These debts and claims were a burden to the country and an obstacle to progress. The Republic effected a conditional adjustment under which the total sum payable amounted to not more than \$17,000,000. Part of the plan of settlement was the issue and sale of bonds to the amount of \$10,000,000, of which that part not required for the settlement of claims was voted to the purchase of certain concessions and to public works. The Republic was conditional upon the assistance of the United States in the collection of customs revenues of the Republic and the Dominican Republic requested the United States to give such assistance. This the United States consented to do in pursuance of said consent the American-Dominican convention of 1907 was entered into. Under this convention bonds of the face value of

\$20,000,000 were issued in 1908. The service of the 1908 loan has proceeded regularly and without interruption.

In the year 1912 the United States Government consented to an extension of the Dominican public debt by \$1,500,000 and the Dominican Republic contracted a loan to that amount secured by the customs receipts, subject to the prior lien of the 1908 bonds. This loan was finally paid off in 1917.

Meanwhile the contracting of new indebtedness by the Dominican Republic, without the consent of the United States, went on rapidly. The debts and claims against the Government aggregated over \$15,000,000. A great measure of the new indebtedness was due to the political disturbances and revolutions which were of continual occurrence in the Republic. In 1916, during a period of revolt and particularly unfortunate financial management, the American Government took action to establish order. The management of the finances was taken over by the general receiver of Dominican Republic appointed by the President of the United States, and on November 1, 1916, the Dominican Republic was placed under military government.

The proclamation of military government recited that the Dominican Republic had failed to live up to the terms of the treaty of 1907, that the Dominican Government had patiently endeavored to aid the Dominican Republic but that the latter was not inclined or able to adopt the measures suggested wherefore the American Government believed the time at hand to take to assure the execution of the said convention and to maintain domestic tranquillity in the Republic. The object of the occupation was not to destroy Dominican sovereignty, but to restore order.

The military government so established proceeded to reorganize the government of the country and undertook the construction of roads and other public works.

To effect a settlement of the large floating indebtedness and the claims, the military governor created "the Dominican Claims Commission, 1917" to pass on all claims and evidence of debt against the Dominican Republic. This commission rendered a preliminary report showing that more than 8,800 claims had been presented, representing a face value of \$15,000,000; that in all probability in liquidation of the awards to be made the sum much less than the face value would be required, and estimated the sum at \$5,000,000.

To provide for payment of the commission's awards the military government issued Executive Order No. 193. This order recited that due to abnormal conditions existing throughout the world that it was impossible to negotiate a foreign loan; that the United States Government had agreed to an increase of the Dominican debt for the purpose of liquidating the indebtedness when adjudicated by the commission. It provided for the payment of all awards of said commission in bonds of the Dominican Republic par with accrued interest, except fractional amounts to be paid in cash. The bond issue amounted to \$4,161,300.

The public debt of the Dominican Republic is as follows:

*State of public debt of the Dominican Republic as of July 31, 1920:*

Customs administration loan of 1908, due in 1958, bonds issued.....	\$20,000,000
Bonds redeemed and held in sinking fund.....	\$9,174,750.00
In the amortization fund, July 31, 1920.....	618,221.98
	<hr/> 2,215,028.98
Balance.....	<hr/> 10,250,000.00
1918 bond issue, due in 1938:	
Bonds issued.....	4,161,300.00
Bonds redeemed to July 31, 1920.....	1,115,000.00
	<hr/> 3,046,300.00
In the amortization fund July 31, 1920.....	174,000.00
Balance.....	<hr/> 2,872,300.00

AMORTIZATION POLICY.

\$20,000,000 loan 5 per cent bond of 1908, due 1958.—The sum of \$1,250,000 paid to the fiscal agent of the loan, the Guaranty Trust Co., as agent.

tion thereto 50 per cent of the annual surplus of the customs collections \$3,000,000. All amounts received by the fiscal agent of the loan subsequent November 1, 1917, are applied by it, as far as reasonably practicable, to the purchase in the open market of 5 per cent bonds at prices not exceeding a premium of 2½ per cent, and unless so applied, and to the extent to which the same are not so applied, are annually applied to the purchase at said premium ½ per cent of 5 per cent bonds, the numbers of which are drawn by lot. All is held in the sinking fund continue to bear interest, and the fiscal agent collects the interest thereon as such interest matures, and the amounts so collected become part of the sinking fund.

*18 issue 5 per cent bonds, due 1938.*—One-twentieth of the loan is retired systematically each year by the fixed amortization, by semiannual drawings, and the provisions that when the customs revenues of the country exceed \$10,000, additional amortization equal to 30 per cent of the amount the revenues are in excess of \$3,000,000 is provided for. The additional amortization applied to the purchase of bonds for redemption yearly without regard to interest.

The fixed amortization is applied to the retirement of bonds by series as follows: First, series L; second, series C; third, series D; and fourth, series M. Attention is invited to the rapid strides which are being made in the payment of the public debt. Under the plans of the amortization of the two loans, the rate of payment will steadily increase, and it is believed that the statement can be made that the \$20,000,000 customs administration loan of 1908, due in 1925, will be paid off by 1925, or 33 years before due, and that the issue of 1918, due in 1938, will be paid off by December 31, 1922, or 16 years before due.

#### THE MONETARY SYSTEM.

The standard currency is the gold dollar, equivalent in value to the United States dollar.

The circulation consists of the Dominican silver peso and subdivisions thereof, which pass by law at the rate of five pesos to one gold dollar. The Dominican government is gradually replacing the old debased Dominican silver currency with American fractional silver currency. Approximately \$150,000 worth of this currency was shipped out of the country to be melted down during the past year, and the profit realized on same, approximately \$55,000 over expenses, has been deposited to the credit of the national treasury. There is a large circulation of United States notes and fractional currency which is legal tender.

*The history of conversion and present conversion policies.*—In the early years of the Dominican Republic Mexican silver and Spanish gold were the principal coins in circulation, with the rate of exchange constantly fluctuating. In 1864 the Republic joined the Latin convention, and in the following year the Banque Nationale de Saint Domingue issued silver and copper coins to the value of \$100,000. These coins soon became depreciated as silver fell in price. The gold standard was adopted in 1894, and though no coinage took place, official transactions were thereafter based upon gold values. In 1895–97 silver coins were issued to the nominal amount of \$2,500,000, but the seigniorage was so enormous that the rate of exchange fell to 5 pesos to 1 gold dollar. This was legalized in June, 1905, when the American gold dollar was adopted as the standard of the Dominican Republic.

Paper money had been issued at various times, and large amounts of such notes were retired by the Spaniards during their occupation in the sixties. During the administration of President Heureaux an issue of \$3,600,000 in the form of the Banque Nationale was floated. Demoralization followed and the notes were soon worth but 20 to 1. These notes were demonetized and large amounts purchased at auction by administrations succeeding that of Heureaux. The remainder has been redeemed at 5 to 1 under the 1907 debt settlement. The only paper in circulation at present is American paper money circulating at par with gold.

The replacement of worn and insanitary American notes has been undertaken by the military government. Such notes collected are replaced with new notes and are returned to the United States for redemption.

#### NEW BANKING LAW.

The new banking law at present in force is inadequate since the Banco Nacional de Santo Domingo, purchased by the American Foreign Banking Corporation, the only bank which came under this law, has disappeared. Under the present law there is no supervision of foreign banks or private bankers.

Almost every commercial house does a banking business in addition to regular commercial business. In order to safeguard the savings of Dominican people, it has become necessary that the present banking law be revised. To this end this department has prepared a new law, which was submitted to the principal bankers of Santo Domingo for comment. Their comments have now been received and the final draft is now in course of preparation for submission to the military governor.

#### NEGOTIABLE INSTRUMENTS ACT.

A negotiable instruments act, based on the "uniform negotiable instruments act" enforced in the majority of the states in the United States, has been prepared and submitted to the military governor, and its promulgation is expected within a short time.

#### WAREHOUSEMEN'S ACT.

A warehousemen's act, based on the "uniform warehousemen's act" enforced in many states of the United States, has been adapted to the conditions of the Republic and has been submitted to the military governor for his approval and promulgation.

#### GENERAL RECEIVERSHIP OF CUSTOMS.

The customs duties have been efficiently collected by the organization of a general receiver of Dominican customs, appointed by the President of the United States, under the terms of the American-Dominican Convention. The General Receiver makes the deductions required for the service of the \$20,000,000 customs administration loan of 1908 and the loan of 1915, and pays the same to the respective fiscal agents, the Guaranty Trust Co. of New York and the International Banking Corporation of New York. Five per cent is deducted by the general receiver of customs to cover the cost of collecting the duties. The balance of the collections is deposited in the national treasury for the credit of the general account of the Government.

The following tables show total customs collections from April 1, 1905, to December 31, 1919:

#### *Gross collections by fiscal periods since April 1, 1905.*

Gross collections from the first modus vivendi year, Apr. 1905, to Mar. 31, 1906.....	\$2,500,000
Second modus vivendi year.....	3,250,000
Four months' period, Apr. 1 to July 31, 1907 (termination of modus vivendi).....	1,100,000
First convention year, Aug. 1, 1907, to July 31, 1908.....	3,400,000
Second convention year.....	3,250,000
Third convention year.....	2,500,000
Fourth convention year.....	3,400,000
Fifth convention year.....	3,000,000
Sixth convention year.....	4,100,000
Seventh convention year.....	3,400,000
Five months' period, Aug. 1, 1914, to Dec. 31, 1914.....	1,200,000
Ninth fiscal period, Jan. 1 to Dec. 31, 1915.....	3,800,000
Tenth fiscal period, Jan. 1 to Dec. 31, 1916.....	4,000,000
Eleventh fiscal period, Jan. 1 to Dec. 31, 1917.....	3,250,000
Twelfth fiscal period, Jan. 1 to Dec. 31, 1918.....	4,300,000
Thirteenth fiscal period, Jan. 1 to Dec. 31, 1919.....	4,400,000
Total.....	\$34,650,000

NOTE.—The collections for the period Jan. 1 to June 30, 1920, amount to \$3,471,814.42.

The following statistics are taken from the report of the general receiver of customs for the thirteenth fiscal period:

"The foreign trade of the Republic during 1919 was the largest in the history of the receivership. Merchandise valued at \$22,101,627 was imported during the thirteenth fiscal year, an increase over the preceding year of \$1,932,675. The tonnage of cargo imported during 1919 was 7,716 tons, more than in 1918.

Exports during the period amounted to \$39,716,692, the increase over 1918 of \$17,340,118, or approximately 14 per cent, which clearly indicates increase in industry and progress and the healthy condition of the country.

The most gratifying feature of the increase in foreign commerce is the balance of trade in favor of the Republic, amounting to \$17,615,065, eight times more than in 1918, and nearly double that of 1916, the previous banner year in this respect.

A notable increase is shown in the volume of wheat flour imported, 7,656 tons more than in 1918. Importations of soap increased 875 tons, biscuits and crackers 298 tons, butter 170 tons, salted or dry fish 146 tons, smoked fish 108 tons, and pickled fish 81 tons.

Importations of rice during 1919 decreased 4,469 tons as compared with preceding year, boots and shoes 107,000 pairs, coal 7,250 tons, jute bags 998 tons, lard 249 tons, salt or pickled beef 99 tons, and jerked beef 71 tons. Imports of cotton textiles were nearly 2,000,000 meters less than during the year 1918, representing a loss in duties amounting to approximately \$100,000.

The principal increases in exports as compared with the year 1918 were:

	Tons.
grain	42,288
oil	3,578
rice	5,102
nuts	648
wood and dyewoods	1,754
skins and skins	827
textiles	16,743
rum-vin	465
organy	327

The outstanding item of decrease in exports is that of sugar cane, 114,110 tons less than in 1918. This decrease, however, is accounted for by the increased milling capacity of the central at La Romana, which is resulting in a diminished exportation of cane from that port to Porto Rico for grinding.

The decrease of 76 tons is shown in the quantity of coffee exported, but due to better prices obtained the value of that product exported during 1919 exceeded the value of the larger exportations during 1918 by \$410,848.

The value of merchandise imported through the various ports of entry as compared with 1918 shows an increase at all ports with the exception of La Romana, there having been a large decrease at this port due to the discontinuance of the heavy importations of machinery, etc., which were being made during 1918 for the sugar estate at that port.

All ports of entry show a very large increase in exports."

This department wishes to record here its appreciation of the amicable relations existing with the receivership and to acknowledge the spirit of cooperation shown by the receivership in its relations with this department. It is the policy of both organizations to serve the public, and thus the Government, in an efficient manner as possible, and the administration of both organizations is bent to that end that the Republic may have better customhouses, port facilities, and the best possible personnel in charge of same.

#### REVISION OF THE LAW OF CUSTOMS AND PORTS.

The work of the revision of the law of customs and ports has been completed. The final draft prepared in English. This is now being translated into Spanish and will shortly be sent to the military governor for approval and promulgation.

This department desires to express its appreciation of the excellent work done by Commander Lybrand P. Smith in the preparation of this law and of the assistance afforded by the organization of the general receiver of customs.

#### WHARFAGE CHARGES.

It is the intention of this department to recommend to the military governor executive order No. 130, establishing a tariff for wharfage and storage charges, be amended effective January 1, 1921, so that cargo landed on private wharves will be free from payment to the Government of wharfage charges and no wharfage service is rendered by the Government.

#### SECOND PAN AMERICAN FINANCIAL CONFERENCE.

The following resolutions were adopted by the conference committee of the Pan American Republic, composed of bankers, economists, and business men of affairs. These resolutions speak for themselves:

Whereas, from a study of the reports hereto annexed and material concerning the Dominican Republic, furnished the conference committee for examination, and from information supplied by the official delegation, it has been established:

(a) That the financial condition of the Dominican Republic, as a result of currency reforms and fiscal system described in the annexed report, is excellent and that the finances are established on a sound basis which will permit further growth and development of the Republic.

(b) That the development of the country requires that the Dominican Government's program of roads, port improvements, and other public works be carried through to a conclusion, and that the negotiation of a loan in the amount of \$5,000,000, to be secured by a first lien on all the revenues other than the revenues from duties upon imports and exports, is justified.

(c) That the adoption of the proposal of the Dominican Government for a trade agreement of a reciprocal nature be executed between the Dominican Government and the United States along the lines proposed by it would be of material assistance to both countries in the development of their trade.

*Proposal by the Dominican Government.*—(1) Abolition of tonnage duty on reduction in customs tariff and liberal treatment for foodstuffs, chemicals, and pharmaceutical products, manufactures of iron, steel, building materials, etc.; and (3) abolition of export duties on Dominican products.

*Proposal by the United States Government.*—(1) Admission of Dominican sugar, tobacco, cigars, cigarettes, cocoa, honey, and castor beans and Dominican exports on terms equal to those accorded the Republic of Cuba.

It appears that the position of Santo Domingo, geographically near the United States, and to a large extent economically dependent upon the United States, and the grave moral and political responsibilities of the United States toward Santo Domingo, entitle this latter to the concessions requested.

(d) That the shipping facilities of the Dominican Republic are entirely inadequate in that—

1. The passenger steamers employed in the service between the United States and the Dominican Republic are slow, old, and do not afford suitable accommodations for the traveling public. The passenger service between San Pedro Macoris and New York, with one stop, takes an average of 10 or 11 days compared with 4½ days between New York and San Juan, P. R., approximately the same distance.

2. Direct communication between New York and Santo Domingo depends entirely on one steamship line, and freight rates are extremely high and are based on the maximum that the traffic will bear, rather than on the basis of a reasonable profit over the cost of operation. This operates as a handicap upon the outgoing and incoming freight of Santo Domingo compared with her nearest neighbors, Cuba and Porto Rico.

3. That an express service from Santo Domingo city and San Pedro Macoris, on the south of the island, direct to the port of New York would stimulate commerce and reduce the time required for the voyage between the two ports by five days, cutting the present time required for the voyage practically in half.

4. That a freight and passenger service from the port of New Orleans to Santo Domingo would aid the introduction and distribution of American products and manufactures of the southern and middle western sections of the United States into the Dominican Republic, with profitable return freights of Dominican products, to the mutual advantage of both countries.

5. That the Dominican Republic is revising its laws relating to shipping ports to conform to the best modern practice; is engaged upon the improvement of its ports and port facilities, including the deepening of its southern ports so that tonnage dues will soon be removed: Now, therefore, be it

*Resolved*, (1) That this committee takes pleasure in endorsing the policy heretofore and at present pursued in establishing currency reform and a system which has resulted in the present satisfactory financial condition of the Dominican Republic and which will permit of the further growth and development of the Republic's resources.

(2) That this committee heartily indorses the public works program of the Dominican Government, and believes that the loan proposed by the said Government to secure funds for the completion of the said program is amply justified by the projects and by the condition of the revenues.

(3) That this committee is of the opinion that the trade agreement proposed by the Dominican Republic would be of mutual benefit to the United States.

Dominican Republic, and do hereby recommend it to the favorable consideration of the United States Government.

4) That the conference committee finds that the Dominican Republic is taking active steps to provide for liberal treatment of shipping and to aid and encourage it in every way; that it is the belief of the committee that the Republic is justified in asking for better steamship service to the United States.

The committee therefore recommends that the Shipping Board include in its program the provision for a proper and adequate passenger and freight service to New York and New Orleans with reasonable rates as compared with the neighboring islands.

5) *Resolved*, That in view of disagreements arising out of acceptance or rejection of merchandise entering Dominican ports, this committee recommends establishment at the various ports of boards, named by the respective chambers of commerce or otherwise, to hear such complaints and recommend terms of adjustment.

Closing this report attention is invited to the fact that the financial condition of the country is excellent in every respect. It may be stated that there are few nations, if any, that at the present time could show as excellent a balance sheet as can the Dominican Republic.

Generally, the methods of the treasury department have been revolutionized. Dishonesty, inefficiency, with which the former treasury organization was beset, have been eliminated. The contaduria has been reorganized and the final step is about to be taken by the division of the duties of the contador between a treasurer and an auditor with efficient staffs. Arrangements have been made by this department for the necessary reform of the communal accounting system, and from July 1, 1920, their accounts will be rendered in such manner as to permit of an efficient audit by the auditor of the Republic.

This department regrets to have to state that the standard of honesty in the Republic in so far as Government funds are concerned seems to be decidedly low and that it is only by continual watchfulness, careful supervision, and frequent and efficient inspections that considerable losses are avoided. Some losses have been suffered, and the total since the occupation is comparatively insignificant, but we still find frequent cases, such as one which happened a month or two ago, where an inspector telephoned in that a communal treasurer was short in his accounts and could not return the money for a month or two "because he needed it to use in his business." These cases have been only too frequent in occurrence, but we have been successful in securing the replacement of funds embezzled in the vast majority of cases.

The investigation conducted after the suicide of an employee in the postal department, the testimony shows that a witness testified "that he who had the custody of Government funds and did not advance money to his friends was considered a poor sort of fellow." It is needless to say that while such a spirit of only careful supervision and inspection will prevent losses. In the treatment of officials and employees before the courts for embezzlement, this treatment has been singularly unsuccessful in obtaining convictions, not because of lack of convincing evidence, but rather, it appears, because the conscience of the people is lax as to civic honesty and the embezzlement of Government funds is not considered in the same light as would be the theft of property of an individual.

The elimination of this spirit is believed to be merely a question of time, and this department has full confidence that the example of integrity set by the Dominican officials of the occupation will not be lost upon the Dominican officials and employees who work with them.

This report would not be complete without a word of testimony of the excellent work of my predecessor, Commander I. T. Hagner (S. C.), United States Navy; of former Special Deputy General Receiver J. H. Edwards; of John Loomis, who now fills the position of contador general de hacienda, formerly occupied by Mr. J. H. Edwards; and of appreciation of the industry, integrity, and loyalty of the officials and employees of this department. Credit for the success of this department in the administration of the many important duties confided to it is entirely theirs.

Respectfully submitted.

ARTHUR H. MAYO.

*Lieutenant Commander (S. C.), United States Navy,  
Officer Administering the Affairs of the  
Department of Finance and Commerce  
for the Military Government.*

## APPENDIX.

## MILITARY GOVERNMENT OF SANTO DOMINGO.

EXECUTIVE ORDER NO. 60—O. G. NO. 2316.

A special tribunal to be known as "The Dominican Claims Commission 1917" is hereby created for the purpose of investigating all outstanding claims against the Dominican Republic which had their origin after the American occupation of the country made to conform with the terms of the American-Dominican Convention of February 8, 1907, and before the establishment of military government in Santo Domingo by the United States under the proclamation of November 29, 1916, and of recommending ways and means for the settlement of such awards.

The commission will be composed of Mr. J. H. Edwards, in charge of the Contaduría General de Hacienda, ex officio presidente of the commission, and the following additional members: Lieut. Col. J. T. Bootes, United States Marine Corps; Mr. M. de J. Troncoso de la Concha; Mr. Emilio Joubert; Mr. Martín Travieso, jr.

The commission will be called to meet at Santo Domingo city by the president at as early a date as practicable after July 15, 1917.

The sum of \$50,000, or so much thereof as may be necessary, is hereby made available for the expenses of the commission from funds not otherwise appropriated.

H. S. KNAPP,

*Rear Admiral, United States Navy**Head of Military Government*

SANTO DOMINGO CITY, DOMINICAN REPUBLIC, June 26, 1917.

EXECUTIVE ORDER NO. 65—O. G. NO. 2319.

The Dominican Claims Commission of 1917, organized as announced by executive order No. 60, will have vested in it the powers and will be concerned in the performance of its duties as hereinbelow prescribed.

Upon being convened and prior to entering upon its duties the commission and each member thereof individually shall take oath before the Court of Santo Domingo to the faithful and proper performance of duty. The secretary and the clerical staff shall take oath of similar effect administered by the president of the commission before entire commission. The oaths of the commission shall be registered in the archives of the supreme court and the oaths herein prescribed shall be recorded in the record of the commission.

The commission shall have its seat at Santo Domingo City, Dominican Republic, but may in its discretion and as may be necessary hold special sessions at other points in the Republic.

The president of the commission shall be the presiding officer and shall have a vote in all proceedings. The secretary of the commission shall keep complete records of all the proceedings and awards of the commission; he shall not have a vote. All resolutions, acts, and business transacted by the commission shall be by a majority vote of the members of the commission, but no award shall be valid unless subscribed to by at least three members of the commission.

In case any member of the commission is interested, directly or indirectly, or related in any degree to any person who is interested, directly or indirectly, in any claim brought before the commission, he shall bring the fact to the notice of the commission, which will as a whole determine his eligibility to act in the case.

The first duty of the commission shall be to prepare and submit to the president of the military government a plan to provide for the necessary means for liquidating the awards upon claims approved by the commission.

The commission shall have complete and final jurisdiction as a Government agency in the matter of adjudicating claims against the Dominican Republic coming before it. The decisions rendered and awards made by the commission shall not be subject to review or appeal before any Dominican court or other Dominican authority.

Any claimants who do not submit their claims to this commission for adjudication on or before December 31, 1917, shall be deemed to have forfeited and relinquished all rights to such claims. Claims shall be submitted to the commission in the form and manner prescribed by the commission.

For the prosecution of its business the commission is vested with the powers Dominican courts to subpoena and compel the attendance of witnesses; to administer oaths and examine for the presentation of documentary evidence, public or private authorities. Such assistance as may be necessary to attain the ends of the Dominican Government, and, if required, by the forces of the military government.

Any person who refuses or neglects to appear before the commission when subpoenaed, or who refuses to produce any documentary evidence in his possession when such evidence is influenced by the commission or to obstruct its proceedings in any way, shall be guilty of contempt. Any person who gives false testimony before the commission, under oath, shall be guilty of perjury. Any person who signs a name other than his own on any document submitted to the commission shall be guilty of forgery. Any person who signs any voucher, receipt, certificate, or other document representing a claim against the Dominican Republic, in which any false statement is made to the prejudice of the Dominican Republic, shall be guilty of falsification with intent to defraud. The commission shall try and pass judgment upon all such cases; and the offenders, upon conviction of any such offenses, shall be punishable by a fine not less than nor more than \$5,000, or by imprisonment for not less than one month nor more than five years or both such fine and imprisonment in the discretion of the commission.

The commission shall consider as a notification only any claim heretofore admitted to or filed with any commission or official appointed for the purpose of receiving and recording such claims, or which may have been presented to any other office of the Dominican Government: *Provided, however*, That any claimant or interested party who may so desire shall be permitted, upon making written application and renunciation to the commission, to withdraw in whole or in part any claim or document supporting such claims filed by him prior to the creation of this commission: *Provided further*, That the commission shall, prior to the return of any such claim or document, cancel same by appropriate notation upon it in such manner as to render it of no further value as a claim.

The commission shall not consider nor approve for payment, in whole or in part, any expenditures made for the purpose of, or in connection with a revolutionary movement against a legally constituted government of the Dominican Republic, or any claim representing money, materials or supplies furnished in or out of such revolution, unless so furnished in submission to force majeure, in which the commission shall be the final judge.

Each member of the commission shall be authorized in the performance of the duties of the commission is hereby authorized. Any member of the commission from abroad shall be entitled to salary from the date of leaving his home for Santo Domingo up to the time upon which he could arrive at his home after dissolution of the commission, using the first available transportation in either case.

Members of the commission appointed from abroad shall also be reimbursed their actual and necessary travel expenses in coming to and returning from Santo Domingo, provided that such expenses shall represent only the travel from their homes and return thereto by the most direct route.

During its life the offices of the commission shall be open for the transaction of business during the regular office hours observed in the Dominican Government offices on all days excepting Sundays and legal holidays.

The commission shall cease to exist when the object for which it is created have been attained.

H. S. KNAPP.

*Rear Admiral, United States Navy,  
Head of the Military Government.*

SANTO DOMINGO CITY, D. R.,  
July 9, 1917.

EXECUTIVE ORDER NO. 77—O. G. NO. 2838.

The Dominican Claims Commission of 1917 is hereby authorized to destroy revenue stamps, revenue stamps, and stamped paper which form the base of

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claims, immediately after such stamps or stamped paper has been examined and verified and the claims duly adjudicated.

H. S. KNAPP,  
Rear Admiral, U. S. Navy  
Military Governor of Santo Domingo.

SANTO DOMINGO CITY, S. D.,  
September 11, 1917.

## EXECUTIVE ORDER NO. 169—O. G. NO. 2917.

1. By virtue of the powers vested in the Military Government of Santo Domingo, the powers vested in the Dominican Claims Commission of 1917, executive order No. 65, as enumerated below, are hereby conferred upon authorized committees of the Dominican Claims Commission of 1917, for the purpose of investigating claims:

- (a) To subpoena and compel the attendance of witnesses;
- (b) To administer oaths and examine witnesses under oath; and
- (c) To require the presentation of documentary evidence, public or private.

2. Such assistance as may be necessary to enable such duly authorized committees of the commission to accomplish their work of investigation, shall be rendered by the police agencies of the Dominican Republic, and, if necessary, by the forces of the military government.

3. Any person who shall refuse or neglect to obey a subpoena or summons, or who shall furnish documentary evidence called for by such duly authorized committee, or who shall testify falsely or fail to testify fully and completely before such duly authorized committees, shall be cited by the committees before the commission for "contempt" or other offense committed, and shall be punished by the full commission under the powers with which it is invested.

H. S. KNAPP,  
Rear Admiral, U. S. Navy  
Military Governor of Santo Domingo.

SANTO DOMINGO CITY, D. R.,  
June 13, 1918.

## EXECUTIVE ORDER NO. 193—O. G. NO. 2937.

Whereas the Dominican Claims Commission of 1917, created by executive order No. 60 for the purpose of investigating and adjudicating claims against the Dominican Republic, has rendered a preliminary report to the military governor covering the claims presented and registered but not yet adjudicated, showing that more than 8,800 claims have been presented, representing a value of about \$15,000,000; and

Whereas said commission expresses the opinion that many of the claims will not be sufficiently substantiated to warrant payment of the full face value as claimed, so that in all probability the liquidation of the awards to be made thereon will require a sum much less than the face value of the claims presented; and

Whereas due to the abnormal conditions at present existing in all parts of the world, it is impracticable to negotiate a foreign loan for the purpose of providing for the payment in cash of said awards; and

Whereas under the terms of the American-Dominican convention of February 8, 1907, "until the Dominican Republic has paid the whole amount of the bonds of the debt its public debt shall not be increased except by the agreement between the Dominican Government and the United States";

Whereas this increase has now been authorized and the consent of the United States of America has been obtained for the liquidation of the floating debt of the Dominican Republic hitherto unauthorized by the United States, when it shall have been adjudicated and the corresponding awards made by the Dominican Claims Commission of 1917;

Now, therefore, by virtue of the powers vested in the military government of Santo Domingo, and with the consent of the United States, the payment of the awards to be made by the Dominican Claims Commission of 1917 is hereby authorized and ordered to be made as follows:

1. The said commission shall transmit all awards to the Secretario de Estado de Hacienda y Comercio, where they shall be registered and then transmitted to the Contaduría General de Hacienda for payment.

2. All awards made by said commission shall be paid in bonds of the Dominican Republic at par, with accrued interest, to be issued as hereinafter authorized: *Provided, however,* That all fractional amounts of such awards of less than \$50 shall be paid in cash.

The cash payments herein provided for shall be made by checks drawn on the signated depositary for the Dominican Republic, chargeable to a special account to be opened for the purpose based on the appropriation authorized in paragraph 3 hereof.

3. For the purpose of making the cash payments authorized in the preceding paragraph, such amount as may be necessary is hereby appropriated out of the moneys in the treasury not otherwise appropriated.

4. For the purpose of paying in bonds the awards made by the Dominican Commission of 1917, as authorized in paragraph 2 hereof, the Contaduría General de Hacienda is hereby authorized, empowered, and directed to issue bonds of the Dominican Republic, in the form and conditioned as hereinafter provided, to the amount that shall be necessary to pay such awards, which necessary amount shall not be exceeded. Said bonds shall be issued in settlement of the award in each case in the following order: First, series M; second, series D; third, series C; and fourth, series L; in the proportional amounts required to make up the total of the award. Upon the request of a holder of said bonds the Contaduría General de Hacienda may issue one or more bonds of the larger denomination in exchange for bonds of the smaller denominations of equivalent value, but in no case shall bonds of smaller denominations be issued in exchange for a bond or bonds of larger denominations.

5. Said bonds shall be in coupon form and may be in any or all of the following series and denominations: Series L, \$50; series C, \$100; series D, \$500; series M, \$1,000; and shall be numbered consecutively beginning with the number 1 of each series. They shall bear the facsimile signature of the officer administering the affairs of the Secretaría de Estado de Hacienda y Comercio and the signature of the Encargado de la Contaduría General de Hacienda. They shall be dated January 1, 1918, and shall bear interest at the rate of 5 per cent per annum, which interest shall be payable semiannually, on the 1st day of January and of each July. The bonds shall be payable at par on or before January 1, 1938, in currency of value equivalent to gold coin of the United States of America of the present standard of weight and fineness, and said bonds shall become redeemable and shall be payable at par in such amounts each interest date as the amount of the amortization fund hereinafter provided for available on such interest dates will permit: *Provided,* That the bonds shall be so redeemed and paid by series as follows: First, series L; second, series C; third, series D; and fourth, series E. The numbers of the bonds of each series to be so redeemed shall be determined by lot at public drawing conducted by the Contaduría General de Hacienda at Santo Domingo within one week on either side of the 1st day of November or May, as the case may be, and notice of the series and numbers of such bonds to be so redeemed and paid shall be given by the Contaduría General de Hacienda to the designated depositary, hereinafter mentioned, 30 days in advance of each redemption date, and such notice shall be published at least once each week during 30 days immediately preceding and following each redemption date in the Official Gazette of the Dominican Government, and in one of the daily newspapers in the city of Santo Domingo, and in one of the daily newspapers in the city of New York. All interest upon the bonds so selected for redemption shall be paid from and after the designated date of redemption.

6. Both principal and interest shall be payable either in Santo Domingo City, at the principal office of the designated depositary for the Dominican Republic, or at any of its branch offices in the Dominican Republic, or at its office in the city of New York.

The said bonds are hereby declared to be exempt from the payment of taxes of any kind whatsoever of the Government of the Dominican Republic, or of any authority therein.

For the payment of the interest on said bonds, as it falls due, and of the principal, the good faith of the Dominican Republic is hereby irrevocably pledged, and said bonds and the obligations created thereby shall not be impaired by any law or decree which the Government of the Dominican Republic or any authority thereof may subsequently enact or issue, or by any interpretation thereof, or by any interpretation of any law or decree heretofore enacted or issued, but said

bonds when duly issued shall constitute a legal and binding obligation of the Government of the Dominican Republic until properly redeemed and paid.

8. There is hereby pledged, with the consent of the Government of the Dominican Republic, from the customs revenues of the Dominican Republic such amount as may be required for the payment of the stated interest of said bonds to the amortization fund for the redemption and payment of said bonds at the redemption dates hereinbefore provided, the further sum per annum deposited, in equal monthly installments, beginning January 1, 1918, an amount equal to one-twentieth of the total amount of the bond issue. The amount pledged in this paragraph shall constitute an additional charge upon the customs revenues of the republic collected in accordance with the convention of February 8, 1907, between the United States of America and the Dominican Republic, after their application to the first four objects designated in Article 1 of that convention, and before any payment is made to the Dominican Government. Additional payment for account of the amortization fund provided may be made at any time by the Dominican Government in its discretion.

9. The general receiver of Dominican customs is hereby authorized to make monthly deductions, commencing January 1, 1918, from the customs revenues of the Dominican Republic, to cover the amounts referred to in the preceding paragraph, and in accordance with the official advice thereof furnished him. The Contaduría General de Hacienda, and immediately to deposit said amounts in the designated depository of the Dominican Government in a special account entitled "Dominican Republic 5 per cent bond issue, 1918"; and such deductions and deposits shall be regularly continued by the general receiver of Dominican customs until all of the bonds herein provided for shall have been redeemed and paid.

10. The foregoing provisions in regard to the payment of interest on said bonds and of the principal shall be deemed to be in the nature of a continuing appropriation, and no further appropriation for such purpose shall be necessary. The general receiver of the Dominican customs is authorized to make such deductions and deposits in the designated depository for the Dominican Republic, and is authorized and directed to make such payments; and the Contaduría General de Hacienda is authorized and directed to allow due credits in its accounts therefor.

11. The designated depository shall render accounts to the Contaduría General de Hacienda covering the periods ending June 30 and December 31 of each year, of all receipts, accruals of interest, and payments from the "Dominican Republic 5 per cent bond issue, 1918," and shall surrender such statements of account all coupons and bonds redeemed and paid, and verification of such accounts the Contaduría General de Hacienda shall make by entry thereof, allow credit in account therefor, and cancel and destroy such coupons and bonds so received.

12. Such funds as may be necessary to defray the expense of printing said bonds, advertising notices relating thereto, and other expenses incident to the issuance, redemption, and cancellation thereof, are hereby appropriated out of any moneys in the Treasury not otherwise appropriated.

H. S. KNAPP,

*Rear Admiral, United States Navy,  
Military Governor of Santo Domingo.*

Issued at Washington, D. C., by authority of the Government of the United States, August 2, 1918.

EXECUTIVE ORDER NO. 272—O. G. NO. 2995.

Whereas Executive Order No. 193 of the military government of Santo Domingo, issued at Washington, D. C., United States of America, by authority of the Government of the United States, under date of August 2, 1914, provided for the payment of the awards to be made by the Dominican Claims Commission of 1917 by means of bonds of the Dominican Republic, dated January 1, 1918, and payable at par on or before January 1, 1938, and in paragraph 4 of said order guarantees and provides for the redemption of said bonds as follows:

"There is hereby pledged, with the consent of the Government of the Dominican Republic, from the customs revenues of the Dominican Republic, such amount as may be required for the payment of the stated interest of said bonds; and

ritization fund for the redemption and payment of said bonds on the redemption dates hereinbefore provided, the further sum per annum, to be deposited equal monthly installments, beginning January 1, 1918, of an amount equal one-twentieth of the total amount of the bond issue. The sums pledged in paragraph shall constitute an additional charge upon all customs revenues the Republic collected in accordance with the convention of February 8, 1907, between the United States of America and the Dominican Republic, after application to the first four objects designated in Article I of that convention, and before any payment is made to the Dominican Republic. Additional payments for the account of the amortization fund herein provided may be made any time by the Dominican Government in its discretion"; and whereas certain bankers and others who deal in such securities have expressed the opinion that there is a possibility of the termination of the American-Dominican Convention of 1907 before the retirement of all of the bonds of the issues issued under the provisions of Executive Order No. 193 above mentioned, the technical point thus raised has, in fact, adversely affected the market value of said bonds; and

whereas the possibility of the termination of the said American-Dominican Convention of 1907 before the redemption of all of the bonds of the issues of 1908 is wholly dependent upon the amount of customs revenues collected and consequently the rate at which additional amounts are applied to the sinking fund for the redemption of the bonds first issued in 1908 under said convention in accordance with the specific provision in Article I of said convention, being as follows:

*Provided*, That in case the customs revenues collected by the general receiver shall in any year exceed the sum of \$3,000,000, one-half of the surplus of such sum of \$3,000,000 shall be applied to the sinking fund for the redemption of bonds"; and

whereas, in view of this contingency, it is advisable and necessary to provide additional payments for account of the amortization fund for the redemption of bonds of January 1, 1918, so that the market value of such bonds may be maintained at a parity with the bonds of 1908:

Now, therefore, by virtue of the powers vested in the military government of Santo Domingo, there is hereby pledged from the customs revenues of the Dominican Republic, in addition to the amount heretofore pledged in paragraph 8 of Executive Order No. 193 above mentioned, a sum equal to 60 per cent of the one-half of the surplus above \$3,000,000 of customs revenues from imports and exports collected by the general receiver of the Dominican Republic in any calendar year, which would otherwise accrue to the Dominican Government; and said additional amounts shall be applied to the purchase and retirement of the bonds of the Dominican Republic dated January 1, 1918, in the following manner:

The total of the additional amounts pledged in the preceding paragraph shall be applied, so far as practicable, to the purchase of said bonds, without distinction as to series or denominations, at prices not in excess of par value. Beginning February 1, 1920, of the total amount available on February 1 of each year, one-third shall be applied to such purchases, and of the remainder available on March 1 of each year one-half shall be so applied to such purchases, and the total amount remaining available on April 1 of each year shall be applied to such purchases. The Secretaría de Estado Hacienda y Comercio of the Dominican Government, by means of notices published at least once each during the months of December, January, February, and March of each year beginning with December, 1919, shall offer to purchase said bonds within limits and on the dates herein specified; such notices shall be published in the Official Gazette of the Dominican Government, in one of the daily newspapers of the city of Santo Domingo, and in one of the daily newspapers of the City of New York. Proposals to sell said bonds shall be submitted in triplicate, in the forms prescribed by the Secretaría de Estado de Hacienda y Comercio, and shall be delivered in sealed envelopes to that office before 10 o'clock a. m. on the dates specified for such purchases; and no proposal submitted in any other form or manner shall be considered. Such proposals shall be opened in the Secretaría de Estado de Hacienda y Comercio at 10 o'clock a. m. on the dates specified for such purchases, unless said dates should fall on Sundays or legal holidays, in which event the opening shall take place on the day following, and the best proposals shall be accepted up to the amount available on that date.

for such purchase; if necessary to decide between two or more equal proposals the acceptance shall be decided by lot. Any person or firm who has submitted a proposal shall be entitled to be present, either in person or by representative, at the opening of the proposals. All bonds so purchased, together with interest coupons corresponding thereto, shall be duly registered as retroceded records of the Contaduría General de Hacienda and immediately cannot be destroyed. Any part of the additional amount herein pledged which is not utilized in the purchase of bonds as herein provided shall be applied to the amortization fund for the redemption and payment of said bonds in accordance with the provisions of Executive Order No. 193 hereinbefore referred to.

The general receiver of Dominican customs is hereby authorized to make monthly segregations, commencing as of date January 1, 1919, from the receipts of the Dominican Republic, of the proportional amounts representing the 60 per cent of the one-half of the surplus above \$3,000,000 of customs revenues hereinbefore pledged and, on or before January 10 of each year, to deposit the total of the sums so segregated during the preceding year with the designated depository for the Dominican Government in the special account "Dominican Republic 5 per cent bond issue, 1918"; and such segregation of deposits shall be regularly continued by the general receiver of Dominican customs until all of the bonds issued under authority of executive order No. 193 shall have been redeemed and paid.

The good faith of the Dominican Republic is hereby irrevocably pledged to the faithful compliance with the foregoing provisions, and this order cannot be revoked or impaired by any law or decree which the Government of the Dominican Republic or any authority thereof may subsequently enact or by any interpretation thereof.

THOMAS SNOWDEN

Rear Admiral United States Navy, Military Governor of Santo Domingo

SANTO DOMINGO CITY, D. R.

March 15, 1919.

The following commercial statistics are taken from the report of the general receiver of Dominican customs:

SCHEDULE No. 5.—Statement showing gross collections by months and by the thirteenth fiscal period, Jan. 1 to Dec. 31, 1919, comparisons of total collections of previous year, showing increases and decreases.

Months.	Import duties.	Export duties.	Port charges.		Miscellaneous customs collections.
			Tonnage dues.	Personal fees.	
January.....	\$261,957.09	\$12,152.59	\$6,584.09	\$2,573.72	\$1,764.35
February.....	312,795.02	20,339.89	7,894.65	2,369.63	2,380.00
March.....	300,822.55	13,685.19	7,401.68	2,633.04	1,678.78
April.....	283,710.27	16,468.17	7,367.54	3,232.03	2,261.79
May.....	296,167.38	33,560.99	11,063.91	3,600.88	3,720.35
June.....	280,236.71	41,979.82	7,016.63	2,473.77	2,699.00
July.....	435,903.87	53,996.03	9,218.76	3,544.05	3,685.34
August.....	335,964.88	31,491.82	7,169.03	3,237.57	2,875.30
September.....	357,256.79	13,079.01	7,090.76	3,195.09	3,362.57
October.....	499,406.13	8,633.18	6,784.95	2,447.72	2,394.98
November.....	284,492.64	2,131.64	2,640.08	1,481.67	3,741.00
December.....	383,953.05	13,739.47	13,933.54	3,934.55	4,270.35
Total.....	4,032,665.38	261,257.80	94,147.62	34,803.92	34,518.76
Comparison with same period 1918.....	3,967,885.74	209,451.28	75,424.14	26,076.21	30,974.11
Increase.....	64,779.64	51,806.52	18,723.48	8,727.71	3,544.65

<sup>1</sup> Decrease.

EDULE No. 6.—Statement showing collections by ports and sources during the thirteenth fiscal period, Jan. 1 to Dec. 31, 1919.

Ports.	Import duties.	Export duties.	Port charges.		Miscellaneous customs collections.	Total.
			Tonnage dues.	Personal fees.		
.....	\$83,165.71	\$2,001.27	\$1,611.13	\$1,124.32	\$904.00	\$88,706.43
ona.....	7,784.14	431.56	416.73	181.35	250.80	9,064.58
endador.....	1,083.02	.....	.....	.....	867.69	1,950.71
on.....	1,692.75	.....	.....	.....	484.67	2,177.42
ajas.....	1,076.37	107.98	.....	.....	448.46	1,632.81
mana.....	146,790.89	2,549.80	8,811.67	4,829.37	3,488.06	166,469.79
is.....	846,619.27	11,301.91	33,695.95	9,580.05	13,412.46	914,609.64
Cristy.....	64,989.42	2,132.12	1,896.10	1,142.33	1,207.03	71,337.00
o Plata.....	971,721.07	62,455.45	15,155.28	5,962.80	6,069.00	1,061,363.58
na.....	31,410.49	7,045.88	783.56	529.51	520.77	40,302.21
ez.....	496,170.30	144,438.93	8,001.24	4,802.99	2,711.88	656,125.40
Domingo.....	1,380,161.95	28,792.84	23,802.98	6,651.20	4,244.94	1,443,653.91
Total.....	4,032,665.38	261,257.80	94,147.62	34,803.92	34,518.76	4,457,393.48

DULE No. 8.—Comparative statement by months of amounts actually paid the Dominican Government from its customs revenue, with totals for each calendar year, from Jan. 1, 1914, to Dec. 31, 1919.

Month.	1914	1915	1916	1917	1918	1919
y.....	\$155,677.69	\$108,643.73	\$145,800.00	\$170,000.00	\$283,239.05	\$196,783.13
ry.....	130,107.85	133,857.52	142,000.00	180,000.00	333,020.62	239,126.07
.....	169,281.00	124,543.85	150,000.00	180,000.00	198,839.63	116,545.24
.....	77,129.00	126,904.28	149,900.00	.....	125,000.00	174,100.21
.....	139,939.00	141,435.06	105,000.00	423,264.79	182,474.27	219,508.54
.....	58,300.00	131,834.14	123,000.00	212,739.32	265,869.18	142,688.34
.....	22,551.00	140,500.00	140,000.00	279,957.56	290,473.86	292,472.46
.....	125,438.43	148,454.50	35,000.00	280,000.00	180,067.23	103,792.50
ber.....	35,914.90	140,454.00	336,782.55	108,133.47	190,000.00	164,162.99
.....	77,732.02	141,454.00	91,000.00	154,967.69	150,000.00	391,834.03
ber.....	91,852.81	138,500.00	125,000.00	208,720.92	150,000.00	.....
er.....	97,630.89	151,500.00	136,000.00	280,600.00	75,006.00	88,333.40
otal.....	1,172,553.99	1,646,090.08	1,678,262.55	2,456,783.75	2,443,973.84	2,128,346.91
monthly ents.....	97,712.80	137,174.17	139,856.88	204,648.64	203,664.49	177,362.24

—The total amount accruing to the Government is \$2,472,216.10, showing a monthly average of \$206,018.01.

Distribution was made as follows:

rect.....	\$1,628,346.91
ed with the designated depositary to the credit of "Dominican Republic 5 per cent issue of 1918," Executive Order No. 193.....	500,000.00
.....	2,128,346.91
ed in accordance with Executive Order No. 272 (60 per cent of one-half surplus fund).....	343,869.19
.....	2,472,216.10

# 1020 INQUIRY INTO OCCUPATION OF HAITI AND SANTO DOMIN

SCHEDULE No. 1.—Imports into the Dominican Republic during the calendar year 1919, showing the values and countries of origin in comparison with those of calendar year 1918.

[Values stated in United States currency; quantities stated in metric units.]

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 31, 1919.	
	Quantity.	Value.	Quantity.	Value.
<b>Agricultural machinery, tools, and implements:</b>	<i>Number.</i>		<i>Number.</i>	
United States.....		\$227, 183		
Porto Rico.....		8, 487		
United Kingdom.....		1, 838		
Spain.....		8		
Haiti.....		500		
Jamaica.....		29		
<b>Total.....</b>		<b>238, 045</b>		
<b>Animals:</b>				
United States.....	126	1, 677	264	
Porto Rico.....	13	2, 685	115	
Cuba.....			5	
Virgin Islands.....	1	150		
Haiti.....	36	24		
Dutch West Indies.....			96	
<b>Total.....</b>	<b>176</b>	<b>4, 536</b>	<b>480</b>	
<b>Books and other printed matter:</b>				
United States.....		30, 246		
Porto Rico.....		3, 456		
Cuba.....		201		
United Kingdom.....		1, 119		
France.....		2, 108		
Italy.....				
Spain.....		1, 581		
Virgin Islands.....				
Belgium.....				
<b>Total.....</b>		<b>38, 711</b>		
<b>Cars, carriages, other vehicles, and parts of:</b>				
<b>Automobiles—</b>				
United States.....	250	188, 245	157	
Porto Rico.....	17	10, 589	4	
Cuba.....	1	440		
<b>Total.....</b>	<b>268</b>	<b>199, 274</b>	<b>161</b>	
<b>Railway and tram cars—</b>				
United States.....		357, 172		
Porto Rico.....		305		
<b>Total.....</b>		<b>357, 477</b>		
<b>All other—</b>				
United States.....		60, 813		
Porto Rico.....		8, 983		
Cuba.....				
Virgin Islands.....		476		
Haiti.....		100		
<b>Total.....</b>		<b>70, 372</b>		
<b>Cement:</b>	<i>Kilos.</i>		<i>Kilos.</i>	
United States.....	13, 760, 848	210, 236	1, 853, 636	
Porto Rico.....	718, 798	16, 629	1, 000, 000	
Cuba.....	3, 800	300	65, 000	
<b>Total.....</b>	<b>14, 482, 946</b>	<b>227, 165</b>	<b>2, 918, 636</b>	
<b>Chemical and pharmaceutical products:</b>				
<b>Simple drugs, oils, fats, waxes, and their derivatives—</b>				
Calcium carbide—				
United States.....	130, 306	21, 298	28, 473	
Porto Rico.....	1, 451	224	283	
<b>Total.....</b>	<b>131, 657</b>	<b>21, 522</b>	<b>28, 756</b>	
<b>Caustic soda—</b>				
United States.....	132, 312	8, 067	107, 000	

## SCHEDULE No. 1.—Imports into the Dominican Republic, etc.—Continued..

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 31, 1919.	
	Quantity.	Value.	Quantity.	Value.
Medical and pharmaceutical products—Continued. Simple drugs, etc.—Continued.				
Almond oil—	<i>Kilos.</i>		<i>Kilos.</i>	
United States.....		\$380		\$1, 132
France.....				13
Total.....		380		1, 145
Vegetable juices, extracts and oils, not elsewhere provided for—				
United States.....		4, 671		5, 751
Porto Rico.....		26		
United Kingdom.....		72		
France.....		23		27
Italy.....		206		
Spain.....		310		
Total.....		5, 310		5, 778
Resins—				
United States.....	42, 633	3, 489	24, 847	3, 961
Tallow and greases—				
United States.....	9, 102	2, 892	28, 871	7, 068
All other simple drugs, oils, fats, waxes, and their derivatives—				
United States.....		270, 999		389, 161
Porto Rico.....		5, 760		12, 342
Cuba.....		1, 491		1, 950
United Kingdom.....		1, 179		1, 630
France.....		20, 530		60, 195
Italy.....		2, 277		2, 639
Spain.....		199		221
Virgin Islands.....		8		6
Haiti.....		2		
Other British West Indies.....				1
Canada.....		75		
China.....		3		31
Total.....		302, 523		468, 176
Other chemical and pharmaceutical products—				
United States.....		6, 885		9, 518
Porto Rico.....		724		380
Cuba.....		20		85
United Kingdom.....		19		
France.....		47		34
Italy.....				252
Total.....		7, 695		10, 269
Clocks and watches:				
United States.....		15, 299		21, 457
Porto Rico.....		783		363
United Kingdom.....		31		
France.....		798		18
Italy.....		247		242
Virgin Islands.....		2		5
Netherlands.....		3, 604		7, 748
Total.....		20, 766		29, 533
Alcohol:				
United States.....	30, 165, 567	179, 726	\$2, 671, 826	160, 785
Porto Rico.....			315, 000	6, 930
United Kingdom.....	407, 442	407	101, 606	690
Other British West Indies.....			285, 000	4, 700
Total.....	30, 573, 009	180, 133	23, 323, 132	173, 105
Cigarettes, and other fuels:				
United States.....	81, 104	2, 150	137, 591	4, 068
Porto Rico.....	692	14	15, 565	368
Total.....	81, 796	2, 164	153, 156	4, 426

## SCHEDULE No. 1.—Imports into the Dominican Republic, etc.—Continued

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to De
	Quantity.	Value.	Quantity.
<b>Copper and alloys, and manufactures of:</b>	<i>Kilos:</i>		<i>Kilos:</i>
United States.....		\$76,877	
Porto Rico.....		4,001	
Cuba.....		47	
United Kingdom.....		410	
France.....		51	
Other British West Indies.....		2	
Jamaica.....		1	
Japan.....		1	
Mexico.....			
<b>Total.....</b>		<b>81,420</b>	
<b>Cork, and manufactures of:</b>			
United States.....		5,985	
Porto Rico.....		155	
France.....		5	
Spain.....		280	
<b>Total.....</b>		<b>6,405</b>	
<b>Cotton, and manufactures of:</b>			
Unmanufactured—			
United States.....	23,892	6,255	20,330
Porto Rico.....	507	214	1,246
United Kingdom.....			1,054
<b>Total.....</b>	<b>24,399</b>	<b>6,469</b>	<b>22,630</b>
<b>Manufactures of—</b>			
Blankets and blanket cloth—			
United States.....		33,383	
Porto Rico.....		17,036	
Spain.....		173	
<b>Total.....</b>		<b>50,592</b>	
<b>Cloths—</b>			
Plain woven—			
Bleached or unbleached—	<i>Lbs. met.</i>		<i>Lbs. met.</i>
United States.....	2,364,436	365,854	2,573,217
Porto Rico.....	606,406	94,309	928,267
Cuba.....	14	6	17
United Kingdom.....	230,079	33,728	120,179
France.....	310	146	
Spain.....	386	73	211
Virgin Islands.....	54	9	25
Haiti.....			55
Other British West Indies.....	64	11	
<b>Total.....</b>	<b>3,200,758</b>	<b>494,086</b>	<b>3,652,679</b>
<b>Dyed or printed—</b>			
United States.....	2,355,068	295,342	1,757,331
Porto Rico.....	1,102,521	170,898	799,426
Cuba.....	12	2	10
United Kingdom.....	440,418	58,032	200,426
Spain.....			13
Virgin Islands.....	120	20	110
Haiti.....			9
<b>Total.....</b>	<b>3,898,148</b>	<b>522,894</b>	<b>2,766,867</b>
<b>Embossed or manufactured with dyed yarns—</b>			
United States.....	4,123,542	697,802	3,489,151
Porto Rico.....	642,519	120,919	732,640
Cuba.....	15	2	
United Kingdom.....	72,654	8,926	7,140
Spain.....			4,400
<b>Total.....</b>	<b>4,847,730</b>	<b>827,649</b>	<b>4,233,291</b>
<b>Twilled or figured in the loom—</b>			
Bleached or unbleached—			
United States.....	427,634	106,196	67,400
Porto Rico.....	277,279	78,032	120,421
Cuba.....	15	3	9
United Kingdom.....	63,451	17,125	21,267
France.....		1	20

## SCHEDULE No. 1.—Imports into the Dominican Republic, etc.—Continued.

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 31, 1919.	
	Quantity.	Value.	Quantity.	Value.
<b>and manufactures of—Continued.</b>				
<b>Manufactures of—Continued.</b>				
Twilled or figured in the loom—Continued.				
Bleached or unbleached—Continued.	<i>Lin. met.</i>		<i>Lin. met.</i>	
Spain.....	131	854		
Virgin Islands.....	168	105	39	\$12
Haiti.....	2	1		
Dutch West Indies.....			19	7
<b>Total.....</b>	<b>768,684</b>	<b>202,506</b>	<b>698,593</b>	<b>228,158</b>
<b>Dyed or printed—</b>				
United States.....	640,378	143,568	418,041	149,176
Porto Rico.....	667,538	134,620	172,987	56,622
Cuba.....	10	2	11	5
United Kingdom.....	161,826	30,329	73,052	19,946
France.....	3	1		
Spain.....	2,122	960		
Virgin Islands.....	209	134	67	42
<b>Total.....</b>	<b>1,472,086</b>	<b>309,614</b>	<b>664,158</b>	<b>225,791</b>
<b>Embossed or manufactured with dyed yarns—</b>				
United States.....	516,792	140,968	776,170	425,439
Porto Rico.....	152,925	60,208	156,217	76,280
Cuba.....			18	9
United Kingdom.....	66,916	16,899	6,975	2,579
Italy.....	1,678	676		
Spain.....	13,915	3,394	31	20
Virgin Islands.....	81	67		
<b>Total.....</b>	<b>752,307</b>	<b>222,202</b>	<b>939,411</b>	<b>504,327</b>
<b>Duck—</b>				
United States.....	8,448	9,818	14,518	13,546
Porto Rico.....	591	778	359	280
Spain.....	219	293		
<b>Total.....</b>	<b>9,258</b>	<b>10,889</b>	<b>14,877</b>	<b>13,826</b>
<b>Knit goods—</b>				
United States.....		131,631		164,733
Porto Rico.....		84,528		76,951
Cuba.....		11		81
United Kingdom.....		143		151
France.....		704		262
Italy.....		3		
Spain.....		3,801		126
Virgin Islands.....		45		22
Haiti.....				1
Other British West Indies.....		4		1
Dutch West Indies.....				1
<b>Total.....</b>		<b>220,870</b>		<b>242,329</b>
<b>Clothing (except knit goods)—</b>				
United States.....		145,968		161,496
Porto Rico.....		17,830		15,032
Cuba.....		217		254
United Kingdom.....		246		166
France.....		237		142
Spain.....		166		259
Virgin Islands.....		215		66
Switzerland.....				3
Other British West Indies.....		4		
Dutch West Indies.....				11
Venezuela.....				2
Morocco.....				1
<b>Total.....</b>		<b>164,901</b>		<b>177,432</b>
<b>Wique—</b>				
United States.....	5,542	2,451	347	158
Porto Rico.....	9,002	2,780	1,532	630
United Kingdom.....	6,101	1,293	844	457
France.....	2	6		
<b>Total.....</b>	<b>20,647</b>	<b>6,510</b>	<b>2,723</b>	<b>1,245</b>

## SCHEDULE No. 1.—Imports into the Dominican Republic, etc.—Conti-

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec.
	Quantity.	Value.	Quantity.
<b>Cotton, and manufactures of—Continued.</b>			
<b>Manufactures of—Continued.</b>			
<b>Yarns, and manufactures of—</b>			
United States.....		\$49,002	
Porto Rico.....		4,244	
Cuba.....			
United Kingdom.....		204,807	
France.....		74	
Virgin Islands.....		21	
Venezuela.....			
<b>Total.....</b>		<b>258,838</b>	
<b>All other—</b>			
United States.....		191,227	
Porto Rico.....		56,722	
Cuba.....		210	
United Kingdom.....		77,120	
France.....		17,488	
Italy.....		156	
Spain.....		940	
Virgin Islands.....		649	
Netherlands.....		430	
Switzerland.....		763	
Haiti.....		40	
Other British West Indies.....		4	
Dutch.....		15	
Jamaica.....			
China.....			
<b>Total.....</b>		<b>345,764</b>	
<b>Earthenware, porcelain, clay, and pottery:</b>			
United States.....		126,596	
Porto Rico.....		33,209	
Cuba.....		440	
United Kingdom.....		17,289	
France.....		318	
Spain.....		70	
Virgin Islands.....		77	
Netherlands.....		11	
Haiti.....		11	
Jamaica.....		719	
Dutch West Indies.....		2	
<b>Total.....</b>		<b>178,743</b>	
<b>Explosives:</b>			
<b>Cartridges—</b>			
United States.....		50	
Porto Rico.....			
<b>Total.....</b>		<b>50</b>	
<b>All other—</b>			
United States.....		6,403	
Porto Rico.....		1	
Cuba.....		190	
<b>Total.....</b>		<b>6,694</b>	
<b>Feathers, intestines, and manufactures of:</b>			
United States.....		442	
Porto Rico.....		75	
France.....		57	
Spain.....		10	
<b>Total.....</b>		<b>584</b>	
<b>Fibers, vegetable, and manufactures of:</b>			
<b>Jute bags—</b>			
United States.....	Kilos. 2,464,581	885,357	Kilos. 1,394,799
Porto Rico.....	43,940	5,844	28,215
Cuba.....	18,030	4,930	
United Kingdom.....	15,105	5,947	7,000
Other British West Indies.....	1,271	803	6,000
<b>Total.....</b>	<b>2,542,927</b>	<b>915,881</b>	<b>1,541,014</b>

## SCHEDULE No. 1.—Imports into the Dominican Republic, etc.—Continued.

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 31, 1919.	
	Quantity.	Value.	Quantity.	Value.
Vegetable, and manufactures of—Continued.				
Twines, threads, ropes, and cords—				
United States	Kilos. 129,421	\$72,279	Kilos. 147,958	\$88,379
Porto Rico	7,220	4,457	5,744	3,783
United Kingdom			1,086	813
France			126	259
Spain	50	60		
Haiti	100	120		
Other British West Indies	79	4		
Jamaica	8	2		
Mexico			821	800
Total	136,878	76,922	155,745	94,034
Other—				
United States		65,781		24,649
Porto Rico		5,528		2,709
Cuba		24		110
United Kingdom		21,131		4,785
France		326		289
Spain		1,036		101
Virgin Islands		300		138
Haiti		1,450		
Total		95,576		32,781
Beefs:				
Beef, mutton, and pork, fresh—				
United States	51	16		
Porto Rico	16	3	21	
Total	67	19	21	23
Beef, jerked—				
United States	81,395	2,293	3,473	2,778
Porto Rico	423	261	7,197	5,743
Total	81,818	2,554	10,670	8,521
Lard—				
United States	683,769	423,834	436,616	296,380
Porto Rico	556	339	1,788	1,375
Cuba	15	8		
Venezuela	3,335	2,370		
Total	687,675	426,551	438,404	297,755
Salted or pickled—				
United States	228,086	65,317	120,626	37,637
Porto Rico	4	2	8,850	2,694
Virgin Islands	96	13	14	3
Total	228,186	65,332	129,490	40,334
Sausages—				
United States	92,985	64,991	154,223	121,514
Porto Rico	6	5	1,024	929
France			136	103
Total	92,991	64,996	155,383	122,546
Smoked—				
United States	98,874	79,345	134,969	124,837
Porto Rico	47	22	270	275
Cuba			15	5
Virgin Islands			4	3
Total	98,921	79,367	135,258	125,120
All other (except canned)—				
United States	133,704	22,216	121,376	24,291
Porto Rico			2,600	1,349
Total	133,704	22,216	123,976	25,640

## SCHEDULE No. 1.—Imports into the Dominican Republic, etc.—Continued.

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. :
	Quantity.	Value.	Quantity.
<b>Foodstuffs—Continued.</b>			
<b>Fish—</b>			
<b>Pickled—</b>	<i>Kilos.</i>		<i>Kilos.</i>
United States.....	122, 131	\$21, 582	115, 989
Porto Rico.....			87, 301
Spain.....	20	14	
<b>Total.....</b>	<b>122, 151</b>	<b>21, 606</b>	<b>203, 129</b>
<b>Salted or dry—</b>			
United States.....	945, 149	200, 533	1, 071, 916
Porto Rico.....	26, 713	7, 433	41, 479
Virgin Islands.....	1, 840	310	5, 826
Other British West Indies.....	68	7	47
<b>Total.....</b>	<b>973, 770</b>	<b>208, 583</b>	<b>1, 119, 273</b>
<b>Smoked—</b>			
United States.....	339, 676	82, 130	444, 729
Porto Rico.....	2, 510	670	5, 975
United Kingdom.....			89
<b>Total.....</b>	<b>342, 186</b>	<b>82, 800</b>	<b>450, 773</b>
<b>All other (except canned)—</b>			
United States.....	1, 420	411	
<b>Grains, fruits, vegetables, and preparations of—</b>			
<b>Beans, peas, and pulse, dried—</b>			
United States.....	42, 503	11, 630	63, 679
Porto Rico.....	10, 360	3, 120	25, 443
Virgin Islands.....	10	1	50
Haiti.....	2, 149	95	
<b>Total.....</b>	<b>55, 022</b>	<b>14, 855</b>	<b>89, 363</b>
<b>Bread, biscuit, and crackers—</b>			
United States.....	45, 572	17, 890	336, 367
Porto Rico.....	1, 443	948	4, 472
Cuba.....	6	4	
United Kingdom.....			3, 086
France.....	74	85	213
Spain.....	540	374	394
Virgin Islands.....	3	2	
Jamaica.....	12	5	
<b>Total.....</b>	<b>47, 650</b>	<b>19, 309</b>	<b>348, 163</b>
<b>Onions and garlic—</b>			
United States.....	270, 916	27, 851	308, 419
Porto Rico.....	77, 065	17, 078	78, 329
Cuba.....			22, 826
Spain.....	11, 506	654	42, 952
Dutch West Indies.....			1, 809
<b>Total.....</b>	<b>359, 487</b>	<b>45, 583</b>	<b>454, 335</b>
<b>Potatoes, fresh—</b>			
United States.....	541, 024	28, 519	533, 061
Porto Rico.....	34, 078	2, 950	41, 136
<b>Total.....</b>	<b>575, 100</b>	<b>32, 469</b>	<b>574, 197</b>
<b>Rice—</b>			
United States.....	14, 046, 567	2, 530, 082	6, 949, 352
Porto Rico.....	163, 057	23, 378	2, 490, 300
United Kingdom.....			490, 000
Jamaica.....	45	10	
<b>Total.....</b>	<b>14, 209, 669</b>	<b>2, 543, 330</b>	<b>9, 749, 752</b>
<b>Sugar, refined—</b>			
United States.....	34, 120	4, 756	300, 000
Porto Rico.....	55, 113	7, 352	32, 000
Cuba.....	300, 738	71, 354	4
United Kingdom.....			130
Jamaica.....	54	5	
<b>Total.....</b>	<b>490, 026</b>	<b>83, 677</b>	<b>364, 000</b>

## EDULE No. 1.—Imports into the Dominican Republic, etc.—Continued.

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 31, 1919.	
	Quantity.	Value.	Quantity.	Value.
s—Continued.				
s, fruits, etc.—Continued.				
heat flour—	<i>Kilos.</i>		<i>Kilos.</i>	
United States.....	2,975,691	\$426,862	11,002,537	\$1,538,562
Porto Rico.....	595,462	85,629	226,878	32,590
Virgin Islands.....	1,782	265	280	60
Other British West Indies.....			44	8
Jamaica.....	180	20		
French West Indies.....	83	10		
Total.....	3,573,198	512,786	11,229,739	1,571,220
armicell, macaroni, and pastes for soup—				
United States.....	94,793	17,359	428,806	86,348
Porto Rico.....	13,416	2,370	7,046	1,376
Cuba.....	4	1		
Virgin Islands.....	23	2		
Jamaica.....	26	5		
Total.....	108,262	19,737	435,852	87,724
Other—				
United States.....		102,680		148,303
Porto Rico.....		2,608		12,719
Cuba.....		1,491		30
United Kingdom.....		259		367
France.....		1,443		1,251
Spain.....		1,025		2,371
Virgin Islands.....		57		237
Netherlands.....		88		
Haiti.....		32		484
Other British West Indies.....		6,828		2,759
Dutch West Indies.....		8,879		11,126
Jamaica.....		1		
Venezuela.....				1
Portuguese Africa.....				660
Total.....		125,391		180,338
rs and beverages—				
alt liquors—	<i>Liters.</i>		<i>Liters.</i>	
United States.....	717,505	154,109	640,026	180,578
Porto Rico.....	122,183	25,330	230,249	78,807
Cuba.....	25,221	6,010	124,416	32,825
United Kingdom.....			727	366
Denmark.....	2,190	663		
Total.....	867,099	186,112	995,418	292,576
pirits, distilled—				
United States.....	15,236	15,395	38,952	33,640
Porto Rico.....	4,536	7,948	47,871	13,057
Cuba.....	8,349	8,624	43,104	38,084
United Kingdom.....	20,720	12,362	10,533	12,623
France.....	11,554	17,364	23,015	39,416
Italy.....			1,167	2,042
Spain.....	3,544	2,983	17,223	17,710
Netherlands.....	1,610	849	8,790	4,962
Virgin Islands.....	223	359		
Other British West Indies.....			45	50
Jamaica.....	22	17		
Total.....	65,794	65,881	190,700	161,584
Vines—				
United States.....	8,778	7,214	25,378	16,579
Porto Rico.....	6,027	4,698	13,832	7,752
Cuba.....	2	1	4,132	2,270
United Kingdom.....	300	293	432	296
France.....	5,094	8,248	12,404	22,906
Italy.....	19,276	13,178	39,692	43,817
Spain.....	36,859	15,643	54,837	32,565
Virgin Islands.....	110	111		
Netherlands.....			2,160	1,736
Denmark.....	38	83		
Dutch West Indies.....			4,500	3,200
French West Indies.....			34	10
Total.....	76,484	49,469	157,401	131,102

## SCHEDULE NO. 1.—Imports into the Dominican Republic, etc.—Continued

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 31, 1917.
	Quantity.	Value.	Quantity.
<b>Foodstuffs—Continued.</b>			
<b>Liquors and beverages—Continued.</b>			
<b>All other—</b>	<i>Citers.</i>		<i>Citers.</i>
United States.....	135,415	\$36,821	126,888
Porto Rico.....	11,634	3,769	7,694
Cuba.....	3,713	1,272	2,104
United Kingdom.....			686
France.....	7,762	1,426	3,440
Italy.....	119	28	
Spain.....	2,330	628	8,743
Virgin Islands.....	4	7	1
Jamaica.....	5	3	
<b>Total.....</b>	<b>160,982</b>	<b>43,954</b>	<b>148,888</b>
<b>Oils for table use—</b>			
United States.....		354,719	
Porto Rico.....		38,800	
Cuba.....		16	
United Kingdom.....		357	
France.....			
Spain.....			
Virgin Islands.....		5	
Portugal.....			
<b>Total.....</b>		<b>393,897</b>	
<b>Spices—</b>	<i>Kilos.</i>		<i>Kilos.</i>
United States.....	93,643	49,333	132,210
Porto Rico.....	749	352	7,931
Cuba.....			1
United Kingdom.....			155
France.....	9	5	7
Spain.....	542	241	486
Virgin Islands.....	128	65	9
Jamaica.....	4	3	
French West Indies.....			1
<b>Total.....</b>	<b>95,075</b>	<b>49,999</b>	<b>140,699</b>
<b>Butter—</b>			
United States.....	61,369	45,476	140,019
Porto Rico.....	2,747	1,201	12,174
United Kingdom.....			552
Denmark.....	19,342	23,380	90,980
Virgin Islands.....	27	9	
<b>Total.....</b>	<b>83,485</b>	<b>70,066</b>	<b>252,764</b>
<b>Canned or preserved goods—</b>			
<b>Fish—</b>			
United States.....		78,886	
Porto Rico.....		1,382	
United Kingdom.....		140	
France.....			
Spain.....		654	
Jamaica.....		10	
French West Indies.....			
<b>Total.....</b>		<b>81,064</b>	
<b>Fruits—</b>			
United States.....		17,869	
Porto Rico.....		436	
France.....		16	
Spain.....		54	
Jamaica.....		6	
<b>Total.....</b>		<b>18,371</b>	
<b>Meats—</b>			
United States.....		26,549	
Porto Rico.....		219	
Cuba.....		1	
United Kingdom.....			
France.....		122	
Spain.....		132	
Jamaica.....		1	
French West Indies.....			
<b>Total.....</b>		<b>27,044</b>	

EDULE No. 1.—Imports into the Dominican Republic, etc.—Continued.

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 31, 1919.	
	Quantity.	Value.	Quantity.	Value.
s—Continued.				
Continued.				
anned or preserved goods—Continued.				
Vegetables—	Kilos.		Kilos.	
United States.....		\$7,695		\$17,857
Porto Rico.....		158		4,005
France.....		19		253
Spain.....		403		1,471
Total.....		8,275		23,586
ceese—				
United States.....	73,344	57,101	116,448	105,156
Porto Rico.....	479	403	749	688
Dutch West Indies.....			45	43
Total.....	73,823	57,504	117,242	105,887
infectionery—				
United States.....	113,948	58,091	370,972	217,296
Porto Rico.....	489	133	9,185	7,197
Cuba.....	5,221	3,583	11,857	3,733
United Kingdom.....	61	29	2,130	1,214
France.....	287	324	65	82
Spain.....	2,527	1,470	11,040	8,145
Virgin Islands.....	3	3	1	1
Netherlands.....	1,099	692		
Total.....	123,635	64,325	405,250	237,668
ondensed milk—				
United States.....	154,096	57,582	267,659	105,661
Porto Rico.....	165	52	14,383	3,778
United Kingdom.....			222	79
France.....	136	122		
Total.....	154,397	57,756	282,264	109,518
leomargarine and butter substitutes—				
United States.....	14,141	6,926	49,337	27,021
Porto Rico.....			14	11
Total.....	14,141	6,926	49,351	27,032
lives—				
United States.....		9,223		10,227
Porto Rico.....		1,492		7,451
Cuba.....				19
United Kingdom.....		34		85
Spain.....		921		1,297
Jamaica.....		5		
Total.....		11,675		19,079
ickles and sauces—				
United States.....		4,837		7,316
Porto Rico.....		225		4,843
United Kingdom.....		47		873
France.....				169
Spain.....		60		490
Jamaica.....		3		
Total.....		5,172		13,691
ll others—				
United States.....		16,627		27,588
Porto Rico.....		489		6,868
Cuba.....				14
France.....		195		734
Spain.....		1,231		2,238
Virgin Islands.....				2
Haiti.....		28		
Total.....		18,570		37,444
food—				
nited States.....	2,493	386	106,481	4,825
orto Rico.....	431	36	38,154	4,675
rance.....	1,129	679		
Total.....	4,053	1,101	146,635	9,500

## SCHEDULE No. 1.—Imports into the Dominican Republic, etc.—Continued

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 31, 1917.
	Quantity.	Value.	Quantity. Value.
<b>Glass and glassware:</b>	<i>Kilos.</i>		<i>Kilos.</i>
United States.....		362,780	
Porto Rico.....		4,464	
Cuba.....		17	
United Kingdom.....		1	
France.....		669	
Spain.....		10	
Virgin Islands.....		5	
Netherlands.....			
Switzerland.....			
Jamaica.....		20	
Canada.....		1	
<b>Total.....</b>		<b>67,967</b>	
<b>Gold, silver, platinum and manufactures of:</b>			
United States.....		18,544	
Porto Rico.....		1,235	
Cuba.....		253	
United Kingdom.....			
France.....			
Italy.....		8,400	
Spain.....		10	
Switzerland.....		62	
Other British West Indies.....		2	
Canada.....			
French West Indies.....			
Peru.....			
<b>Total.....</b>		<b>28,508</b>	
<b>Hats and caps:</b>			
United States.....		72,709	
Porto Rico.....		32,456	
Cuba.....		2,131	
United Kingdom.....			
France.....		767	
Italy.....		5,292	
Spain.....		1	
Virgin Islands.....		448	
Haiti.....			
Other British West Indies.....		15	
Colombia.....			
Ecuador.....		1,121	
Costa Rica.....			
Dutch West Indies.....		3	
Jamaica.....		8	
<b>Total.....</b>		<b>114,951</b>	
<b>Hides and skins, and manufactures of:</b>			
<b>Tanned hides and skins, curried, dyed, or dressed—</b>			
United States.....	38,353	200,517	34,590
Porto Rico.....	3,979	20,386	3,673
<b>Total.....</b>	<b>37,332</b>	<b>220,903</b>	<b>27,662</b>
<b>Boots, shoes, and slippers—</b>	<i>Pairs.</i>		<i>Pairs.</i>
United States.....	170,411	374,342	79,438
Porto Rico.....	84,953	97,073	71,390
Cuba.....	25	49	96
France.....	49	62	248
Spain.....	2,257	437	2,489
Virgin Islands.....	11	34	12
Other British West Indies.....	3	4	
Venezuela.....			3
<b>Total.....</b>	<b>257,709</b>	<b>472,001</b>	<b>150,462</b>
<b>All other—</b>			
United States.....		85,027	
Porto Rico.....		3,639	
Cuba.....		155	
United Kingdom.....		98	
France.....		123	
Spain.....		609	
Switzerland.....			
Virgin Islands.....		5	
Jamaica.....		12	
<b>Total.....</b>		<b>89,638</b>	

**SCHEDULE No. 1.—Imports into the Dominican Republic, etc.—Continued.**

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 31, 1919.	
	Quantity.	Value.	Quantity.	Value.
<b>Iron and steel, and manufactures of:</b>				
<b>Cast iron—</b>				
Bars, beams, plates, columns, gratings, and grates for furnaces—	<i>Kilos.</i>		<i>Kilos.</i>	
United States.....	105,458	\$18,309	29,478	\$4,980
Porto Rico.....	23,493	3,249	40,128	6,040
<b>Total.....</b>	<b>128,951</b>	<b>21,558</b>	<b>69,606</b>	<b>11,000</b>
<b>Pipes and fittings—</b>				
United States.....	527,875	89,785	90,361	16,572
Porto Rico.....	3,862	992	12,066	2,864
Cuba.....			2,314	51
<b>Total.....</b>	<b>531,737</b>	<b>90,777</b>	<b>104,771</b>	<b>19,487</b>
<b>All other—</b>				
United States.....		12,463		22,333
Porto Rico.....		1,389		983
United Kingdom.....		6,689		743
Dutch West Indies.....				
Jamaica.....		133		
<b>Total.....</b>		<b>20,674</b>		<b>24,060</b>
<b>Brought iron, steel, and malleable cast iron—</b>				
Bars, beams, rods, plates, and sheets—				
Galvanized sheets—				
United States.....	587,142	111,453	759,882	114,842
Porto Rico.....	124,468	25,237	208,016	33,888
Jamaica.....	120	50		
<b>Total.....</b>	<b>711,730</b>	<b>136,740</b>	<b>967,898</b>	<b>148,730</b>
<b>All other—</b>				
United States.....	565,159	81,501	1,181,126	109,463
Porto Rico.....	181,961	23,553	175,725	25,168
Jamaica.....	28	26		
<b>Total.....</b>	<b>747,148</b>	<b>105,080</b>	<b>1,356,851</b>	<b>134,631</b>
<b>Cutlery—</b>				
United States.....		27,331		49,631
Porto Rico.....		1,762		1,692
Cuba.....		8		108
United Kingdom.....		48		381
France.....		194		851
Spain.....		133		
Germany.....				2
Colombia.....				1
Virgin Islands.....		1		
Haiti.....		5		
Other British West Indies.....		3		
Canada.....		86		
<b>Total.....</b>		<b>29,561</b>		<b>52,666</b>
<b>Firearms—</b>				
United States.....		2,570		1,146
Porto Rico.....		317		784
Cuba.....				550
<b>Total.....</b>		<b>2,887</b>		<b>2,480</b>
<b>Nails and tacks—</b>				
United States.....	400,837	59,687	549,046	74,028
Porto Rico.....	76,771	9,537	50,905	6,064
Cuba.....	10	4	1	3
United Kingdom.....	22	24		
France.....	32	55		
Spain.....			1,262	62
Other British West Indies.....	48	18		
Jamaica.....	49	25		
<b>Total.....</b>	<b>477,769</b>	<b>69,360</b>	<b>601,214</b>	<b>80,157</b>

## SCHEDULE No. 1.—Imports into the Dominican Republic, etc.—Contd. —

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 31, 1917.
	Quantity.	Value.	Quantity.
<b>Iron and steel, and manufactures of—Continued.</b>			
<b>Wrought iron, steel, and malleable cast iron—Con.</b>			
<b>Pipes and fittings—</b>			
United States.....	Kilos. 878,543	\$287,429	Kilos. 1,087,886
Porto Rico.....	9,827	3,455	61,307
Cuba.....	190	32	195
United Kingdom.....			724
Haiti.....	178	45	
Jamaica.....	179	98	
<b>Total.....</b>	<b>888,917</b>	<b>241,059</b>	<b>1,150,212</b>
<b>Rails—</b>			
United States.....	1,884,189	138,564	2,034,136
Porto Rico.....			1,270,523
<b>Total.....</b>	<b>1,884,189</b>	<b>138,564</b>	<b>3,304,659</b>
<b>Railway track materials (except rails)—</b>			
United States.....	104,894	15,733	135,181
Porto Rico.....	1,813	175	78,780
<b>Total.....</b>	<b>106,707</b>	<b>15,908</b>	<b>213,961</b>
<b>Structural material—</b>			
United States.....	729,903	111,117	352,139
Porto Rico.....	135,314	25,151	380,363
Cuba.....	976	250	
Spain.....	2,490	1,200	
Haiti.....	4,285	200	
<b>Total.....</b>	<b>872,968</b>	<b>137,918</b>	<b>712,522</b>
<b>Tools and implements—</b>			
United States.....		42,812	
Porto Rico.....		1,416	
Cuba.....		3	
United Kingdom.....			
France.....		77	
Spain.....			
Virgin Islands.....			
Sweden.....			
Jamaica.....		3	
<b>Total.....</b>		<b>44,311</b>	
<b>Wire—</b>			
<b>Barbed wire and staples therefor—</b>			
United States.....	573,321	72,279	1,053,986
Porto Rico.....	312,763	44,460	162,674
<b>Total.....</b>	<b>886,084</b>	<b>116,739</b>	<b>1,216,660</b>
<b>Plain wire, galvanized or not—</b>			
United States.....	45,210	10,968	89,174
Porto Rico.....	1,588	398	4,540
France.....			
Haiti.....	2,703	600	
<b>Total.....</b>	<b>49,501</b>	<b>11,974</b>	<b>103,724</b>
<b>All other—</b>			
United States.....		295,278	
Porto Rico.....		20,136	
Cuba.....		83	
United Kingdom.....		2,309	
France.....		216	
Spain.....		198	
Virgin Islands.....		63	
Netherlands.....			
Jamaica.....		39	
Canada.....		2	
Japan.....		1	
Barbados.....			
<b>Total.....</b>		<b>318,623</b>	

SCHEDULE No. 1.—Imports into the Dominican Republic, etc.—Continued.

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 31, 1919.	
	Quantity.	Value.	Quantity.	Value.
<b>ery and apparatus:</b>				
<b>ectrical machinery, apparatus, and appliances—</b>	<i>Kilos.</i>		<i>Kilos.</i>	
United States.....		\$174, 204		\$146, 683
Porto Rico.....		5, 068		3, 754
Cuba.....		103		16
United Kingdom.....				87
France.....				61
Jamaica.....		3		
<b>Total.....</b>		<b>179, 378</b>		<b>180, 601</b>
<b>igines, steam—</b>				
<b>Locomotives and tenders—</b>				
United States.....		57, 990		106, 211
Porto Rico.....				204
<b>Total.....</b>		<b>57, 990</b>		<b>106, 415</b>
<b>All other—</b>				
United States.....		101, 546		86, 720
Porto Rico.....		114		11, 000
<b>Total.....</b>		<b>101, 660</b>		<b>97, 720</b>
<b>wer pumps—</b>				
United States.....		75, 335		36, 834
Porto Rico.....		940		3, 768
<b>Total.....</b>		<b>76, 275</b>		<b>40, 602</b>
<b>ving machines—</b>				
United States.....		26, 749		31, 038
Porto Rico.....		220		432
Virgin Is'ands.....		151		111
Other British West Indies.....				5
Haiti.....		20		
<b>Total.....</b>		<b>27, 140</b>		<b>31, 586</b>
<b>ar machinery—</b>				
United States.....		824, 881		262, 377
Porto Rico.....		49, 359		87, 312
Cuba.....				1, 390
Haiti.....		590		
<b>Total.....</b>		<b>874, 830</b>		<b>351, 069</b>
<b>ewriting machines—</b>				
United States.....		43, 835		48, 618
Porto Rico.....		1, 710		1, 921
Cuba.....				75
Virgin Islands.....				95
Dutch West Indies.....				50
<b>Total.....</b>		<b>45, 545</b>		<b>50, 759</b>
<b>other—</b>				
United States.....		488, 953		406, 565
Porto Rico.....		34, 804		50, 238
Cuba.....		7		943
United Kingdom.....		1, 046		4, 455
France.....		144		756
Virgin Islands.....		15		41
Haiti.....				150
Jamaica.....		100		
Sweden.....		435		39
Venezuela.....				1
<b>Total.....</b>		<b>525, 504</b>		<b>553, 188</b>
<b>astes and scoriae:</b>				
ed States.....	287	51	34	7
n.....			1	1
<b>tal.....</b>	<b>287</b>	<b>51</b>	<b>35</b>	<b>8</b>

## SCHEDULE No. 1.—Imports into the Dominican Republic, etc.—Continued

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 31, 1917.	
	Quantity.	Value.	Quantity.	Value.
<b>Musical instruments, and parts of:</b>	<i>Kilos.</i>		<i>Kilos.</i>	
United States.....		\$19,056		1
Porto Rico.....		2,461		
France.....		478		
Spain.....		552		
Virgin Islands.....		5		
Haiti.....		160		
<b>Total.....</b>		<b>22,715</b>		
<b>Oils, mineral:</b>				
Crude oils for fuel—				
United States.....	3,277,320	42,017	5,205,000	
Porto Rico.....			1,407,914	
Mexico.....	1,425,000	9,500	1,425,000	
<b>Total.....</b>	<b>4,702,320</b>	<b>51,517</b>	<b>8,038,000</b>	
<b>Gasoline—</b>				
United States.....	2,220,740	257,085	915,259	
Porto Rico.....			87	
<b>Total.....</b>	<b>2,220,740</b>	<b>257,085</b>	<b>915,346</b>	
<b>Illuminating oil—</b>				
United States.....	3,051,242	168,351	3,227,670	
Porto Rico.....	44,760	2,760	11,780	
Virgin Islands.....	36	6	6,780	
<b>Total.....</b>	<b>3,096,038</b>	<b>171,117</b>	<b>3,245,870</b>	
<b>Lubricating oil—</b>				
United States.....	839,744	98,237	697,745	
Porto Rico.....	8,019	308	6,371	
Cuba.....	276	192	25	
United Kingdom.....				
<b>Total.....</b>	<b>848,039</b>	<b>98,737</b>	<b>704,141</b>	
<b>All other schists, bitumens, and derivatives—</b>				
United States.....	160,993	40,752	156,286	
Porto Rico.....	484	56	7,341	
France.....			3	
Switzerland.....			1	
<b>Total.....</b>	<b>161,477</b>	<b>40,808</b>	<b>163,676</b>	
<b>Paints, pigments, varnishes, ink, colors, and dyes:</b>				
Paints and pigments—				
United States.....	437,339	52,689	429,389	
Porto Rico.....	9,645	2,058	5,148	
Cuba.....	60	26		
United Kingdom.....	5,476	796	6,927	
France.....	2	3	13	
<b>Total.....</b>	<b>452,522</b>	<b>55,584</b>	<b>442,484</b>	
<b>All other—</b>				
United States.....		53,089		
Porto Rico.....		1,115		
Cuba.....		4		
United Kingdom.....		477		
France.....		19		
Spain.....		3		
<b>Total.....</b>		<b>54,698</b>		
<b>Paper, and manufactures of:</b>				
United States.....		200,214		
Porto Rico.....		10,310		
Cuba.....		4,987		
United Kingdom.....		644		
France.....		973		
Italy.....				
Spain.....		3,579		
Netherlands.....				
Virgin Islands.....		17		
Jamaica.....		109		
Sweden.....		2,738		

DULE No. 1.—Imports into the Dominican Republic, etc.—Continued.

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 31, 1919.	
	Quantity.	Value.	Quantity.	Value.
manufactures of—Continued.				
and.....		\$11		\$2
.....				16
Vest Indies.....				144
British West Indies.....	1			
West Indies.....	10			5
.....	223,561			382,768
ous stones, and imitations of, unset:				
States.....				15
ico.....				28
.....				7
lands.....				4
.....				54
cosmetics, and other toilet preparations:				
ates.....	34,558			46,136
co.....	5,632			5,486
.....	8,260			20,231
Kingdom.....	1,401			133
.....	9,585			9,455
.....	48			758
lands.....	203			387
nds.....	48			30
nd.....				1
.....				2
.....				4
British West Indies.....	3			3
.....	2			
est Indies.....				1
.....				1
.....	59,740			82,628
gold and silver:				
ates.....	17,580			24,367
co.....	472			708
.....				21
Kingdom.....	1			3
.....	12			33
.....	98			141
lands.....				3
nd.....	8			44
.....	26			
.....	18,197			25,320
oo, straw, palm leaf, and analogous ma-				
manufactures of:				
ates.....	20,885			41,899
co.....	1,385			1,807
.....	1			17
Kingdom.....				39
.....	87			1,489
lands.....	16			
nds.....	1			5
.....	1			
st Indies.....	2			
.....	22,378			45,256
manufactures of:				
ates.....	137,804			166,531
co.....	5,904			10,350
.....				179
Kingdom.....	116			147
.....	60			174
.....				67
lands.....				120
nds.....	2			10
.....	90			
ish West Indies.....				10
.....				13
.....	143,976			177,601

## SCHEDULE No. 1.—Imports into the Dominican Republic, etc.—Continued.

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 1
	Quantity.	Value.	Quantity.
<b>Silk, and manufactures of:</b>			
United States.....		\$128,024	
Porto Rico.....		36,929	
Cuba.....		105	
United Kingdom.....		465	
France.....		4,370	
Italy.....		100	
Spain.....		4	
Virgin Islands.....		17	
Switzerland.....		140	
Other British West Indies.....		2	
Japan.....			
Venezuela.....			
China.....			
Philippine Islands.....			
<b>Total.....</b>		<b>170,156</b>	
<b>Soap:</b>	<i>Kilos.</i>		<i>Kilos.</i>
United States.....	2,288,965	468,617	3,298,851
Porto Rico.....	179,345	36,733	55,082
Cuba.....	1,940	2,134	1,061
United Kingdom.....	2	3	1,889
France.....	405	431	426
Spain.....	103	210	42
Virgin Islands.....	10	7	1
Haiti.....			
Other British West Indies.....			1
<b>Total.....</b>	<b>2,470,770</b>	<b>508,135</b>	<b>3,345,674</b>
<b>Stones, and earths, and manufactures of:</b>			
United States.....		40,876	
Porto Rico.....		1,005	
Cuba.....		570	
United Kingdom.....		3	
France.....		5	
Spain.....		1	
Haiti.....		5	
Sweden.....			
Jamaica.....		60	
Canary Islands.....			
<b>Total.....</b>		<b>51,525</b>	
<b>Tin, lead, zinc, and other metals, and manufactures of:</b>			
United States.....		12,973	
Porto Rico.....		1,513	
Cuba.....			
France.....		107	
United Kingdom.....		5	
Spain.....		6	
Virgin Islands.....		17	
Other British West Indies.....		5	
Jamaica.....			
Belgium.....			
<b>Total.....</b>		<b>14,626</b>	
<b>Wood, and manufactures of:</b>			
Boards, planks, and beams—	<i>Cub. met.</i>		<i>Cub. met.</i>
United States.....	14,933	253,604	12,939
Porto Rico.....	421	10,208	2,373
Cuba.....			3
Other British West Indies.....			1
<b>Total.....</b>	<b>15,354</b>	<b>263,807</b>	<b>14,313</b>
<b>Furniture—</b>			
United States.....		101,919	
Porto Rico.....		3,265	
Cuba.....		102	
France.....		30	
Italy.....		14	
Virgin Islands.....		7	
Switzerland.....		11	
Canada.....			
<b>Total.....</b>		<b>105,328</b>	

## SCHEDULE No. 1.—Imports into the Dominican Republic, etc.—Continued.

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 31, 1919.	
	Quantity.	Value.	Quantity.	Value.
and manufacturers of—Continued.				
other—				
United States.....		\$85,533		\$86,492
Porto Rico.....		20,353		3,750
Cuba.....		392		118
United Kingdom.....				21
ce.....		3		284
Italy.....		13		7
Spain.....		248		178
Virgin Islands.....		7		31
Haiti.....		12		
Dutch West Indies.....				4
amaica.....		14		
apan.....				1
Colombia.....				1
Total.....		106,575		90,887
d manufactures of:				
d States.....		67,332		98,202
o Rico.....		6,877		5,368
		59		101
d Kingdom.....		2,186		6,534
ce.....		1,499		1,717
				774
		53		254
n Islands.....		106		102
				10
itina.....				1
al.....		78,092		113,123
dutiable articles:				
d States.....		192,782		129,577
Rico.....		17,556		13,061
		731		2,337
d Kingdom.....		2,765		1,173
e.....		5,811		4,620
		3,978		1,103
		927		309
Islands.....		26		26
British West Indies.....		5		
n West Indies.....				1
				2
riand.....				14
l.....		224,583		151,212
ree articles:				
d States.....		220,842		243,714
Rico.....		9,992		18,376
		276		3,597
d Kingdom.....		38		19
		206		594
		309		1,060
Islands.....		1,000		
				1
a.....		49		
l.....		232,912		267,361

SCHEDULE No. 2.—*Recapitulation of imports.*  
[Values stated in United States currency.]

Countries.	Merchandise free of duty.	Merchandise subject to duty.	Carrying trade by vessels.						Frontier trade.	Percentage of whole, 1919.	Total value of merchandise, 1919.	Total value of merchandise, 1918.
			Dominican.	American.	British.	French.	Norwegian.	Spanish.	All other.			
United States.	\$755,281	\$17,338,023	\$112,421	\$17,644,849	\$242,838	\$7	\$17,922		\$95,254	82.26	\$18,113,304	\$17,037,041
Porto Rico.	141,686	2,674,619	766,801	2,005,768	107				43,704	12.79	2,816,304	1,790,409
Cuba.	4,514	147,660	7,023	152,683	3				144,882	69	152,774	121,773
United Kingdom.	4,149	342,064		345,375	691	151				1.57	346,217	529,351
France.	2,916	165,965	124	140,764		30,884			108	.78	171,900	99,084
Germany.												
Italy.	2	77,578	7	77,573								
Spain.	1,353	124,968	4,740	60,545		750			59,896	.35	77,580	34,716
Virgin Islands.	3	3,274	247	247					528	.67	123,931	48,796
Netherlands.		22,008		5,065	2,099	1,736			15,207	.02	3,277	5,472
Denmark.		140,884		140,884						.10	22,008	2,069
Switzerland.		8,779		6,755					635	.64	140,884	24,126
Haiti.	2,000	1,478	1,349	506		160			817	.04	8,779	4,617
Other British West Indies.		4,715	2,941	1,353	2,000				\$5	.02	3,478	4,041
Dutch West Indies.	90	20,066	15,897	4,247	423				2	.02	4,715	7,734
Jamaica.		10								.09	20,146	5,886
Sweden.		735		735						.01	735	1,667
Canada.	1	20	6	15						.01	735	3,171
French West Indies.		20	1	1		15				.21	164	20
Japan.		104		104						.20	104	2
Venezuela.		19	8	11						.19	19	2
China.		31	10	31						.10	31	3
Mexico.		10,330		830	9,500					.05	10,330	9,500
Colombia.		340	3	2						.05	340	6
Casary Islands.		340							340		340	
Portugal.		80						80			80	
Philippine Islands.		8									8	
Sancti Spiritus.		26	26	6							26	
Portuguese Africa.		660						660			660	
Cape Verde.		7									7	
Argentine.		1									1	
Uruguay.		1									1	
Brazil.		1									1	
Netherlands.		2									2	



SCHEDULE No. 5.—Imports into the Dominican Republic, during the calendar year 1919, showing the values and principal countries of origin in comparison with those of the calendar year 1918 (Jan. 1 to Dec. 31), and percentage of increases and decreases for same years—Continued.

Articles.	United States.	Porto Rico.	Cuba.	United Kingdom.	France.	Italy.	Spain.	Netherlands.	Denmark.	Switzerland.	Haiti.	Dutch West Indies.	Mexico.
Soap	\$708,315	\$11,062	\$2,549	\$453	\$669		\$110						
Stones and earths	37,428	3,789		150	105		1						
Tin, lead, zinc	27,950	1,552	40	7	411		3						
Wood, and manufactures of	553,319	63,974	2,155	21	291	\$9	178			\$86		\$4	
Wool, and manufactures of	98,292	5,338	101	6,534	1,717		254				\$10		
Durable articles	129,577	13,051	2,337	1,178	4,620	103	309			14			
Free articles	243,714	18,376	3,597	19	594		1,060						
Total	18,113,304	2,816,304	152,174	346,217	171,900	77,580	125,931	\$22,008	\$140,884	8,779	3,478	20,146	\$10,330

Recapitulation of imports.

Countries.	Amount.		1919		Percentage of whole.			1919	
	1919	1918	Increase.	Decrease.	Net increase.	1919	1918	Increase.	Decrease.
United States	\$18,113,304	\$17,037,041	\$1,076,263			82.26	86.32		
Porto Rico	2,816,304	1,760,409	1,025,896			12.79	9.07		
Cuba	152,174	121,773	30,401			.69	.62		
United Kingdom	346,217	526,351		\$183,134		1.57	2.63		
France	171,900	99,064	72,816			.78	.50		
Italy	77,580	34,716	42,864			.35	.18		
Spain	125,931	48,765	77,166			.57	.25		
Netherlands	22,008	2,059	19,949			.10	.01		
Denmark	140,884	24,126	116,758			.64	.12		
Switzerland	8,779	4,617	4,162			.04	.02		
Haiti	3,478	4,041		\$63		.03	.02		
Dutch West Indies	20,146	8,895	11,250			.09	.04		
Mexico	10,330	9,240				.05	.04		
Other British West Indies	6,715	7,716		\$1,001		.02	.04		
Other territories	2,169	2,412		\$243		.01	.01		

Articles.	Other British West Indies.	Virgin Islands.	Other countries.	1918		1919		Increase.	Decrease.	Net increase.	1919	1918	Increase.	Decrease.	Net increase.
				1919	1918	1919	1918								
Agricultural machinery.....				\$216,066	\$238,045			\$18,024	\$21,979		0.98	1.21	0.09	0.23	
Animals.....				22,560	4,536			32,339			.11	.02	.14		
Books.....	\$2			71,630	38,711						.34	.20			
Cars, carriages.....	255			637,982	637,097						2.53	3.18		.65	
Cement.....				196,256	227,065						.89	1.15		.26	
Chemical and pharmaceutical.....				530,836	352,468			178,368			2.41	1.79		.62	
Clocks and watches.....	81			29,833	20,766			9,067			.14	.11		.03	
Coal.....	5			173,105	180,133				7,028		.79	.91		.12	
Coke, briquettes.....				4,426	2,164			2,262			.02	.01		.01	
Copper and alloys.....				101,871	81,420			20,451			.46	.41		.05	
Cork and manufactures.....				6,674	6,405				1,731		.02	.03		.01	
Cotton and manufactures.....	631			3,932,483	3,643,606			288,867			17.86	18.46		.60	
Earthenware, porcelain.....	134			125,048	178,743				53,685		.67	.91		.24	
Explosives.....				19,039	6,724			12,305			.09	.03		.06	
Feathers, intestines.....				2,088	584			1,514			.01			.01	
Fibers, vegetable.....	1,945			697,565	1,088,426				390,861		3.17	5.52		2.35	
Foodstuffs.....															
Meats.....	6			619,989	661,085				41,096		2.81	3.35		.54	
Fish.....	823			465,567	373,400			92,167			2.11	1.89		.22	
Grains, fruits.....	303			4,270,708	3,397,129			873,579			19.40	17.21		2.19	
Liquors and beverages.....	661			632,183	345,416			286,767			2.87	1.76		1.11	
Canned or preserved goods.....	1			299,827	135,394			164,433			1.18	.69		.49	
Miscellaneous.....	9			1,462,906	736,981			725,915			6.64	3.73		2.91	
Glass and glassware.....	15			98,065	87,987			28,098			.44	.34		.10	
Gold, silver, platinum.....				44,991	58,508			16,468			.20	.14		.06	
Hats and caps.....	35			182,120	114,951			66,179			.83	.53		.30	
Hides and skins.....	36			604,166	782,583				178,396		2.74	3.97		1.23	
Iron and steel.....															
Cast iron.....				54,547	133,009				78,462		.25	.67		.42	
Wrought iron.....	55			1,639,001	1,368,522			270,479			7.44	6.96		.51	
Machinery and apparatus.....	5			1,361,940	1,886,292				506,352		6.28	9.57		3.29	
Metal wastes and scrap.....				8	51				43						
Musical instruments.....	36			24,586	22,715			1,871			.11	.12		.01	
Oils, mineral.....				519,108	619,274				100,166		2.36	3.14		.78	
Paint and pigments.....				199,519	140,244			59,275			.91	.71		.20	
Paper and manufactures.....	112			382,768	223,561			159,207			1.74	1.13		.61	
Pearls, precious stones.....	4			54				54			.37	.30		.07	
Perfumery, cosmetics.....	3			82,628	59,740			22,888			.11	.09		.02	
Plated ware, gold, silver.....	44			25,320	18,197			7,123							

SCHEDULE No. 5—Imports into the Dominican Republic, during the calendar year 1919, etc.—Continued.

Articles.	Other British West Indies.	Virgin Islands.	Other coun- tries.	Amount.		1919			Percentage of whole.		1919		Net In- crease.
				1919	1918	Increase.	Decrease.	Net In- crease.	1919	1918	Increase.	Decrease.	
Rattan, bamboo, straw.....		85		\$45,266	\$22,378	\$22,378			0.20	0.12	0.08		
Rubber and manufactures.....	\$10	10	313	177,601	143,976	33,625			81	79	0.6		
Silk and manufactures.....		15	110	155,025	170,156		\$15,131		70	86	0.16		
Soap.....	1			783,140	598,135	275,005			3.56	2.87	.99		
Stones and earths.....			402	41,875	51,525		9,650		19	26	.07		
Tin, lead, zinc.....				20,997	14,626	15,341			14	07	.07		
Wood and manufactures of.....	17	41	3	620,098	475,710	144,388			2.81	2.41	.40		
Wool and manufactures of.....		102	1	113,128	75,082	38,031			51	40	.11		
Durable articles.....		26	9	151,218	224,588		73,365		69	1.13	.44		
Free articles.....			1	267,361	252,912	34,449			1.21	1.19	.02		
Total.....	4,715	3,277	2,100	22,019,127	19,736,132	3,860,854	1,577,879	\$2,282,975	100.00	100.00	11.50	11.50	11.57

TABLE No. 7.—*Exports from the Dominican Republic during the calendar year 1919, showing the values and countries of destination in comparison with those of calendar year 1918.*

[Values stated in United States currency. Quantities stated in metric units.]

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 31, 1919.	
	Quantity.	Value.	Quantity.	Value.
Haiti.....	<i>Number.</i> 1,733	\$50,180	<i>Number.</i> 910	\$21,175
Other—				
Porto Rico.....		7,920		5,175
Cuba.....				200
Haiti.....		5,195		2,581
Total.....		13,115		7,956
	<i>Bunches.</i> 12,503	3,062	<i>Bunches.</i> 14,806	3,827
British West Indies.....	5	2	34	8
Al.....	12,508	3,064	14,840	3,835
	<i>Kilos.</i> 205,341	154,818	<i>Kilos.</i> 193,629	149,994
United States.....	5,718	2,865		
Porto Rico.....	4,634	2,227		
United Kingdom.....	2,454	2,328	11,561	10,028
Other.....	1,118	899	1,093	878
West Indies.....			1,305	797
Islands.....			918	810
Al.....	219,265	163,137	208,526	162,507
Other—				
United States.....	17,206,234	3,575,347	20,137,896	7,069,746
Porto Rico.....	1,375,936	256,545	115,977	40,547
United Kingdom.....	43,514	8,842		
Other.....	212,106	75,935	2,111,882	859,926
Islands.....	1,682	343		
Al.....			52,580	21,165
l.....	18,839,472	3,917,012	22,418,335	8,011,384
Other—				
United States.....	67,682	10,393	212,929	33,403
Porto Rico.....	520	42		
United Kingdom.....	1,072	142	12,033	1,803
Other.....			153	30
l.....	69,274	10,582	225,115	35,236
Other—				
United States.....	86,868	4,137	592,690	32,383
Porto Rico.....	29,250	975	170,840	7,431
Islands.....	300	9		
British West Indies.....	40	2	1,124	61
l.....	116,458	5,123	764,654	39,875
Other—				
United States.....	1,324,439	324,834	910,279	406,389
Porto Rico.....	62,927	9,789	27,276	9,881
United Kingdom.....	141,669	29,380	211,747	85,075
Other.....			55,386	30,963
Islands.....	99,631	29,505	939,850	385,985
West Indies.....			50	35
Al.....	446,943	96,783	10,910	3,273
Islands.....	4,933	972		
West Indies.....	205,511	45,310	42,372	19,108
Al.....			11,576	6,712
l.....	2,286,063	536,573	2,209,446	947,421
Other—				
United States.....	184,337	23,299	52,831	9,248
Other—				
United States.....	885,104	21,094	3,330,574	50,082

## SCHEDULE No. 7.—Exports from the Dominican Republic, etc.—Cont.:

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec.
	Quantity.	Value.	Quantity.
<b>Dyewoods—Continued.</b>			
All other—	<i>Kilos.</i>		<i>Kilos.</i>
United States.....	1,892,574	\$62,806	1,355,540
Porto Rico.....	145,770	6,796	
Spain.....			100
Haiti.....	8,000	100	
Total.....	2,046,344	69,751	1,355,640
<b>Fibers, vegetable:</b>			
Cotton, raw—			
United States.....	51,900	51,410	22,673
Porto Rico.....			15,003
United Kingdom.....			18,644
France.....			28,483
Netherlands.....			4,377
Total.....	51,900	51,410	89,213
All other—			
United States.....		583	
Porto Rico.....		223	
Cuba.....			
Virgin Islands.....		22	
Haiti.....		322	
Total.....		1,150	
<b>Gums and resins:</b>			
United States.....	997	686	32,379
United Kingdom.....			1,306
Dutch West Indies.....			6,046
Total.....	997	686	39,631
<b>Hides and skins:</b>			
Goatskins—			
United States.....	76,525	84,178	234,346
Porto Rico.....	1,464	966	4,811
France.....	396	236	611
Spain.....			53
Haiti.....	207	207	163
Total.....	78,592	85,587	239,980
Hides of cattle—			
United States.....	119,224	61,800	730,209
Porto Rico.....	32,217	13,192	68,733
France.....	11,701	8,000	3,604
Spain.....			11,000
Haiti.....	666	418	190
Netherlands.....			67
Total.....	163,808	83,509	792,798
All other—			
Porto Rico.....	13,918	11,075	32,435
Cuba.....	1,151	1,072	
Spain.....	73	50	24
Virgin Islands.....	214	213	
Haiti.....	32	19	
Dutch West Indies.....	1,504	1,306	
Netherlands.....			2,254
Total.....	16,982	13,706	34,671
<b>Honey:</b>			
United States.....	117,963	31,247	725,653
Porto Rico.....	164,897	43,692	2,000
United Kingdom.....	1,236,806	316,132	201,327
France.....	263,063	132,695	600,130
Italy.....			6,000
Spain.....	23,687	6,204	
Haiti.....	31,461	7,878	
Jamaica.....	53,570	23,782	
Dutch West Indies.....			114,407
French West Indies.....	46,478	23,290	
Netherlands.....			9,204
Total.....	1,938,225	584,779	1,778,114

# INQUIRY INTO OCCUPATION OF HAITI AND SANTO DOMINGO. 1045

## CHEDULE NO. 7.—Exports from the Dominican Republic, etc.—Continued.

Articles and countries.	Jan. 1 to Dec. 31, 1918.		Jan. 1 to Dec. 31, 1919.	
	Quantity.	Value.	Quantity.	Value.
<i>Kilos.</i>			<i>Kilos.</i>	
United States.....	2,965,204	\$30,002	26,942,133	\$108,148
Porto Rico.....			4,728,479	10,280
United Kingdom.....	12,250,000	90,850	2,450,000	22,500
Canada.....	2,162,500	21,500		
Other British West Indies.....	40	4		
<b>Total.....</b>	<b>17,377,744</b>	<b>142,356</b>	<b>34,120,612</b>	<b>140,928</b>
<i>Kilos.</i>			<i>Kilos.</i>	
United States.....	114,076,495	11,373,390	100,429,100	12,980,110
Porto Rico.....			620,562	139,330
France.....			4,558,414	537,958
Spain.....	71,986	7,800	73,600	15,225
Virgin Islands.....	189,643	18,308		
Canada.....	5,528,915	574,060	52,464,373	6,421,234
Haiti.....	1,029	206	801,099	199,956
Other British West Indies.....	24,195	3,010	18,528	2,722
Dutch West Indies.....	140,485	14,625	230	38
Netherlands.....			1,376,457	162,412
Belgium.....			1,939,238	228,775
<b>Total.....</b>	<b>120,032,748</b>	<b>11,991,399</b>	<b>162,321,601</b>	<b>20,697,761</b>
United States.....			13,800	4,500
Haiti.....	76	15		
<b>Total.....</b>	<b>76</b>	<b>15</b>	<b>13,800</b>	<b>4,500</b>
Porto Rico.....	186,578,142	513,377	72,476,834	354,563
Other British West Indies.....	2,225	25	3,000	15
<b>Total.....</b>	<b>186,580,367</b>	<b>513,402</b>	<b>72,479,834</b>	<b>354,578</b>
and manufactures of:				
tobacco—				
United States.....	10,081,103	2,279,649	5,594,029	1,755,792
Porto Rico.....	663,349	190,025	547,533	178,820
United Kingdom.....			110,000	40,000
France.....	1,846,377	432,982	5,573,796	1,883,453
Spain.....	2,290,627	682,198	1,500,153	605,684
Virgin Islands.....	1,295	423	1,287	350
Haiti.....	16,159	1,613	13,698	1,898
Dutch West Indies.....	55,330	8,800	87,817	35,095
Netherlands.....			6,591,782	2,039,945
French Africa.....	52,000	10,000	282,000	120,000
Libanar.....	93,600	18,000		
<b>Total.....</b>	<b>15,199,840</b>	<b>3,623,780</b>	<b>20,302,095</b>	<b>6,661,033</b>
United States.....	4,000	160		
Haiti.....	45,410	1,221	16,900	405
Other British West Indies.....	500	5		
Dutch West Indies.....	550	26		
<b>Total.....</b>	<b>50,460</b>	<b>1,412</b>	<b>16,900</b>	<b>405</b>
United States.....	300,000	437	600,000	1,000
Porto Rico.....			600,000	740
France.....	120,000	100		
Virgin Islands.....	1,330,800	1,928	1,207,200	1,680
Haiti.....	1,705,140	3,953	2,222,280	2,915
Other British West Indies.....	24,000	21		
Dutch West Indies.....	1,190,000	1,562	1,320,000	2,574
<b>Total.....</b>	<b>4,669,940</b>	<b>8,001</b>	<b>5,949,480</b>	<b>9,109</b>
United States.....		200		
Haiti.....		350		40
Other British West Indies.....		6,582		160
Dutch West Indies.....		75		129
<b>Total.....</b>		<b>7,207</b>		<b>329</b>

## SCHEDULE No. 7.—Exports from the Dominican Republic, etc.—Continued

Articles and countries.	Jan. 1 to Dec. 31, 1912.		Jan. 1 to Dec. 31, 1911.	
	Quantity.	Value.	Quantity.	Value.
<b>Wood:</b>				
Lignum-vitæ—	<i>Kilos.</i>		<i>Kilos.</i>	
United States.....	51,071	\$1,548	6,616	
United Kingdom.....			142,770	
Haiti.....	27,640	2,764	43,700	
Dutch West Indies.....	37,130	1,150	322,700	
Netherlands.....			165,375	
Jamaica.....	180,720	4,936		
Total.....	296,561	10,407	761,221	
Mahogany—				
United States.....	5,500	60	234,475	
Porto Rico.....	32,729	891	44,150	
Italy.....			60,000	
Virgin Islands.....			1,250	
Dutch West Indies.....	2,280	69	17,572	
Netherlands.....			9,862	
Total.....	40,509	1,020	367,312	
All other—				
United States.....		4,760		
Porto Rico.....		10,861		
United Kingdom.....		3,572		
Italy.....				
Haiti.....		1,580		
Dutch West Indies.....		735		
Netherlands.....				
Jamaica.....		2,513		
Total.....		24,031		
<b>All other exports:</b>				
Domestic merchandise—				
United States.....		26,662		
Porto Rico.....		54,373		
Cuba.....		92,663		
United Kingdom.....				
France.....				
Italy.....		3,153		
Spain.....				
Virgin Islands.....		562		
Haiti.....		62,156		
Other British West Indies.....		1,560		
Dutch West Indies.....		821		
French West Indies.....				
Netherlands.....				
Japan.....		2,255		
Argentina.....		2,579		
Total.....		246,656		
<b>Reexports:</b>				
Foreign merchandise—				
United States.....		46,667		
Porto Rico.....		102,627		
Cuba.....		97		
France.....				
Italy.....		2,000		
Spain.....		15		
Haiti.....		8,044		
Other British West Indies.....		72		
Dutch West Indies.....				
French West Indies.....				
Netherlands.....				
Total.....		159,552		

Countries.	Merchandise free of duty.	Merchandise subject to duty.	Carrying trade by vessels.						Frontier trade.	Percentage of whole, 1919.	Total value of merchandise, 1918.
			Dominican.	American.	British.	Norwegian.	Spanish.	All other.			
United States . . . . .	\$15,352,015	\$8,658,044	\$22,783,034	\$100,000					60.70	\$24,040,059	\$18,170,291
Porto Rico . . . . .	941,467	91,122	125,076	1,757			\$156,390		2.61	1,032,899	1,226,134
Cuba . . . . .	77,474	85,075	28,498	1,238					.41	102,549	133,074
United Kingdom . . . . .	178,266	45,056	118,539	103,272					5.77	222,352	412,781
France . . . . .	2,793,877	1,257,754	537,958	984,764					10.23	4,051,631	691,890
Italy . . . . .	2,174	2,511	4,685						.01	5,153	5,153
Spain . . . . .	623,565	11,407	17,302	249,836				\$130,675	1.60	634,972	793,400
Virgin Islands . . . . .	2,200	1,880		410				2,360	.01	2,360	2,360
Canada . . . . .	6,421,234	9,599	5,567,714	853,520					16.22	6,421,234	566,560
Haiti . . . . .	291,687	9,996	3,792	8,400					.73	291,286	165,628
Other British West Indies . . . . .	91,577	40,937	114,093	133				49,397	10	4,996	4,701
Dutch West Indies . . . . .								5,291	.33	132,514	74,638
French West Indies . . . . .								1,899,534		2,350,473	23,239
Netherlands . . . . .	2,209,466	41,007	162,412	186,028				1,899,534	5.68	2,350,473	
Belgium . . . . .	228,775	228,775	228,775	8,400				1,899,534	.58	228,775	10,000
French Africa . . . . .	126,000		126,000	133				1,899,534	.31	126,000	19,000
Gibraltar . . . . .											31,231
Jamaica . . . . .											2,379
Argentina . . . . .											2,255
Japan . . . . .											
Total, 1919 . . . . .	29,359,320	10,242,572	31,502,305	2,223,157	2,333,679		156,390	2,523,887	100.00	39,601,892	
Total, 1918 . . . . .	17,505,163	4,867,181	17,049,976	777,749	681,880		1,271,862	1,360,787		17,229,548	22,372,344
Increase, 1919 . . . . .	11,854,157	5,375,391	14,512,329	1,445,408	1,671,799		1,115,472	1,163,100			
Decrease, 1919 . . . . .								436,771			

SCHEDULE No. 11.—Exports from the Dominican Republic during the calendar year 1919, showing the values and countries of destination, in comparison with those of the calendar year 1918, and percentage of increases and decreases for some years.

Articles.	United States.	Porto Rico.	Cuba.	United Kingdom.	France.	Italy.	Spain.	Virgin Islands.	Canada.	Haiti.	Other British West Indies.	Dutch West Indies.	French West Indies.
<b>Animals:</b>													
Cattle.....		\$5,175	\$200							\$21,175			
All other.....										2,581			
Bananas.....	\$149,094				\$10,028					3,827	\$8	\$797	
Beeswax.....	7,089,746	40,547			\$59,926								
Cacao, crude.....	33,408									1,803	61	19,108	
Caster beans.....	22,383	7,431											
Cocunut.....	408,339	9,881	85,075	\$30,963	335,985	\$35	\$3,273						
Coffee.....	9,248												
Copra.....													
Copper, ore.....													
Dyewoods:													
Logwood.....	50,082												
All other.....	64,831						5						
<b>Fibers, vegetable:</b>													
Cotton, raw.....	20,414	15,063	22,802	13,351	21,728					242		12,002	
All other.....	41,330			2,416									
Gums and resins.....													
Goatskins.....	510,165	4,800			490		40			100			
Hides and skins.....	461,619	33,954			2,968		8,094			155			
Horns of cattle.....	154,607	46,640					574						
All other.....	108,148	10,280		91,416	344,922	1,017						22,020	
Honey.....				22,000									
Molasses.....													
Sugar.....	12,990,110	139,330			537,948		15,228		\$6,421,224	100,966	2,728	38	
Raw.....	4,500	354,963									15		
Refined.....				40,000	1,883,453		605,694	\$330		1,894		35,005	
Sugar cane.....										403			
Tobacco:										2,915		2,574	
Leaf.....	1,755,792	178,820					40			180		129	
Cigars.....	1,000	740											
Cigarettes.....													
All other.....													
<b>Wood:</b>													
Lignum-vile.....	221			12,980		2,290				8,370		19,880	
Manihoti.....	9,024	1,749						60				7,837	
All other.....	9,989	19,521		1,100								7,865	
All other aggregate.....	51,912	95,307	60,714	8,011	1,779	691	2,107			40,647	1,494	11,249	
Time lost.....		67,134	7,777		174					5,041		5,101	



SCHEDULE NO. 11.—Exports from the Dominican Republic during the calendar year 1919, showing the values and countries of destination, in comparison with those of the calendar years 1918, and percentage of increases and decreases for same years—Continued.

RECAPITULATION OF EXPORTS.

Countries.	Amount.		1919		Percentage of whole.		1919		Net increase.
	1919	1918	Increase.	Decrease.	1919	1918	Increase.	Decrease.	
United States.....	\$24,040,059	\$18,170,291	\$5,869,768		60.70	81.22		20.52	
Porto Rico.....	1,032,580	1,226,134		\$193,545	2.01	6.48		2.57	
Cuba.....	102,549	132,074	30,475		.41	.89		.48	
United Kingdom.....	223,332	412,781		189,429	5.7	1.55	7.18	1.28	
France.....	4,051,631	681,880	3,369,751		10.23	3.05			
Italy.....	4,685	5,133		468	.01	.02		.01	
Spain.....	634,972	783,400		158,428	1.60	3.55		1.95	
Virgin Islands.....	2,290	22,800		20,510	.01	.09		.09	
Canada.....	6,421,234	595,560	5,825,674		16.22	2.96	13.56		
Haiti.....	291,236	165,628	125,608		.73	.74		.01	
Other British West Indies.....	4,996	4,701			.01	.02		.01	
Dutch West Indies.....	132,514	74,638	57,876		.33	.33			
French West Indies.....	2,260,473	23,239		22,762		.10		.10	
Netherlands.....	2,280,473		2,280,473		5.68		5.68		
Belgium.....	228,775		228,775		.58		.58		
French Africa.....	120,000	10,000	110,000		.31	.05	.26		
Gibraltar.....		18,000		18,000		.08		.08	
Jamaica.....		31,231		31,231		.14		.14	
Argentina.....		2,679		2,679		.01		.01	
Japan.....		2,255		2,255		.01		.01	
Total.....	39,601,862	22,372,344	17,229,518	639,197	100.00	100.00	27.26	27.26	77.01

TABLE No. 12.—Statement of value of six principal crops exported in 1919.

Ports.	Cacao, crude.	Coffee.	Honey.	Sugar, raw.	Sugar, cane.	Tobacco, leaf.
.....		\$26,867	\$41,236	\$747,725		
.....		13,320	14,740			\$95
.....						1,069
.....				1,565		
.....	\$79,960	2,646		2,711,627	\$354,563	
.....	303,487		180,413	13,023,629		350
.....		4,015	30,518			825,617
.....	2,046,030	191,445	15,761	200,113	15	5,263,622
.....	206,518		4,511	8,619		
.....	4,831,757	103,349	28,999	99,778		570,280
.....	543,642	605,779	300,327	3,904,705		
.....						
.....	8,011,364	947,421	616,505	20,697,761	354,578	6,661,033

TABLE No. 13.—Total exports, by months, ports, and duty collected, 1919 and 1918.

Ports.	January.	February.	March.	April.	May.	June.	July.	August.
.....	\$757	\$26,679	\$11,101	\$1,476	\$154,860	\$1,134	\$332,708	\$265,472
.....	4,056	1,630	5,159	10,080	9,324	4,048		3,018
.....	2,468	5,672	3,868	317	250	113	256	
.....	4,989	5,985	4,058	2,852	2,077	1,990	1,958	1,751
.....	316,882	318,595	680,383	259,650	867,582	712	4,150	2,085
.....	1,141	1,923	1,689	4,363	4,313	4,078	3,957	5,022
.....	569,538	1,184,474	1,391,312	1,697,047	2,098,813	1,552,259	1,494,519	1,753,630
.....	6,302	180	81,500	50,171	31,724	32,769	16,322	80,700
.....	295,630	548,577	339,159	366,807	763,129	1,111,694	1,065,811	850,194
.....	26,794	2,711	3,317	47,325	60,914	25,658	33,986	23,186
.....	107,577	766,982	193,603	288,454	716,446	571,775	1,157,057	968,968
.....	379,496	358,682	585,213	627,895	1,727,967	372,748	460,606	341,752
.....								
.....	1,715,630	3,222,070	3,280,362	3,356,437	6,428,075	3,684,254	4,575,375	4,295,778
.....	1,778,369	1,553,845	2,642,536	1,568,173	2,482,477	1,549,564	2,272,394	2,632,819
.....		1,068,225	637,826	1,788,264	3,045,508	2,134,690	2,302,991	1,662,959
.....	62,739							

Ports.	September.	October.	November.	December.	Total by ports.		Export duties collected.	
					1919	1918	1919	1918
.....	\$12,795	\$93,189	\$3,660	\$97,422	\$1,001,253	\$562,812	\$2,001.27	\$575.34
.....	3,501	40,739	4,590	16,148	102,261	167,878	431.56	685.83
.....	271	276		597	14,088	55,136		
.....	1,464	1,329	1,576	4,952	35,001	64,222		
.....	225,537	24,325	9,382	483,209	3,192,492	684,239	2,549.80	1,090.55
.....	3,396	1,342	5,240	3,166	39,633	28,925	1,077.98	81.66
.....	908,810	283,119	20,681	839,739	13,793,941	9,398,527	11,301.91	9,207.05
.....	55,976	115,290	37,795	46,853	535,582	245,429	2,132.12	856.29
.....	812,572	509,646	945,115	1,126,479	8,734,813	4,826,999	62,455.45	54,844.23
.....	7,953	10,559	133	41,767	284,303	111,579	7,045.88	4,087.95
.....	238,712	155,828	93,176	495,325	5,753,883	2,495,027	144,438.99	116,529.25
.....	295,996	360,918	168,253	435,117	6,114,642	3,710,521	28,792.84	21,393.13
.....								
.....	2,567,003	1,596,560	1,289,571	3,580,777	39,601,892		261,257.80	
.....	1,546,523	1,454,942	1,679,600	1,211,112		22,372,344		209,451.28
.....	1,020,480	141,618		2,379,665	17,229,548		51,806.52	
.....			390,029					

SCHEDULE No. 14.—*Number and tonnage of vessels engaged in the trade, by ports, during the calendar year 1919, as compared with ENTRANCES.*

Ports.	Steamship.				Sailing vessels.		
	With cargo.		In ballast.		With cargo.		In ballast.
	Number.	Registered tonnage.	Number.	Registered tonnage.	Number.	Registered tonnage.	Number.
Azuza.....	11	7,444	7	5,130	240	8,479	
Barahona.....	6	3,177	2	777	531	7,444	
La Romana.....	271	23,535	82	23,649	492	8,601	
Macoris.....	310	87,937	336	135,640	1,045	33,153	
Monte Cristi.....	13	34,139	2	2,968	516	4,509	
Puerto Plata.....	30	53,771	22	35,618	820	12,557	
Samana.....	18	42,160	11	28,599	555	19,541	
Sanchez.....	40	86,998	16	24,631	266	6,153	
Santo Domingo.....	179	172,993	177	27,020	1,268	26,476	
Total, 1919.....	878	512,154	655	284,032	5,773	127,717	
Total, 1918.....	650	385,472	799	264,359	5,241	103,804	

## CLEARANCES.

Ports.	Steamship.				Sailing vessels.		
	With cargo.		In ballast.		With cargo.		In ballast.
	Number.	Registered tonnage.	Number.	Registered tonnage.	Number.	Registered tonnage.	Number.
Azuza.....	11	20,327	8	6,161	249	5,328	
Barahona.....	2	600	5	3,471	337	5,150	
La Romana.....	161	14,971	188	30,311	368	6,502	
Macoris.....	313	22,630	331	134,080	1,107	22,086	
Monte Cristi.....	5	12,360	7	15,398	221	2,644	
Puerto Plata.....	31	72,425	64	11,352	397	6,256	
Samana.....	11	26,853	9	24,265	568	11,001	
Sanchez.....	37	82,450	33	57,636	224	4,507	
Santo Domingo.....	255	158,195	132	43,930	1,414	30,905	
Total, 1919.....	826	410,811	777	326,584	4,885	94,463	
Total, 1918.....	561	385,156	974	223,533	4,346	99,065	

SCHEDULE No. 15.—*Number and tonnage of vessels engaged in the trade, by ports, during calendar year 1919, as compared with 1918.*

Ports.	Clearances.						
	Steamship.				Sailing vessels.		
	With cargo.		In ballast.		With cargo.		In ballast.
	Number.	Registered tonnage.	Number.	Registered tonnage.	Number.	Registered tonnage.	Number.
Azuza.....			1	1,280	5	576	
Barahona.....	5	3,964			3	819	
La Romana.....	88	61,693	52	37,336	3	467	
Macoris.....	49	24,450	39	55,182	43	10,276	
Monte Cristi.....	11	29,651	10	11,192	5	66	
Puerto Plata.....	62	104,585	26	32,756	38	2,909	
Samana.....					4	139	
Sanchez.....	10	10,088	6	8,349	12	1,086	
Santo Domingo.....	119	131,757	34	39,969	51	6,763	
Total, 1919.....	344	366,206	168	186,064	164	23,713	
Total, 1918.....	305	310,209	237	157,509	139	16,989	
Azuza.....	4	6,656			42	5,464	
Barahona.....	2	1,707			14	890	
La Romana.....	135	96,673	7	6,263			
Macoris.....	60	76,382	40	21,674	6	966	
Monte Cristi.....	18	41,813	1	4	10	3,017	
Puerto Plata.....	63	102,058	9	7,810	21	2,085	
Samana.....					5	363	
Sanchez.....	7	8,437			11	2,619	
Santo Domingo.....	100	122,199	43	42,391	17	1,399	
Total, 1919.....	389	455,925	100	78,342	136	14,394	
Total, 1918.....	416	385,951	114	71,280	108	11,792	

ULE No. 16.—Statement showing tonnage of cargo imported into the Dominican Republic during the year 1919, as compared with 1918.

Ports.	1919.	1918.	Ports.	1919.	1918.
	<i>Tons.</i>	<i>Tons.</i>		<i>Tons.</i>	<i>Tons.</i>
.....	849	290	Samana.....	1,113	647
.....	282	99	Sanchez.....	13,812	10,298
na.....	9,444	22,158	Santo Domingo.....	40,347	32,116
.....	44,769	44,178			
sty.....	1,329	781	Total.....	141,179	133,462
ata.....	29,234	22,895			

SCHEDULE No. 17.—Aggregate foreign trade.

Countries.	Amount.		1919		
	1919	1918	Increase.	Decrease.	Net increase.
ates.....	\$42,153,363	\$35,207,332	\$6,946,031		
.....	3,848,893	3,016,543	832,350		
.....	314,723	253,847	60,876		
ngdom.....	569,569	942,132		\$372,563	
.....	4,223,531	780,964	3,442,567		
.....	2		2		
.....	82,265	39,869	42,396		
.....	760,903	842,195		81,292	
.....	6,421,255	595,724	5,825,531		
ls.....	2,272,481	2,059	2,270,422		
.....	294,764	169,669	125,095		
.....	228,778		228,778		
st Indies.....	152,660	83,524	69,136		
.....	140,884	24,126	116,758		
ica.....	120,000	10,000	110,000		
.....	10,330	9,500	830		
ish West Indies.....	9,711	12,435		2,724	
d.....	8,779	4,617	4,162		
nds.....	5,567	28,272		22,705	
.....	735	3,171		2,436	
Africa.....	660		660		
st Indies.....	507	23,259		22,752	
nds.....	350		350		
.....	104	2,257		2,153	
.....	80		80		
.....	41	3	38		
.....	25	1,121		1,096	
.....	19	2,370		2,351	
.....	10	32,928		32,918	
.....	8		8		
.....	7		7		
Islands.....	6		6		
.....	5		5		
.....	2		2		
.....	1	2,579		2,578	
.....	1		1		
.....		18,000		18,000	
.....	61,621,019	42,108,496	20,076,091	563,568	\$19,512,523

## SCHEDULE No. 18.—Imports, exports, and trade balances of the Dominican Republic, 1905 to 1919.

Years.	Value.		Aggregate trade.
	Imported.	Exported.	
1905.....	\$2,736,328	\$6,896,086	\$9,632,414
1906.....	4,065,437	6,536,378	10,601,815
1907.....	4,948,461	7,628,156	12,576,617
1908.....	4,767,775	9,396,487	14,164,262
1909.....	4,425,013	8,113,680	12,538,693
1910.....	6,257,691	10,849,423	17,107,114
1911.....	6,949,462	10,995,546	17,945,008
1912.....	8,217,96	12,385,148	20,603,108
1913.....	9,272,78	10,469,947	19,742,725
1914.....	6,722,07	10,588,787	17,310,854
1915.....	9,118,14	15,209,61	24,327,75
1916.....	11,664,30	21,527,473	33,191,773
1917.....	17,581,14	22,444,60	40,025,74
1918.....	20,168,62	22,376,74	42,545,36
1919.....	22,019,127	39,601,82	61,620,94

The CHAIRMAN. You may proceed, Mr. Knowles.

## STATEMENT OF MR. MOSES GARCIA MELLA.

MR. KNOWLES. Will you give for the record, your full name, Mr. M.

MR. MELLA. Moses Garcia Mella, lawyer.

MR. KNOWLES. Of what country are you a native?

MR. MELLA. One of the professors of the National University.

MR. KNOWLES. Of what country are you a native?

MR. MELLA. Santo Domingo.

MR. KNOWLES. Where were you born?

MR. MELLA. In Santo Domingo.

MR. KNOWLES. Have you lived continuously in that country?

MR. MELLA. Always.

MR. KNOWLES. Are you prepared to give testimony in regard to official transactions of the Government of Jimenez and prior thereto?

MR. MELLA. I wish to give to the committee some information in connection with the circumstances which brought about the occupation.

SENATOR JONES. What was his official connection with the Jimenez administration?

MR. KNOWLES. Had you any official connection with the Jimenez administration?

MR. MELLA. I am not a politician.

SENATOR POMERENE. That does not answer the question. Had you any official position?

MR. MELLA. No, sir. And I add that I am not a politician. Nor have I been a politician. Nor am I interested in Dominican politics.

SENATOR JONES. Tell us how he obtained this information.

MR. KNOWLES. Yes, we will. You have certain information that you question you will offer and submit to this commission. Will you explain the nature and character generally of that information, and how it came into your possession?

MR. MELLA. I will. Firstly, I wish to declare to the Senate committee that we have always protested and I do protest against American intervention in this country. I wish to declare, under oath, that I only know one Dominican who is an interventionist, and I know that that Dominican is an interventionist because he stated so in the press. He protested against certain acts of intervention. At this time there is in this hall more than 300 persons, and I would ask that if there is one in this room who is an interventionist, let him come and so state.

I wish to declare personally I have not received ill-treatment from the officers of the intervention. They have treated me as a gentleman. I do not test against American intervention even if it had been effective in making the archbishop as a President. I wish to declare that I admire the A.

tions; that I would wish to feel American influence in my country in a fair manner, but free. American influence has been developed in Santo Domingo in a manner that has not been beneficial. I do not wish to refer to the history, I wish to refer to contemporary acts.

1914 Gen. Boedas was elected President. A revolution took place at Santo Domingo. Minister Sullivan passed through Puerto Plata and by his input a stop to the revolution. The revolutionists declared they wanted reforms in Dominican law. But the influence of Minister Sullivan only seemed to stop the revolution. Later on another revolution broke out, and an influence was felt through Minister Sullivan and Gov. Fort. On this occasion, through American influence, the Government was overthrown, acting president was appointed, but no reform of laws took place. The way that was touched was the electoral law, only to form a regulation that was worse than the previous one. In such a way that Counsellor Smith said that the remedy was worse than the sickness—Charles C. Smith.

KNOWLES. As I understand, Senator, Mr. Fort was sent down here as a commissioner and I think Mr. Smith came.

WELLA. Mr. Smith was here with Mr. Sullivan, secretary of the legation. KNOWLES. Then he was secretary of the legation?

WELLA. Mr. Smith spoke to me because he knew that I had certain laws enacted. Through the elections carried out under this bad law, the Government of Jimenez came into being, and I affirm if this American influence had developed to bring about the reform of the three worst laws we had, we would have seen this intervention. I am told that the Americans should name reformers of laws in our country.

CHAIRMAN. In order that we may get this straight in the record, he has referred to three laws, if I understand. Let him state what those laws were when they were passed. I assume by the Congress here. Is that what he

WELLA. The Dominican Congress, the electoral law, the law of provisional government organization, and the law of conscription. They were passed in 1882.

CHAIRMAN. 1882. He doesn't mean that.

WELLA. 1882. As I state, the American influence should not be exercised, but should be exercised only as long as necessary.

CHAIRMAN. As I get that, that is a sort of contradiction.

(Answer was read by the stenographer.)

WELLA. President Jimenez was elected constitutionally and took charge of the office. On the 19th of November, 1915, the American legation in Santo Domingo sent a note to the Government making certain demands which were made of a free people.

CHAIRMAN. Has he got a copy of those demands or notes?

KNOWLES. Yes; we will put that in the record, Senator.

CHAIRMAN. I suggest that it be put in right at this point. Have you got it now?

KNOWLES. I have not got it just here. I can get it in a few minutes.

CHAIRMAN. As one member of the committee, I am not familiar with that note and I would like to see it, in order that we may ascertain just what it contains.

KNOWLES. I have a copy in Spanish. I will have immediately a translation made of that note.

CHAIRMAN. It was a note signed by whom and addressed to whom?

KNOWLES. It was an official note of the Department of State transmitted to the Dominican Government through the American minister here. In substance it was a duplication of the transactions that had occurred a little prior to the present, and a duplication of that in the form of an official note addressed to this Government. What the witness is now referring to and the substance of that note I will present to be introduced in the record.

CHAIRMAN. Well, can you, in a word, give us the substance of it now, so that we may be able to follow the testimony?

KNOWLES. He can read it now if the committee wants, in Spanish.

CHAIRMAN. Well, all right. Let him show it to the interpreter, and then let the interpreter translate it for us.

JONES. How long is it?

KNOWLES. I think there are six pages of it.

CHAIRMAN. Oh, well, we don't want to wait for that.

Senator POMERENE. No; but I thought in a few words you could tell the burden of the complaint was.

Mr. KNOWLES. Well, it is simply this: As in Haiti, it was proposed Dominican Government under a form of protectorate of the United States the control of the army and with the control of the finances of the country. That is the substance of it.

The INTERPRETER. He says in the course of his remarks he will not do so and let you know the substance of it.

Mr. HOWE. What is the date of that and who signed it?

The CHAIRMAN. November 19, 1915. The State Department.

Mr. KNOWLES. And it is signed by the American minister?

The CHAIRMAN. It is a note that comes from the Department through the American minister, addressed to the Dominican Government.

Mr. MELLA. The government of President Jimenez rejected that note. The agreement was caused between the minister of war and President Jimenez due to—

The CHAIRMAN. Let him give the name of the minister of war right.

Mr. MELLA. Desiderio Arias. Due to the appointment of two emperors of the army.

Senator JONES. Let me ask, has this document ever been published in?

Mr. KNOWLES. It is now being translated. Mr. Senator, in English. As soon as it is later it will be put in pamphlet or book form and will be introduced into the record.

The CHAIRMAN. I notice that the whole pamphlet is addressed to the people of the United States of America.

Mr. KNOWLES. Yes.

Senator JONES. And it is dated in 1919.

Senator POMERENE. A pamphlet by whom?

Senator JONES. It is gotten up by?

Mr. MELLA. This book was printed before the intervention, in order to be against intervention.

The CHAIRMAN. Before the intervention?

Mr. KNOWLES. No; at the time of the intervention.

Mr. MELLA. In order to protest against intervention this book was written. I talk very poor English.

The CHAIRMAN. I think you do very well.

Senator JONES. It is supposed to be a document giving the facts of the intervention, with dates.

Mr. KNOWLES. That is it. A very important book, dealing exclusively with this matter, Senator. It is in course of translation now, and as a record, before we finish with our session here I will introduce the Spanish and later a translated copy in English.

Senator JONES. It gives the whole Dominican side of the controversy. Senator POMERENE. Proceed.

Mr. MELLA. This is not really a revolution, because had Minister Jimenez wanted to proclaim himself President he could have taken President Jimenez prisoner easily, because President Jimenez was out of the city, in fact, without forces of any kind.

Mr. KNOWLES. Explain why he was there at that time.

Mr. MELLA. He was there for his health, at his villa. President Jimenez was at his villa because he was a little sick.

This disagreement ended with a small or an insignificant encounter between the forces, which I witnessed personally, in which two were killed and many wounded. Nothing else.

I live outside of the city, about 12 kilometers from here, and every day I go from my house to my office, passing by the Government forces and the American forces, and nobody troubled me. American marines were landed to protect the American legation and the customs. This was what was told to the people.

The CHAIRMAN. Told to the country by whom?

Mr. MELLA. By Minister Russell himself. If it was printed in the press, necessary, I can present the newspapers in which it was published.

Mr. KNOWLES. That was the explanation at that time, Senator, for the landing of the troops, that it was for the purpose, as the American minister said, merely for the purpose of protecting the American legation and customs.

Mr. MELLA. It was printed in the Liston Diario No. 8066, of the 17th of November 1916. President Jimenez, when he saw that the number of troops was

s needed for the protection of the legation, because there were more than and not wanting to prevent some settlement of the situation, resigned.

Arias was in the city. A few days later an ultimatum was sent to him, for that he should turn over the Fort Eliza to the American marines.

CHAIRMAN. Was sent to him by whom?

MELLA. Admiral Caperton.

HOWE. To whom?

MELLA. Crossley.

FOR JONES. Where did you get this information?

MELLA. In the newspaper. I can show the newspaper.

KNOWLES. Suppose we introduce that communication now, Senator.

FOR POMERENE. Is it claimed to be an official communication?

KNOWLES. Oh, certainly. Signed by the American naval officer, Capt.

Y.

CHAIRMAN. That is all right.

MELLA. Gen. Arias evacuated Fort Eliza, and the American marines occupied the city, and since that date are in it. The city was occupied, and Admiral on and Mr. William W. Russell on the 15th of May, 1916, sent this communication to the President and the president of the Senate:

SENATEMEN: This city has been occupied militarily by the American forces. Having sincere intention of guaranteeing free and equal acts of the chamber for the election of the new President of the Republic. Due to the abnormal situation which has brought about the present circumstances, we request that you do not convene any session for two or three days until the city has resumed its normal aspect."

FOR JONES. Who signed that?

MELLA. "Yours, respectfully, William W. Russell, American minister. Caperton, rear admiral, United States Navy." Published in the Liston of the 17th of May, 1916, No. 8091.

CHAIRMAN. What reply did the President or the president of the Senate or Congress make to this communication?

MELLA. They took no action.

KNOWLES. That is, they complied with the request?

FOR JONES. You have not got it in the record right. They made no action and took no action regarding the election, as requested by this letter.

KNOWLES. Exactly. Complied with the request of the officials.

FOR POMERENE. Next, in order that I may have this correctly in mind, who was the provisional President at this time, was he?

KNOWLES. No; he had not been elected yet. He was elected after that—

HOWE. Jimenez was elected after this?

KNOWLES. Yes.

HOWE. Henriquez was President?

CHAIRMAN. Let us get that straight. Yes, at that time it was the end of Jimenez government. That is right.

FOR JONES. Just prior to this letter, Jimenez had resigned, had he?

MELLA. Yes. Jimenez resigned. And then—

FOR POMERENE. Can you give the date when he resigned?

MELLA. The 7th of May he resigned. The Chamber—the Senate—was to have a session to nominate a President.

CHAIRMAN. Elect a President, you mean.

MELLA. No; he was to come. He tried to come. He wanted to come. He was to meet, you know. The Senate wanted to meet.

CHAIRMAN. No; but he said "to nominate a President." I suppose he was to elect a President.

KNOWLES. Yes.

MELLA. And then he was prevented from that.

FOR JONES. This letter requested them not to do it.

MELLA. Yes; to stop.

CHAIRMAN. And in compliance with this request, they did not elect a provisional President at that time?

KNOWLES. That's right; exactly.

MELLA. Then as the country could not be without any Government, Minister of State recognized the secretaries of state for the cabinet as the government. All the secretaries of state ceased to function on the resignation of Jimenez.

Mr. KNOWLES. No; they resigned.

Mr. MELLA. No; they ceased to function. By law they ceased to function. The same system as you have in the United States. With the resignation of President Jimenez they ceased to function.

Mr. KNOWLES. They automatically ended their term?

Mr. HOWE. Excuse me, Mr. Chairman, Minister Russell, recorders of state of the cabinet to be the Government, although they ceased to function with the resignation of President Jimenez.

Mr. MELLA. All right.

The CHAIRMAN. Is that the way you understand that?

Mr. KNOWLES. In understand that, with this addition, Senator. Mr. recognized them as a continuation of the Government of Jimenez.

The CHAIRMAN. That was as I understood the statement of the witness.

Mr. MELLA. Yes; that is right.

Mr. KNOWLES. And that notwithstanding the law ending the term members of the cabinet with the ending of the term or resignation—

The CHAIRMAN. You mean the Dominican law?

Mr. KNOWLES. The Dominican law and constitution.

Mr. MELLA. The constitution.

Senator JONES. That is the witness's interpretation of the Dominican

Mr. KNOWLES. Yes.

Senator POMERENE. Now, suppose you incorporate in the record the constitutional provision and the statutory provision, if there is one which supports the witness in that statement, so we may have the original statement.

Mr. KNOWLES. I will explain that to you, Senator.

The CHAIRMAN. But I want the text in, and he can accompany his explanation he cares to.

Mr. KNOWLES. We want the text.

The CHAIRMAN. He can get the letter, if he has not got it, so that it is incorporated.

Mr. KNOWLES. Yes; but you can make your comment on it now.

The CHAIRMAN. And the stenographer will receive it and incorporate it at this point.

(The document referred to will be filed with the clerk to the committee.)

Mr. MELLA. Several days passed without a president. So much so that a commission came from Cibao requesting that they be allowed to elect a president.

The CHAIRMAN. That is, they simply were the representative of the people to take it.

Mr. MELLA. Yes.

The CHAIRMAN. They came with no legal authority?

Mr. MELLA. No. They came because the people were—

Senator JONES. He says they came from Cibao. What is Cibao?

Mr. MELLA. The northern part of the island, the northern towns, the Provinces of Santiago, La Vega, Maria, Puerto Plata, San Francisco de Macoris and Savanna.

The CHAIRMAN. They are all referred to by the people as the Cibao. Are they? Is that the idea?

Mr. KNOWLES. Yes; that is the idea.

The CHAIRMAN. Just designating a certain geographical area?

Mr. KNOWLES. Yes; a group of provinces.

Mr. MELLA. This commission met Admiral Caperton and Minister Rivas at the archbishop's palace, also the secretary of state and the president of the legislative bodies, and discussed the matter. In that discussion Rear Admiral Caperton stated his intentions in the Dominican Republic were not warlike, and that he was an honest, hard-working man; that his functions were to maintain order with his forces.

Senator JONES. From what are you reading now?

Mr. MELLA. From a newspaper. I will give you the name of it later.

Senator POMERENE. Does he claim that this is simply an oral statement of Admiral Caperton, or was it a signed formal statement?

Mr. MELLA. No; oral. That his instructions were to maintain order with his forces until the abnormal situation changed.

The CHAIRMAN. That was an order of the rear admiral, and I think it better put that in the record.

Senator POMERENE. No; he said it was an oral statement.

MELLA. An oral statement. Some people who were in the meeting  
it.

KNOWLES. Let us see if we understand exactly what he intended to  
in this. What the admiral said. I didn't get it perfectly clear. I don't  
whether you did or not.

Senator JONES. No; I didn't.

Senator POMERENE. As I understood the witness, this was an oral state-  
made by Admiral Caperton to his delegation or to some other citizens  
may have been there, and the witness does not claim that it was a formal,  
order.

KNOWLES. Exactly.

CHAIRMAN. By Admiral Caperton?

KNOWLES. Exactly. But let us have it plainly in the record.

CHAIRMAN. And he is quoting here, as I understand, this statement  
some newspaper report of this conference.

KNOWLES. That is it. Well, now, is it in the record just what was  
—claims to be stated—by the admiral? Did you get it clearly, Senator?

Senator JONES. I think so.

KNOWLES. You, Senator, also?

Senator POMERENE. I think I have taken it as accurately as my memory  
it.

KNOWLES. But as to what was said, the admiral was quoted as saying,  
u get that clear?

Senator POMERENE. Yes; I got that.

MELLA. At that meeting Minister Russell orally stated that the North  
can Government gave the legislative bodies complete liberty to elect a  
ent.

CHAIRMAN. Now, that was on what date?

MELLA. I will give the date. After several days, Dr. Francisco Hen-  
Carbarjo was appointed President of the Republic.

CHAIRMAN. Now, he means by that as provisional President, does he?

KNOWLES. Yes.

MELLA. Yes. And Dr. Francisco Henriquez Carbarjo had been living  
from the country for 12 years, practicing his profession as a doctor.  
s far removed from Dominican politics. Dr. Francisco Henriquez Car-  
is one of the figures, or is a man of which any country must be proud,  
otwithstanding he was not recognized by the American Government, I  
that between the American Government and the Dominican legislative  
there was a solemn compact to recognize the man who would be

idea is this: The Dominican Congress and Mr. Russell and Admiral  
on, as the representative of the American Government, were tied by this  
by which the Dominican Congress is stopped from electing. Yet you  
that is because you wish my election to be fair. Then you are obliged  
gnize my election. That is my point.

Senator JONES. What you mean is this: That inasmuch as the Dominican  
ss had delayed the election of the President at the request of the Ameri-  
cial, and inasmuch as they afterwards elected President Henriquez  
co Carbarjo, that the American officials were thereby obligated to recog-  
legality of the election of the new President.

KNOWLES. Yes.

CHAIRMAN. Ask him if that is the thought. Let the interpreter just  
what I have said.

Interpreter spoke to the witness in Spanish.)

MELLA. Yes; that is my idea.

KNOWLES. Now, that confused part, Mr. Senator, would it not be well

Senator JONES. Oh, no; let it all go in there.

Senator POMERENE. Proceed.

MELLA. When President Henriquez was elected the internal revenues and  
r receipts of the country had been taken over by the Americans, and  
wards was appointed treasurer of the Republic.

KNOWLES. Treasurer of the Republic?

MELLA. An important notice was published by C. H. Baxter, receiver gen-

KNOWLES. That is a short order. We would like to have that in the

Mr. MELLA (reading). "In accordance with instructions from Washington"—

The CHAIRMAN. Give the date of the whole thing.

Mr. MELLA. 18th of August, 1916.

Senator JONES. What page are you reading from?

Mr. MELLA. 127.

"In accordance with instructions from Washington and supplementaries transmitted to the American minister in Santo Domingo, the customhouse department will not be given any funds on account of the Government, which is under the control of the Dominican treasurer established since the 1st of June, 1916. This suspension of payment will continue until a complete understanding is arrived at or come to regarding the interpretation of articles of the American-Dominican convention of 1907. Interpretation on the part of the Government of the United States has insisted and of which the Dominican Government has knowledge or have had knowledge since the month of November last, or until the actual Dominican Government be recognized by the United States."

The CHAIRMAN. Now, in the translation you used the word "cessation"? Don't you mean "cessation"?

Mr. KNOWLES. Yes.

Senator JONES. That is signed C. H. Baxter, receiver general.

Mr. MELLA. This mode of action constituted a flagrant violation of the American-Dominican convention of 1907.

Senator JONES. Was not the treasurer of the Dominican Government out of time in want of funds?

Mr. MELLA. The Dominican treasurer had funds, but in case there was not it was not necessary to publish that notice, because, according to the terms of the convention, \$100,000 was proposed to be set apart monthly later on what was left would be delivered to the Government. What is on in this note is the following: "After the customs take \$100,000 I will deliver what is left. I will take my \$100,000, and if there is any more I will not give it to you."

Senator JONES. You had no personal knowledge of the condition of the treasury at that time, had you?

Mr. MELLA. No; I had not, but I suppose there was money, because there was none there is no reason to say that. I suppose there were funds, but had there been none there would have been no necessity to publish that notice.

The CHAIRMAN. Were there sufficient funds to pay the current obligations of the Government?

Mr. MELLA. Oh, to be sure; any time.

The CHAIRMAN. Well, now, you say you are sure about it. My information is to the contrary.

Mr. MELLA. The Dominican Government has never lent the people \$100,000.

The CHAIRMAN. You have in mind one thing and I have another. I am asking about the general obligations of the Dominican Government.

Mr. MELLA. The budget?

The CHAIRMAN. Yes.

Mr. MELLA. That is another thing.

The CHAIRMAN. That's another thing. But did not this relate to the budget?

Mr. MELLA. Yes; that relates to the budget. He says he will take \$100,000, "but if there is any more money from internal revenue and customs revenue, I take them and I don't give them to you." That is what he said.

The CHAIRMAN. You really could not say that the military authorities assumed to take care of the budget for the Dominican Government?

Mr. MELLA. But he did not pay. With this addition, that he does not want to reduce the Government to starvation. Let me tell you again, if you please, honorable gentlemen. This is one official report made by the secretary of foreign relations when he was installed by Admiral Knapp going to explain some words officially that are there. When he discussed Mr. Russell upon that matter, Mr. Russell told him, "The suspension of payment is temporary. The money is safely deposited, and in due time the employees will receive what is theirs."

Senator JONES. From what are you reading now?

Mr. MELLA. From the official report of the department.

The CHAIRMAN. Made by whom?

Mr. MELLA. By the minister of foreign relations.

CHAIRMAN. To whom did he make the report?

MELLA. He made it to President Henriquez. I will hand it to you.

CHAIRMAN. That is what I am anxious to have.

MELLA. You will have it. I brought it in order to hand it to you.

CHAIRMAN. Were there not a number of disputed claims outstanding at time?

MELLA. There were no official international claims.

CHAIRMAN. I am not talking about international claims. I am talking claims against the Dominican Republic—internal claims.

MELLA. The Dominican Republic could owe their employees. It was right.

CHAIRMAN. I am asking you if they did not owe their employees, and if were not a number of disputed claims.

MELLA. I am not certain. There may have been. No receipts were taken by the officers appointed by the customs department. The Government of Henriquez protested, and he was told that he would not be recognized, and he employees would not be paid.

CHAIRMAN. Now, where does this witness get his information of those

MELLA. From that report [indicating].

CHAIRMAN. Then I think the report is the best evidence of the fact.\*

MELLA. It is very long, and I wish to explain my ideas upon that point.

SENATOR POMERENE. You can refer to the part of the report which contains statement.

MELLA. "Due to the fact that the receiver general of customs has taken the treasury and all receipts belonging to the Republic, and having decreed carried out the suspension of the payments of the nation until an understanding regarding the interpretation of certain articles of the American Convention be come to, or until the present government be recognized." (Pp. 1 and 2.)

CHAIRMAN. Suppose you identify that, Mr. Knowles, in the record.

KNOWLES. Pages 1 and 2 of a report of the foreign minister of the Henriquez government to the President of the Republic, relating to the conflict in the Dominican and American Governments.

CHAIRMAN. Is there something else that he wants to say in answer to question?

MELLA. One of the conditions upon which President Henriquez should be organized was that he should accept a protocol by which the Dominican Government would consent that all funds would be managed by American officers, appointed by the President of the United States, who would take part in drawing up the Budget, and that the Dominican Republic would consent to be the forces of the Republic under the command of an American officer appointed by the President of the United States, who would be assisted by American officers, also appointed by the President of the United States. Officers and enlisted men, the rules governing payment, or personnel, the appointment, discipline which the commander recommends, he authorized and promulgated by the Government of the Dominican Republic, and in case of any misunderstanding regarding any of the regulations set herein, this matter would be decided by the President of the United States.

CHAIRMAN. Now, from what pages of the report is he reading?

MELLA. Pages 12 and 13.

KNOWLES. And that, I might add, Senator, is the substance of the note referred to earlier.

CHAIRMAN. Now, let the record show the date of this report as well.

KNOWLES. Yes. December 6, 1916.

CHAIRMAN. That is the date of the report made by the minister of foreign affairs to President Henriquez. If you have finished that answer I will ask you two or three questions.

MELLA. If you will let me finish.

CHAIRMAN. Yes; yes.

MELLA. This means placing the Dominican Republic in the hands of an officer who would be sent to command or take charge of the guards, he would enlist men, would state what salary they should receive, he would punish or reward them as necessary, and would draw up all laws to be enacted. It is preferable, gentlemen of the commission, to have the American

intervention as it exists at the present time—infiniely better—rather than consent to this.

Senator POMERENE. A moment ago you stated in answer to a question Senator Jones that at the time this internal revenue was taken over, there was money in the treasury. Are you sure about that?

Mr. MELLA. I have not seen the money, but I have seen the words of Mr. Russell himself, saying "The money is at your disposal as soon as you accept this."

The CHAIRMAN. I do not want any question about my questions or answers that may be given.

Mr. MELLA. Read this (addressing the interpreter):

The CHAIRMAN. Before that, so that there may be no misunderstanding, the interpreter give my question.

The INTERPRETER. This is in answer to your question.

The CHAIRMAN. I know, but I want to be sure—I think you do understand, but I want to be certain about it.

(The question was then read by the stenographer, as follows:)

"A moment ago you stated in answer to a question put by Senator Jones at the time this internal revenue was taken over there was money in the treasury. Are you sure about that?"

Mr. MELLA. I did not see the money, but the report which I presented is as follows—

The CHAIRMAN. Does he desire to read in that?

Mr. MELLA. If you please.

The CHAIRMAN. Very good. Take the page from which you are reading.

Mr. KNOWLES. And whose words they are.

Mr. MELLA. Page 2. "To the declarations and demands made the day after we replied"—

Mr. KNOWLES. What minister?

Mr. MELLA. It does not say here.

Mr. KNOWLES. Minister Russell?

Mr. MELLA. Yes.

Mr. KNOWLES. American Minister Russell.

Mr. MELLA. "That the suspension of payment was temporary, that the money was safely deposited, and that in due time the public employees would be paid what was theirs."

The CHAIRMAN. Now, what is the date of that statement?

Mr. MELLA. This conversation was taken in the beginning of the Government of President Henriquez.

Senator POMERENE. Now, there was a revolt or revolution here in June, was there not?

Mr. MELLA. No, sir.

Senator POMERENE. Well, put it that there was some trouble then between President and the secretary of war.

Mr. MELLA. That happened in the month of May.

Senator POMERENE. And ended when?

Mr. MELLA. He resigned the 7th of May.

Senator POMERENE. Now, I read from the report of the department of finance and commerce of the Dominican Republic for the year ending 1920, inclusive, submitted by Lieut. Commander Arthur H. Mayo, Jr., that the condition of the Dominican treasury at that time. He says—I read from the report—"The cash balance of the Government in June, 1916, was \$14,234,600 and supply bills and salaries had been unpaid for many months."

Mr. MELLA. I am going to speak in regard to that.

Senator POMERENE. Very well. Go ahead.

Mr. MELLA. I wish to accept that statement as true, but I affirm that the condition of 1907 was in no way violated thereby.

Senator POMERENE. Then, just let me ask you a question or two which I can explain after I shall have finished my question. "In 1907"—and I read from this safe report—"the debts and claims against the Government amounted to over \$30,000,000." Is that correct?

Mr. MELLA. Yes.

Senator POMERENE. That in the negotiation between the United States authorities and the Dominican Government—and I read from this report of the Dominican Republic effected a conditional adjustment, under which the total sum of the debts amounted to not more than \$17,000,000." Is that correct?

Mr. MELLA. Yes.

nator POMERENE. And then under the convention of 1907—and again I read the report—“Part of the plan of settlement was the issue and sale of bonds to the amount of \$20,000,000.” Is that correct? And later on—and again I read from the report—“Under this convention bonds to the face value of \$20,000,000 were issued in 1908.” Is that correct?

MR. MELLA. Yes.

nator POMERENE. And it is under the terms of that loan that \$100,000 was paid on the first day of each calendar month by the receiver to the fiscal agent of the loan. That is right, is it not?

MR. MELLA. That is right.

nator POMERENE. With this understanding, “That in case the customs duties collected by the general receiver shall in any year exceed the sum of \$3,000,000, one-half of the surplus above such sum of \$3,000,000 shall be applied to the sinking fund for the redemption of bonds.”

Let me call attention to paragraph 3 of the convention of 1907, which reads as follows: “Until the Dominican Republic has paid the whole amount of the principal of the debt its public debt shall not be increased except by previous agreement between the Dominican Republic and the United States.” That is the correct provision of that treaty.

MR. MELLA. Exactly.

nator POMERENE. Now, between 1908 and 1918, according to this report of Alexander Mayo—and now I read—“Meanwhile the contracting of new indebtedness by the Dominican Government without the consent of the United States went on rapidly, until the debts and claims against the Government aggregated over \$15,000,000.” Is that a correct statement of the internal financial affairs of the Government?

MR. MELLA. I can not assure you that the sum of \$15,000,000 is exact, but there was some debt.

nator POMERENE. It is approximately correct, is it not?

MR. MELLA. I can not say, because I have no set of figures, but I have said there was a debt. Whether it was three or four or five million dollars, I can not say.

nator POMERENE. Very well. Let us proceed a step further then. “Later claims commission was organized, composed of two eminent Dominicans, two eminent Americans, and one eminent Porto Rican, and claims were presented to this commission amounting to over \$16,000,000.” Is not that correct?

MR. MELLA. I can not state exactly regarding these amounts, but there was some debt.

nator POMERENE. Is not that approximately correct?

MR. MELLA. More or less. There was a debt.

nator POMERENE. Now is it not a fact that this commission heard these claims and allowed claims against the Dominican Government slightly in excess of \$4,200,000?

MR. MELLA. I can not state exactly the figures, but there was some debt.

nator POMERENE. Was not this indebtedness by the Dominican Republic in violation of that provision of the convention of 1907 which provided that its public debt should not be increased except by previous agreement between the Dominican Government and the United States?

MR. MELLA. I reply categorically that that debt is not a public debt as provided by article 3 of the convention.

CHAIRMAN. That was the question of difference between the Dominican Government and the United States authorities?

MR. MELLA. Yes.

nator POMERENE. And that was the condition as it was claimed by the Dominican States Government at the time it took over the administration of the Dominican revenue of the Republic of Santo Domingo?

MR. MELLA. Yes.

nator POMERENE. Now, any explanation further that you desire to make the committee will be pleased to hear.

MR. MELLA. Yes, sir. That was the contention of the American Government, that in a hasty examination of the matter I state that the American Government had made a correct interpretation, because no government in the world, not even the very wealthy Government of the United States, can be sure that the revenues which they may have in a year will not be increased with the extraordinary expenses caused through general calamities. That is one part.

On the other hand, supposing that the receipts are not equal to the estimated, then a debt is formed, because there are no receipts, and I call attention to this fact: The receipts of the Dominican Republic are managed by American officers, and notwithstanding that, last year there was a deficit of more than \$1,000,000, and at this time there is a deficit, because there are not sufficient receipts to cover expenses. No government in the world promises to state that it will have all that is estimated. The Dominican Republic produced the deficit in the budget. They did pay their employees, they did not contract any loans.

Senator POMERENE. You mean the Dominican Republic?

Mr. MELLA. The Dominican Republic. They did not increase the price.

Senator POMERENE. Just a moment there. But this debt in June, 1904, was said to be approximately \$16,000,000. But this commission determined the actual debt thus incurred was only \$4,200,000. How do you account for the difference between the asserted debt and the proven debt as shown by the commission?

Mr. MELLA. Easily. Because the claimants against the Dominican Republic claimed more than the Dominican Government owed them.

Senator POMERENE. Who were these claimants?

Mr. MELLA. There is a report published by this commission—

Senator POMERENE. Yes; you are right.

Mr. MELLA. In which all persons are given and many reasons are given.

Senator POMERENE. Yes; we will get that, and I will not pursue that part of the inquiry further. I take it, Mr. Howe, you will have that report.

Mr. HOWE. Yes, sir; I have it now.

Senator POMERENE. I will not pursue that.

Senator JONES. Is there not a considerable difference between the assertion of claims against the Government in such an amount as stated in the report and a mere annual deficit in the budget such as you referred to a moment ago?

Mr. MELLA. First, the difference was not produced in one year only. In that amount of \$4,200,000 there are claims for damages.

Senator JONES. Don't you believe that the building up or rather the assertion of such a large amount of claims against the Dominican Government affected its public credit?

Mr. MELLA. I affirm that had the Dominican Government been left free from the causes of revolution had been eliminated the Dominican Government would have been able to pay that debt in a very short time.

Mr. KNOWLES. Now, Mr. Senator, I wish to take up just as little as possible with any matter that I wish personally to explore, but I have taken somewhat by surprise in the presentation of one point at this time that we expected to take up a little later. Since you have pursued and gone in the record, I ask that I may state and a little later produce the evidence in support of it—

Senator POMERENE. Let me suggest this: We do not want to get out of the subject. I suggest that you let this witness proceed. The members of the commission are not foreclosing their minds about a matter of this kind, and you can make your statement and bring your witness by whom you expect to prove the question later on just as well. We are going to get this record in rather a hasty state if we do not finish with this one witness.

Mr. KNOWLES. Then I will wait until the conclusion of the witness.

Senator POMERENE. Oh, yes; and then you can present your witness and shall be glad to hear any explanation you may wish to make in the future.

Mr. MELLA. Shall I proceed?

Senator POMERENE. Proceed.

Mr. MELLA. As stated, this kind of debt can not be provided for by contract, because no Government in the world can be sure that some person will not make claims which are not more or less just. That explains the \$16,000,000 claimed from the Dominican Government, while they only owe \$4,000,000. But supposing that the difference in interpretation was between both Governments there is no law in the world, neither international nor human law, which gives to one party the right to give justice according to one side. No one side has the right, and to carry that out is as taking the life of the debtor.

Senator JONES. He says there is no international or common law?

The INTERPRETER. Human law.

ator JONES. Common law, which will give to one party to a contract the right to determine the terms of that contract, to the extent of taking the life of the other party by reason of its violation.

KNOWLES. Yes. Its interpreted violation.

ator JONES. Yes.

MELLA. And the Government of the United States, through this intervention, has taken away the life and the liberty of the Dominican Republic.

ator POMERENE. Now, let me ask another question there. A large portion of this so-called debt of \$16,000,000, as I understand it, was claimed as due to suppress revolutionary outbreaks, was it not?

MELLA. A part of this debt was produced by claims made against the Government, as you will be able to see when you examine the report of the Commission. The other part was the result of expenses incurred by the Government in putting down some revolutions.

ator POMERENE. How many were there between 1907 and 1916?

KNOWLES. Senator McCormick asked for the complete list, Senator.

ator POMERENE. I thought this was an exceptionally well-informed witness. I think he can, without much trouble, give us the exact facts.

MELLA. The revolution which overthrew the government of Victoriano Prud'homme lasted 11 months.

ator POMERENE. And that was in 1912?

MELLA. 1912.

ator POMERENE. How many other revolutions were there during that time from 1907 to 1916?

MELLA. Two more.

ator POMERENE. And give the dates and state the length of time that they continued.

MELLA. The revolution which overthrew the government of President Prud'homme lasted about 11 months. The first revolt against Boedas lasted about a year and a half, and another revolution which overthrew the government of General Boedas lasted about five months.

ator POMERENE. Give the date of that.

MELLA. About the end of 1914. As stated, the debts were produced by the claims made, a part of them; that is, outside of the provisions of the law, and the deficit which was produced by the budget through extraordinary expenses for war are also outside of any provisions.

ator POMERENE. My good friend, in view of what he has just said, will also state that it must take two parties to decide that, and not one party.

MELLA. Oh, to be sure. I agree with you, but you alone have decided it. It is for POMERENE. We are down here to help decide it.

KNOWLES. He meant, Senator, the Government decided itself that question without submitting it, for instance, to arbitration if it was disputed.

MELLA. But I want to explain—

ator POMERENE. Well, that was a little aside. Proceed. We will not interrupt you.

MELLA. As President Henriquez did not wish to accept that protocol, he refused to sign it.

ator POMERENE. Now, he says deposed. By whom?

MELLA. By Admiral Knapp, through the proclamation by which he deposed the world that the Dominican Republic was under the military occupation of the Army of the United States on the 29th of November, 1916. But in order to prove that President Henriquez wanted to accept American influence and not to place the Republic under the American protectorate, and in the condition in which Haiti is. President Henriquez proposed to accept a financial adviser who would "O. K." all expenses and pass a law through which his financial adviser could oppose or reject any expenses that were not in the budget.

In page 11 of the report submitted I read: "Art. IV. The Dominican Republic obliges itself in the same manner to invest a financial adviser, appointed by the president, subject to the recommendation of the President of the United States, with the necessary authority for the discharge of his functions. His powers will be the following:

To help the competent, Dominican functionaries in adjusting and settling the debts pending to-day.

To start an adequate system of public accounting.

To investigate and recommend measures to increase public revenues and to reduce public expenses in such a way as to avoid deficit.

"(d) To find out the validity of those claims presented against the Dominican Government and to inform both Governments regarding same.

"(e) To countersign all checks, drafts, or orders made against the funds of the Dominican treasury in accordance with the budget and laws regarding same.

"(f) To see that this treaty is duly executed, and inform both Governments regarding same.

"(g) To recommend the best measures for raising revenue, and to make recommendations to the secretary of finance as he deems necessary for the welfare of the Dominican Republic, and in accordance with the power to the receiver general as described in article 1 of the convention of 1880 to obtain and to use all custom receipts which will be subject to these recommendations."

Senator POMERENE. Now, let me ask, in order to avoid duplication, report to which the witness has made reference several times included in the Spanish report?

Mr. MELLA. I don't know; but I do not think so.

Mr. KNOWLES. No; it is not included in that. It is only referred to in the report.

Senator POMERENE. The understanding is this entire report is to be in the record.

Mr. KNOWLES. Yes; all right.

Mr. MELLA. Dr. Ricas also agreed to ask the President of the United States to appoint an officer to instruct the guard, and to appoint some other officers—Cubans, Chileans, or Americans—

Mr. KNOWLES. Mr. Senator, as this declaration is so very important, wait for Senator Jones to return?

Senator POMERENE. Yes; we will take a recess for five minutes.

(The committee here took a recess for five minutes, after which the hearings were resumed, as follows:)

(Senator McCormick here took the chair.)

The CHAIRMAN. We have time for half an hour before luncheon.

Mr. KNOWLES. Mr. Stenographer, will you read the last?

(The following was then read by the stenographer:)

"Dr. Ricas also agreed to ask the President of the United States to send an officer to instruct the guard and to appoint some other officers—Cubans, or Americans."

Senator POMERENE. When he says that I assume he means by some communication.

Mr. KNOWLES. Oh, undoubtedly.

The CHAIRMAN. Let the record show that.

Mr. KNOWLES. We will ask him.

Mr. MELLA. Page 8 of the report.

Mr. KNOWLES. I think, Mr. Senator, that he is reading now extracts from an official proposition that was made by the Henriquez government to the United States.

The CHAIRMAN. Now, let me ask: Since that was so, was the communication handed by the Government here to the American minister or by the Dominican minister to the State Department in Washington?

Mr. MELLA. I think Minister Cabral is coming from Santiago to be interviewed.

Mr. KNOWLES. Yes; he is arriving to-day.

Mr. MELLA (resuming). He states as follows (pp. 7, 8): "In successive interviews I continued taking up all the points of the former memorandum to the minister, and at last, at a meeting which we had and at which Sr. Francisco Peynado, secretary of finance, I presented to the minister a proposal for the *modus vivendi*, which is contained in the following memorandum." This shows that the proposal was made in writing. That proposition contains the willingness to accept the financial adviser and an instructor for the Dominican forces, but these proposals were not accepted, and as the Dominican Government can not accept that its budget be drawn up by an American, but by its own Congress, since such would be in violation of the constitution. It can not place its forces under the command of a foreign officer and be beforehand to pass all the laws which this officer may advise, and to pay the salaries which said officer may state should be paid. President Henriquez insisted, backed up by the whole Government, and all of the Dominican people.

I call the attention of the honorable American Senate to this fact, that the Dominican government which had not even one cent with which to buy paper, and that had not even one soldier or one policeman, was never disturbed.

show of banditry. There were no robbers, and that order reigned out the Republic, and notwithstanding this Government was thrown out of the palace and in its place a military government was instituted or declared and the Republic was submitted to military law. (See Admiral's proclamation of Nov. 29, 1916.)

There is one thing to which I wish to refer, because I had forgotten when speaking about the \$4,200,000. In that amount, \$4,000,000, the entire of the Dominican Republic for August, September, October, and November, is included, one-third of the budget. But as the budget amounted to only \$4,000,000 there was included \$1,200,000 that had not been paid, the intervention took place in accordance with the notice published by the Government.

It is in this order that you may see that the \$4,200,000 included one-third of the budget not paid through the intervention. More than \$2,000,000 for damages—that is to say, the debt incurred by the Government in the intervention was less than \$1,000,000. A part of that debt was agreed to by the Dominican Government, because Mr. Michelam lent money with their consent. The HAIRMAN. What was the nominal sum of the claims against the Dominican Republic exclusive of the sum due on account of the budget to which the Government has just referred?

ELLA. About \$14,000,000 for damages, and there is a report made by the commission of claims, which will show you—

HAIRMAN. I am familiar with the facts. I merely wanted to introduce the subject at this juncture to illuminate the testimony.

ELLA. The Government of Dr. Henriquez was thrown from the palace on the 9th of November, 1916. As the secretary of foreign relations or for-  
eigners could not come to his office to make out his report, he found himself obliged to make use of my office. My stenographer copied that report, and Mr. Carval gave me a copy. From that copy I made another copy from which I delivered the same to the commission. [Handing a document to the HAIRMAN.]

Mr. POMERENE. This is the report from which he was testifying?

ELLA. Yes.

Mr. POMERENE. It is already in the record.

ELLA. The commission will find copies of all memorandums of all communications and protests of the Dominican Government. I am going to close the commission to hear once again my protest as a Dominican, and my statement which I am going to repeat on oath.

There is only one Dominican whom I know who is in accordance with or against the American intervention. But it is also certain that all Dominican friends of the American people, and that in spite of the errors committed through the intervention, the Dominican people hope that that error is rectified and that the friendship of both people will be sealed by the friendship of this people, that although small has a right to live a free life, and that it will be a good friend of the great nation which has sent men that are an admiration of the world.

HAIRMAN. We thank the witness.

Mr. OWLES. In your declaration you stated that under the Jimenez government prior to the Jimenez government, there were some political troubles in the Plata Province, and that those troubles were completely settled and ended by the casual presence of the new American minister at that time, on his way from Washington to Santo Domingo City. I want to ask you the same efforts, in your opinion, had been made at the time of the resignation of Mr. Jimenez, if those moral influences could not have in the same way ended the difficulties that then existed between the President and the members of the cabinet.

ELLA. On that occasion there was no mediator, and I believe that if there had been spoken to Gen. Arias as at Puerta Plata, I am certain that matter would have ended in half an hour.

It is a matter that can be ascertained from the books of the treasury and Michelam's books. Gen. Arias's troops were receiving during several days that was owed only to the forces under the order of the Government. This was publicly stated in Santo Domingo, and it is a matter that can be found out.

Mr. POMERENE. I don't understand that.

The CHAIRMAN. Let me ask the witness. Did he consider the troops Gen. Desiderio Arias as Government troops?

Mr. MELLA. No.

The CHAIRMAN. His opinion is categorically opposite then to Mr. Lagrono who testified yesterday.

Mr. MELLA. No, my dear friend; I will explain. Gen. Arias, in war, refused to comply with certain orders of the Government, but at a moment a few days afterwards, when President Jimenez ordered him and in spite of that, he continued drawing his pay.

The CHAIRMAN. Well, now, will you let me—

Mr. MELLA. At a certain time his forces were legally forces of the Government, but at another time they were not.

The CHAIRMAN. Will you let me say that my understanding may be or my memory. I do not challenge the statement of facts by one witness by the other, but I submit that a study of the testimony of Mr. Lagrono show that he repeatedly asserted that in law and formally Gen. Desiderio Arias continued in the service of the Government; that his troops were in service of the Government, although for the time being he was in a state of opposition to the President, and that if the witness will address particularly to one of the later questions which I asked Mr. Lagrono the association of opinion and interest between the chambers and the immediately under the command of Gen. Desiderio Arias, he will find there, a summary of Mr. Lagrono's opinion, and it is different from that.

Mr. MELLA. On that point Mr. Lagrono is a better witness than I.

Mr. KNOWLES. Mr. Mella, you stated that Dr. Henriquez succeeded in electing Mr. Jimenez. I want to ask you if his election was in every respect according to the constitution of the Dominican Republic.

Mr. MELLA. Yes; President Henriquez was elected as constitutionally possible and with a unanimity of the vote of both legislative bodies.

Mr. KNOWLES. Was he, so far as you know or heard expressions of the Dominican people, also the choice of the people of his country?

Mr. MELLA. I can assure you that all the Dominicans when they knew Henriquez's election felt the greatest satisfaction, for he is a person which, as stated before, any nation of the globe can be proud.

Mr. KNOWLES. I will ask you, Mr. Mella, if from the time of the inauguration of Dr. Henriquez as President, if among the Dominicans there was any disorder of any kind.

Mr. MELLA. There was disorder of no kind.

Mr. KNOWLES. Did that condition of peace and tranquillity exist at the time that he took his office until he was deposed by the American Government?

Mr. MELLA. I stated before and repeat again that that government, the government of Dr. Henriquez, without one dollar and without one property nor individuals were troubled. I do not ask the commission to what I say, but I ask the commission to call Americans who lived in the country for more than 20 years to testify concerning this matter.

The following is a matter to which I wish to invite the attention of the commission: That even during revolutions in Santo Domingo no property nor individuals were troubled. I do not ask the commission to what I say, but I ask the commission to call Americans who lived in the country for more than 20 years to testify concerning this matter.

Mr. KNOWLES. State who he is.

Mr. MELLA. He is now the manager of the sugar plantation named La He has been the manager of sugar plantations during all that time. As administrator there have been revolutions in the locality of his plantation.

I can mention Mr. H. R. Greiser, who has lived for many years in the country, and who on one occasion went from the capital to Santiago passing revolutionary forces, and carrying with him a large sum of money and only had to spend 40 cents on the road, which he made a present to a man. Mr. Greiser is at present in Santiago.

I might mention others. I am 51 years old, and I only know one American who was killed in one of our affairs, for which we paid a large sum of money—I don't remember how much.

Mr. KNOWLES. To whom was that sum of money paid?

Mr. MELLA. For what?

Mr. KNOWLES. For the death of that American.

MELLA. I suppose there was a claim made through the American Government, and that his family were paid.  
 POMERENE. I assume he is referring to the same case as the witness lay referred to.

KNOWLES. Yes; the same case as yesterday.

MELLA. I can point out how his death occurred.

KNOWLES. I want to ask you, Mr. Mella, if during the administration of Mr. Henriquez there was any effort of any kind made by the United States to reach an understanding as to any differences that existed between the United States and the Dominicans, or if the demand of November 19, 1915, which was before Dr. Henriquez became President, was insisted should be met by him without a single change, modification, or acceptance of any wishes or desires in any manner whatsoever.

MELLA. A reading of the résumé will prove what I am about to say. On the 29th of November, 1915, when the Republic was completely at peace, we term Mr. Arias's conduct revolutionary, the Dominican Government certain exigencies or demands were made on the Dominican Government through or by notes alluded to, which demands tended to bring about the signing of a protocol similar to the one signed in Haiti. After President Arias resigned and President Henriquez was elected, he was told that it was a condition sine qua non to recognize that Government; that he should accept the conditions contained in the note.

CHAIRMAN. I am not quite sure that he understood the witness. Does he describe Gen. Arias's conduct as revolutionary in character?

MELLA. No, sir. Desiderio Arias never wanted to be President.

CHAIRMAN. He does not consider his conduct as revolutionary?

MELLA. No.

CHAIRMAN. Then he passes no criticism on the payment of his troops to the receiver?

MELLA. No. I mentioned that only as a fact.

CHAIRMAN. I would suggest, as various persons who are interested have suggested, that we take our usual recess at 12.30 instead of 2 o'clock. Upon the committee took a recess until 2 o'clock p. m.

#### AFTER RECESS.

The committee met at 2 o'clock p. m. pursuant to recess.

Present: Messrs. McCormick, Pomerene, and Jones, Senator McCormick.

CHAIRMAN. With your permission, Mr. Knowles and Mr. Witness, we will begin.

KNOWLES. Mr. Mella, I want to ask you to explain with a little more detail the arrangement that existed between the United States and the Dominican Republic under the only treaty that related to financial dealings between the two countries as to the collection of revenues of the country.

MELLA. We had in the country—the receipts of the country were divided into three parts, receipts from the customs and what was termed internal revenue, stamp paper, postage stamps, stamp tax, alcohol tax, etc. The receipts from the customs of the Republic went into the hands of the receiver general, in accordance with the convention of 1907. The receipts, called internal revenue, were collected directly by the Dominican Government. The receipts from customs were managed by the receiver general each month, after having taken out the hundred thousand dollars for the balance, if any was left, was turned over to the Government.

CHAIRMAN. There was a qualification, was there not, that if the—

KNOWLES. Yes, yes. That we put in the record this morning, Senator.

CHAIRMAN. Dominican Government in any way whatever, by treaty or agreement, to the United States any control whatever over the collection or distribution of the internal revenues?

MELLA. No, sir. These receipts were taken by the receiver general from the Dominican Republic, which Mr. Edwards took charge of the treasury.

CHAIRMAN. That was in June, 1916, was it?

MELLA. Yes; in June, 1916.

KNOWLES. That was not in accordance with any agreement that this was made with the United States?

MELLA. No. Not only was this not in accordance with any treaty, but it was a violation of article 2 of the convention of 1907.

Mr. KNOWLES. What does that article provide for?

The CHAIRMAN. I think I have it here: "The Dominican Government provide by law for the payment of all customs duties to the general receiver and his assistants, and will give to them all needful aid and assistance, protection to the extent of its powers. The Government of the United States will give to the general receiver and his assistants such protection as may be requisite for the performance of their duties."

Mr. KNOWLES. Yes.

Mr. MELLA. Article 1 says: "That the President of the United States appoint a general receiver of Dominican customs, who, with such receivers, and other employees of the receivership as shall be appointed by the President of the United States in his discretion, shall collect all the duties accruing at the several customs houses of the Dominican Republic, the payment or retirement of any and all bonds issued by the Dominican Government in accordance with the plan and under the limitations as to amounts hereinbefore recited; and said general receiver shall apply the amounts collected as follows: "

Under this American-Dominican convention and under article 1 the general has the right to handle the customs receipts and nothing else but customs receipts. It does not state expressly whether the Dominican Government shall manage other receipts that were not customs receipts.

Mr. KNOWLES. That clause to which the witness refers is No. 1 and No. 2 as stated there. Was it from those internal revenues over which the United States had no control or right whatever and which were not payable to the United States, or any obligation in which the United States was interested, that the Government derived its revenue for the purpose of paying the expenses of the Government or to be expended in such other ways as the Dominican Government might desire to do?

Mr. MELLA. These receipts were included in the budget, and in accordance with the budget law the Dominican Government used the same.

Mr. KNOWLES. What was the effect of the seizure by the military of the United States of those revenues that belonged exclusively to the Dominican Republic upon the Dominican Republic?

Mr. MELLA. As the Dominican Government had been deprived of the revenue which was theirs, since it was not delivered to them, and was unable to collect directly the revenue which they were entitled to collect, the Dominican Government found itself without a cent, not even any money which to buy pen, ink, and paper during the administration of Dr. Henriquez for the full extension of the period.

Mr. KNOWLES. Under the operation of the treaty existing between the United States and the Dominican Republic, had the Dominican Government deriving regularly the part of the customs revenue that the treaty belonged to the Dominican Government?

Mr. MELLA. Yes. Until the Government of Dr. Henriquez.

Mr. KNOWLES. Had the United States up until that time admitted that the meaning of article 1 was that every dollar of the customs collected in excess of the first \$100,000 and 5 per cent of the total expenses of the collection, belonged legally and rightfully and entirely to the Dominican Government?

The CHAIRMAN. What do you mean by "Had the United States admitted?"

Mr. KNOWLES. By its having taken out only up until that time that is specified in the treaty. That is all.

The CHAIRMAN. Well, who is competent to pass judgment on an admission by the United States? You were once, I believe, a minister of the United States. Admissions by the United States are by its constituted authorities.

Mr. KNOWLES. I will take merely the fact to speak for itself only and draw the word admission.

The CHAIRMAN. I ask you to phrase the question so that it was not an assertion of admission by the United States or an admission by the United States except by the duly constituted authorities of the United States. No counsel for any body of Dominion citizens is not one.

Mr. KNOWLES. Very well. I will ask the privilege to withdraw that and put it in another way.

From the time that the treaty of 1907 went into effect down to the administration of Dr. Henriquez, had there been a single instance in the administration of that treaty by the United States, when the United States drew revenue from the customs revenue—

CHAIRMAN. Just a minute. The United States did not take anything from me. The receiver general, if you please.

KNOWLES. The receiver general took 1 cent more of the customs revenue than the \$100,000 specified in the treaty and the 5 per cent allowed for expenses.

MELLA. Up to the administration of Dr. Henriquez there had been no difference between the receiver general and the Dominican Government concerning the matter. The receiver general collected the customs receipts, took the 10 months for the payment of the debt, took the part corresponding to the sinking fund, and turned over what was left to the Dominican Government. Until June, when the revenue was taken over, there was never any difference of opinion regarding same up to June, the time when the rents were turned over. I have official proof in connection with that. In a communication of the 19th of November, 1915, if the information I have is correct, the Dominican Government was requested to make all collections for the receiver general.

CHAIRMAN. All the collections?

MELLA. Of the internal revenue. All the collections of the country, and customs.

CHAIRMAN. A communication from whom, addressed to whom?

MELLA. The note of the American legation.

for POMERENE. I do not think either you or the witness wants the answer read in that way.

KNOWLES. No; you are very considerate about that, Senator.

for POMERENE. Your question is concerning the amount which the United States or the receiver general was to get out of these funds, and you speak of \$100,000 per month, and in addition to that they would receive a certain amount of all over and above \$3,000,000. Fifty per cent, as I recall it.

KNOWLES. Yes; that is right.

for POMERENE. Now, I take it what the witness wants us to understand is that we received that portion of the customs to which it is conceded the collector was entitled.

CHAIRMAN. Not "we" received. The collector received.

for POMERENE. Yes; the collector received. Under the treaty.

KNOWLES. Yes.

for POMERENE. Very well. With that understanding let it go.

MELLA. The receiver received all the costs and duties—no more. The 10 per cent revenue we are receiving by the Dominican Government. Of that 10 per cent duty, the receivership takes \$100,000 for the service of the loan each year and 5 per cent sinking fund.

CHAIRMAN. Five per cent to defray expenses.

MELLA. To defray expenses. And over \$3,000,000 receipts every year—he is half.

CHAIRMAN. Now just a moment. So they will get the English clear. Over the sum of \$3,000,000 customs receipts in any one year, the receiver allocated half to the service of the debt, and turned the other half into the treasury of the Dominican Government. Was it half or 60 per cent?

MELLA. One-half. In such a manner that the Dominican Government has \$800,000 every year, and the half of the amount over \$3,000,000, and in the internal revenue.

KNOWLES. I am through with the witness on that point.

CHAIRMAN. Mr. Witness, do you care to suggest to the committee a day—a definite date—whether the 1st of January or another day—when the occupation, so-called should terminate and the last marine sail from Santo Domingo, and any conditions—conditions and arrangements necessary and proper to such departure? I ask this question because the testimony until now has been largely historical, and because, for one, I am interested in fixing the occupation and the conditions of that termination.

MELLA. The question is such a transcendently important one that I think that I be given 24 hours to make my answer.

CHAIRMAN. In view of the amount of time given to the hearings on the general aspect of the problem, in the light of the time which we have spent already, in view of the termination of these hearings probably to-morrow, in order that we may make some personal investigation before we leave Santo Domingo and charming capital. I ask the witness—and my colleagues join in asking him—to give us a written answer to the question.

MELLA. I will try to, and I shall be very glad if God gives me the way to people free.

The CHAIRMAN. I thank you for your courtesy, on behalf of the committee and the care which you have taken in answering our questions.

Mr. KNOWLES. I wish, Mr. Chairman, to continue the testimony of Mr. Lagrón.

#### STATEMENT OF MR. ARTURO LAGRÓN—Resumed

Mr. KNOWLES. Mr. Lagrón, we will ask you to take up your relative matters concerning the Jimenez government at the point where you left your testimony last Saturday.

Mr. LAGRÓN. After an encounter between the forces of President Jimenez and the forces that occupied the city—an encounter in which there were two killed and about six or eight wounded on both sides, Minister Russell, Capt. Crossley, of the *Prairie*, went to President Jimenez's camp in San Onofre and stated that during the combat—

Senator POMERENE. Now, did you hear this yourself?

Mr. LAGRÓN. Certainly. During the combat shots fired from the city struck pretty near the American legation; that they could not permit there be more shedding of blood, and that therefore they were going to act on their own account by subduing the city.

The CHAIRMAN. Let the stenographer read that.

(The answer was read by the stenographer.)

The CHAIRMAN. "By subduing the city." What is the word in Spanish? The INTERPRETER. (?)

Mr. LAGRÓN. That, therefore, they suggested to President Jimenez that he order his forces to withdraw to Jina, 16 kilometers from the city, leaving President Jimenez's soldiers were Dominicans, they might become witnesses of the Americans fighting against other Dominican soldiers. President Jimenez protested indignantly against such a declaration, and they insisted, both Minister Russell and Capt. Crossley, and placed the President under the alternative of accepting their military help or remaining with his army without deciding the situation, as was his duty.

President Jimenez did not hesitate for one moment, and on the night of the same day presented his resignation of the Presidency of the Republic. His resignation was placed in circulation the following morning, with the date of the 7th.

The CHAIRMAN. What do you mean by "the last day"?

Mr. LAGRÓN. The resignation—he resigned on the night of the 6th at 11 o'clock, but the resignation was circulated in the city on the morning of the 7th.

Senator POMERENE. To whom did he send his resignation?

Mr. LAGRÓN. As it was not possible to send any emissary to the United States, the resignation was received by Minister Russell himself in his own house. He it was who advised by telephone from the legation to the city that President Jimenez had resigned. He immediately—the President of the Republic gave up the power invested in him rather than accept the American ultimatum, which he had never asked for, went to his private residence, 23 kilometers from the city, accompanied by two or three of his friends.

The following day the national Congress, in accordance with the constitution, decreed that the Presidency of the Republic was without a President, and agreed upon the appointment of a new President, in accordance with the constitution. That election of a new President had to be immediate, but it could not be effected, because Minister Russell and Admiral Crossley, who were right in the city, on the gunboat *Dolphin* on the morning of the 8th, wrote a letter to Congress in which they requested them not to elect a new President until they had been restored in the city. As a proof that the marines which the United States had sent to Santo Domingo did not land with the consent of the Dominican Government, but on their own initiative, the proclamation of Capt. Crossley of the 3d Marine Regiment can be presented, in which it is said that the work of the marines was to guard and exclusively to guard the legation of the United States. And there is the testimony of these witnesses, whose testimony is irrefutable. Hon. Mr. Fisher, Count D'Arlot de St. Sand, the French minister, Hon. Felix M. L. L. Haitian minister, who signed a public declaration on the 8th of March in the *Liston Diario*, in which they stated that they had been advised by the American legation that troops would be landed for the sole object of guarding the legation of the United States.

When President Jimenez resigned, the declarant who is before the committee has no direct contact with events, because he accompanied the President Jimenez when he signed. But in general connection with the events that were happening

ly information necessary, because I have knowledge of the same, although exact as expressed in my former statement.

CHAIRMAN. It is for you to determine, Mr. Counsel, how far the witness

KNOWLES. Mr. Lagrono, were you conversant with all of the acts several prior to the resignation of President Jiminez?

LAGRANO. Absolutely all.

KNOWLES. I want to ask you as to a certain statement officially made United States through the Navy Department bearing the date of August 5 year, addressed to this Senate Committee as to certain statements made, for the evident purpose of giving the sole and immediate reason for the ; of troops of the United States upon Dominican soil. I will read that ent to you or have it read to you.

for POMERENE. Will you state the document you are reading from and re?

KNOWLES. I am reading from the first part of the proceedings of this tee beginning at page 90.

LAGRANO. Who signed that document?

KNOWLES. The particular paragraph being the fourth one on page 92, reads as follows:

unately, the election of Jiminez, who took office on December 5, 1914, lowed by a brief period of comparative calm in the Dominican Republic. ements of disorganization were present, however, awaiting favorable nity for expression. In April, 1916, Gen. Desiderio Arias, secretary , executed a coup d'état, deposed Jiminez, and seized the executive . At this point the United States Government intervened and with the of the rightful though deposed President Jiminez, landed naval forces 5, 1916, and pacified Santo Domingo city, the capitol. Jiminez then l, and the council of ministers assumed control of affairs."

at to ask you, you being under oath, to declare solemnly to this comf there is a single word of truth in one of those allegations.

LAGRANO. I am ignorant of the writer of that document, who the writer document is, but whoever it may be who wrote it, I swear solemnly this honorable commission that in what I have just heard there are lse statements. First, Secretary of War Arias did not execute a stat. Second, Gen. Arias never took over the executive power. Third, ines did not land with the consent of President Jiminez. And the last hich is untrue, they did not pacify the city, because it was in perfect

honorable Senators, Gen. Arias did not depose President Jiminez. I now who wrote that document. I judge from words heard from Mr. s that it must be an official document. But the Dominicans can not be l by that document—the Dominicans who know the truth of the matter. may be permitted to deposit it, to the end that it may serve to prove n. Arias did not depose President Jiminez, nor did he take charge of the re power at any time, I can present a public statement made by me at e.

KNOWLES. Then I will add as a matter of fact, so far as the Dominican ment and its acts are concerned—asking the witness to give answer fferent statements made in this paragraph, without comment.

LAGRANO. All right.

KNOWLES. "Fortunately, the election of Jiminez, who took office on er 5, 1914, was followed by a brief period of comparative calm in the 'an Republic." I will ask you if there had been at that time such nces in the Dominican Republic as would justify the statement I have d to you as describing the conditions under the Jiminez Government : "a brief calm"?

LAGRANO. When I started my statement I said—and I ratify it now—ring President Jiminez's Government there was complete peace in the .

KNOWLES. "The elements of disorganization were present, however, ; a favorable opportunity for expression." If you understand what that means, will you state your opinion as to whether that expressed truly lition that existed in the country?

LAGRANO. I understand that it is not so, but as I am asked for an abpinion, it is not possible to deny concretely.

Mr. KNOWLES. "In April, 1916, Gen. Desiderio Arias, secretary of - cuted a coup d'état." Did Gen. Arias ever, by decree or act or in execute a coup d'état?

Mr. LAGRANO. Throughout my statement I have stated no.

Mr. KNOWLES. The next allegation is that Gen. Arias deposed President Jimenez ever deposed by anybody?

Mr. LAGRANO. President Jimenez was not deposed from the pre- the Republic. He resigned spontaneously on the 7th of May, due : stances explained by me before.

Mr. KNOWLES. The next allegation is that "The secretary of war - executive power." Did Gen. Arias, by declaration or by executive a - kind, seize the executive power and announce himself as president?

Mr. LAGRANO. Not only did Gen. Arias not seize the executive ; he did not commit any acts in connection with same.

The CHAIRMAN. I think a more just translation would be, "Nor d mit any acts of this character."

Mr. LAGRANO. Yes.

Senator POMERENE. Now, in order to see if I understand the w - rectly, you did say, as I recall it, on Saturday—perhaps to-day— Arias did seize the Government forces under his control, with w - pose the forces which were representing the President of the Dom. public.

Mr. LAGRANO. Gen. Arias was minister of war. He had, accordi : military forces under his direct control, and due to the accusation m - President Jimenez in Congress—an accusation which on the other witness declares he considers unjust—stated in a public declaration the one which I deposit with the commission, that he did not cons - self obliged to obey the orders of the President of the Republic, t - considered him to be in a state of intradiction, and that he placed . . . and the military forces to defend any resolution of the Congress.

Senator POMERENE. What I understand from what the witness t - that the secretary of war, under the Dominican law, would have th - he saw proper, to use the forces under his control to oppose the acts of the President.

Mr. LAGRANO. In no case. On that account I have always stat - minister of war was rebellious against the authority of the Preside -

Senator POMERENE. In other words, you regard his action in th - Dominican forces against the President as illegal?

Mr. LAGRANO. I do not believe that Gen. Arias used the forces unk - mand against the President. The President in his capacity tried to the city, which he found to be under the control of forces which - obedient to him, but which incidentally had denied his authority.

Senator POMERENE. I want to ask just another question or two abo - I have undertaken, so I may be able to get the complete situat - Gen. Arias was using these forces in opposition to the President - the President say or do about it?

Mr. LAGRANO. The President tried to take the city by force, a - ultimatum to Gen. Arias through one of his generals requesting - President, be obeyed, and that Gen. Arias capitulate. Gen. Arias - he did not recognize President Jimenez in his capacity, due to th - he had been impeached or accused. Owing to that circumstance, - at first, there was a crisis between the President and the secretary - undoubtedly would have been breached satisfactorily and without th - of blood by the intervention of the minister of the United States.

Senator POMERENE. Was the President's ultimatum in writing?

Mr. LAGRANO. Yes.

The CHAIRMAN. And Gen. Arias's reply in writing?

Mr. LAGRANO. Yes.

The CHAIRMAN. Can you furnish the committee with copies of th - and Gen. Arias's reply, for the record?

Mr. LAGRANO. Not right away, but I can deposit them in the mor -

The CHAIRMAN. We will be obliged to you if you will do so.

Did you hear the President say, either to yourself or anyone else, further about the conduct of Gen. Arias in thus disobeying him?

Mr. LAGRANO. President Jimenez simply regretted Gen. Arias's because that attitude he believed to be the offspring of some misman - of affairs. At the same time he regretted his having to comply with mediate duty of imposing his legal authority.

CHAIRMAN. Now, just another matter. How many troops did Gen. Arias bring this contest, and how many troops did the President have under command?

AGRONO. Gen. Arias had about 300 men. President Jimenez had between 1,500 men.

DR POMERENE. I think that is all.

DR JONES. Where were the troops of the President; very near the city?

AGRONO. Somewhere about half a kilometer from the city; the city was held by the forces of the President.

DR JONES. And in that condition the President sent the ultimatum to Gen.

AGRONO. Yes.

DR JONES. What happened after Gen. Arias made his reply that he could not accede to the demands of the President?

AGRONO. The advance guards of the troops of the President entered the city through the suburbs, and Gen. Arias's troops that were posted there entering, each group alleging its right. Some shots were fired and in consequence of same two were killed and six or eight wounded. It was the only bloody encounter at that time.

DR JONES. On what day was that?

AGRONO. On the 6th of May, 1916.

DR JONES. What was the next thing that occurred?

AGRONO. The intervention of Minister Russell and Capt. Crossley, placing them in the alternative of accepting the situation or accepting the intervention of the American forces. That same night the President resigned, and gave up his power rather than to accept the military support of the United States against his citizens.

DR JONES. Why did this shooting between the forces of the President and Gen. Arias stop; what caused that shooting to stop?

AGRONO. The intervention of Minister Russell and Capt. Crossley.

DR JONES. What did Mr. Russell and Capt. Crossley do?

AGRONO. They demanded President Jimenez to withdraw his forces from the city to Jina, about 16 kilometers from the city; a demand which on the following day they gratified—the council of ministers, which took charge of the resignation of President Jimenez.

DR JONES. And then at the time Capt. Crossley landed his marines, the General Arias and the forces of the President were fighting?

AGRONO. They were not fighting, because Capt. Crossley's forces had taken the 4th, two days before, and taken up positions around the legation and the customs department.

DR JONES. Then when the forces of Gen. Arias and the President were the American officers sent word to them to stop fighting. Is that it?

AGRONO. More than that. They obliged them to stop their warlike action and not only that the action should be stopped, but that they would accede to the action.

CHAIRMAN. If they did not stop?

AGRONO. In one way or another. Minister Russell and Capt. Crossley advised President Jimenez and the council of ministers at 6 in the afternoon that they would not allow more blood to be shed, and that they were going to take power and help in the government, and entering by force into the city. The President refused to accept that, and resigned.

MR. KNOWLES. Now, Mr. Agrono, I want to ask you to state if there was any intention or purpose that you know of to end the presidency of Jimenez by force of arms?

AGRONO. I wish Mr. Knowles to explain clearly what he means.

MR. KNOWLES. Do you know whether there was any intention or steps taken to depose the administration or presidency of Jimenez by force of arms, or was it to be taken constitutionally.

AGRONO. I do not believe that anyone had interest in putting an end to the presidency of President Jimenez with the Government. The Government was composed of political friends, and besides that by members of another party which a coalition had been formed before election with the Jiminista party. This condition was faithfully carried out. The only party that might have been interested in deposing President Jimenez from power was the Liberal Party, and that party during the entire government of Jimenez only sought the cause of peace.

Senator JONES. Had President Jimenez been impeached under the constitution?

Mr. LAGRANO. I personally felt that the accusation was not just; that President Jimenez did not merit the accusation, but the procedure of the opposition was legal.

The CHAIRMAN. That is to say, it had been voted by the chamber and to be considered by the Senate?

Mr. LAGRANO. The Chamber of Deputies had considered the accusations of accusation, according to our laws, accusations are started in the Chamber of Deputies, but they do not judge; but the case is forwarded to the Senate, and the Senate acts as a high court of justice in this case.

The CHAIRMAN. I just want to be clear. It is forwarded to the Senate by the vote of the Chamber of Deputies?

Mr. LAGRANO. Yes.

Senator JONES. And that vote had been taken, had it?

Mr. LAGRANO. Yes; but the Chamber of Deputies did not know the facts from its foundation.

Senator POMERENE. Can the witness furnish a copy of those articles of accusation or impeachment?

Mr. LAGRANO. Yes; to-morrow morning.

Senator JONES. Why did the Senate not try the case?

Mr. LAGRANO. The Senate had fixed for a hearing of the case at a date other than the one on which President Jimenez had resigned, due to the facts already mentioned by me.

Mr. KNOWLES. Does the Senator understand that answer? That the Senate had fixed a day for the hearing?

Senator JONES. Which would have occurred after the date of the resignation?

Mr. KNOWLES. And before it arrived the President resigned. What was the date of the action of the chamber in passing that resolution?

Mr. LAGRANO. The 1st of May.

Mr. KNOWLES. The 1st of May. It was five days after that proposition was started that Gen. Arias declined to obey an order of the President, as a reason that the President was under charges of impeachment, therefore was not in a position to give official orders of that kind.

Mr. LAGRANO. Certainly.

The CHAIRMAN. Will it be convenient for the record, either for the witness or for counsel, to let us have copies of the accusation?

Mr. LAGRANO. As I promised, I will send over to-morrow copies of the correspondence between Gen. Arias and President Jimenez.

Mr. KNOWLES. I want to ask you if, during that particular time, from the 1st of May until the 7th day of May, there had been any moral influence by the United States to adjust the differences that existed at that time between the President and the secretary of war, and thus to avert a conflict of arms? If he thinks it would have been effective?

Mr. LAGRANO. At that time, I was, as was my duty, at the President's side and can not state that I noticed or observed any action in the sense of the question to me just now. I only remember the suggestion of the imposition of arms to place upon President Jimenez, on the afternoon of the 6th of May, inducing him to accept the armed support of the marines.

Senator POMERENE. I want to make my request a little broader than that. You have kindly promised to present to the committee the ultimatum to the President and the reply of Gen. Arias. I wish if there is any other correspondence between the two that you would furnish us all of the correspondence on the subject. It will be illuminating for everyone.

Mr. LAGRANO. I don't dispute you. I will bring in all the documents.

Mr. KNOWLES. I wish to ask you, Mr. LAGRANO, if, notwithstanding the fact that the methods that were being taken by the Dominican Congress to remove the President of the Dominican Republic in a constitutional way, if the representation of the United States proposed, in the face of these proceedings, to use the force of the United States to go against the constitutional action of the Dominican Republic and put the President in his office as President.

Senator POMERENE. Well, now, my good friend, let me suggest to you that you can hardly expect this witness to answer that. You asked him if he was a representative of the United States proposed to do this, etc.?

Mr. KNOWLES. Yes.

Senator POMERENE. Well, let him say what was said and done, and let the committee decide whether they proposed to or not.

OWLES. All right, I will not put it so leading then, Mr. Senator. the Congress of the Dominican Republic had instituted impeachment proceedings against the President of the Dominican Republic, and those proceedings were going along according to the constitution, what did the United States representatives here propose to do?

LAGRONO. I can not answer that question completely, but from general knowledge that I have that after constitutional proceedings had been started in the Congress for the election of a new President of the Republic, being suspended those elections as perhaps an act of complaisance with the action made in regard to same by Minister Russell and Admiral Caperton member that while the Congress was at a standstill before said petition, the wireless outfit of the American cruiser was being used for sending messages with regard to the national Congress—telegrams addressed to Minister Russell, and whose translation was authorized by the American consul. In a book written by Mr. Henriquez Urena, which the Senator has in him, which Hon. Senator Jones has before him, page 94 or 95, there is a telegram sent by Minister Russell to the American consul at Monte Cristi, in code and in current language, in which it is stated:

"American consul. Monte Cristi: Request will transmit following." a telegram in code, addressed to the governor of that Province—another telegram, in which the Senators can read something immediately of the existence of the national Congress, signed by some politicians; and a telegram was authorized by Minister Russell.

OWLES. In my previous question, which I believe I did not make clear, I wanted to ask if you knew whether or not there was any offer by the representatives of the United States, after impeachment proceedings had been started against President Jimenez, to escort the President through the palace to him this support while he would be there?

LAGRONO. The resignation of President Jimenez was signed under those circumstances outlined, and no one has ever stated that they are false.

OWLES. Have you a copy of that letter of resignation?

LAGRONO. Yes. All these documents are officially compiled in that book. If the honorable commission permit, I can deliver them to the commission and the commission can keep them for their use.

CHAIRMAN. I very cordially thank the witness.

OWLES. Now, I wish to ask Mr. Lagrono to make a little more clear what that he made formerly. When Gen. Arias said that he would use himself and the forces under his command to execute the orders of Congress—that was not after the institution of impeachment proceedings against President Jimenez?

LAGRONO. On the 5th of May, five days later, after the procedure of the proceedings had started, Gen. Arias made that declaration.

OWLES. As the witness has said he is tired, I think I will suspend for tomorrow, and put on another witness.

CHAIRMAN. And let me extend to him the invitation which I extended to the witness, to submit later and at his convenience, if he cares to—to-preferably—any suggestions he cares to make as to the precise date, at that judgment, when the military government might terminate, the forces of the United States retire, and what measures should be taken for this purpose of public order, and to assure the financial stability and fiscal management of the country, and the terms and conditions, if any, upon which the occupation should be concluded.

LAGRONO. I have the honor to reply to the suggestion made by the honorariness of the United States that it is not necessary for me to wait for tomorrow to formulate my reply. The Dominican people unanimously have the United States of North America, that great country which for many years has been our great and loyal friends—to have them as a part of justice order the evacuation without any fixed date of condition.

CHAIRMAN. How can you order an evacuation without date?

LAGRONO. Without condition, time. Because I am certain that the people of the Dominican Republic and the understanding of their national people will give them immediately a government which would rule the Dominican Republic and public order will not be disturbed in the slightest manner. Therefore it is opportune for a noble act of justice, because representative of Santo Domingo have just formulated in the City of Puerto Plata an act of evacuation, which, without any date, will meet the aspirations of the Dominican people.

The CHAIRMAN. Is that to be presented to the committee?

Mr. LAGRANO. According to information, to-morrow. The President of the Republic will arrive, and I really believe it will be so, that the work of this commission is ended, that they will be furnished with the agreement come to in Puerto Plata about a week ago by the representatives of the country.

If you will allow me to add a few words, Mr. Chairman.

The CHAIRMAN. Certainly.

Mr. LAGRANO. In closing my testimony, I must make the following with all respect.

I, a Dominican citizen, in this governor's palace, occupied by naval forces of the United States, and before you, honorable Senate, hesitate in formulating, knowing my attitude, the following charges against the Government of the United States.

First. Having landed troops, thereby committing an act of war in previous declaration against a friendly country. In the Dominican Republic and have despoiled it of its own Government, exercising over it the right, thereby violating—

(a) The Constitution of the United States.

(b) The constitution of the Dominican Republic.

(c) The existing treaty between the United States and the Dominican Republic.

(d) Especially the Dominican-American convention of 1907, in relation to marines of their nation and under their control, and not to the Dominican Republic, the remnant of our customs receipts after having taken the sum for amortization and the 5 per cent which belonged to the general of the Republic.

(e) The resolution not to intervene in certain matters, proposed by the United States of America and adopted at the third conference international at The Hague.

(f) International law.

(g) The object and purpose of the Monroe doctrine, according to the intention of the Government of the United States.

(h) The last point of the 14 points submitted by the Honorable President Wilson at the conference at Versailles.

Second. Having permitted or allowed marines under their control to permit cruelties and abusive acts of every kind in this country, or permitted marines under their control to legislate in every matter in this country, without having capacity for same.

Senator JONES. There are just a few additional matters that I want to inquire about, which occurred early in May, 1916. On what date were the marines landed in this country?

Mr. LAGRANO. Capt. Crossley's proclamation of the 3d of May after the landing, and the landing took place on the 4th.

Senator JONES. And they landed for the purpose of protecting the American legation?

Mr. LAGRANO. Yes.

Senator JONES. Had there been any shooting prior to that time?

Mr. LAGRANO. I have stated in my testimony formerly that there was a small battle or encounter, in which there were two deaths and eight wounded, was on the sixth, two days after the marines landed.

Senator JONES. Had there been any explosion of ammunition or of shells up to the sixth of May?

Mr. LAGRANO. Probably, but not for military ends. As there were no arms, I do not doubt that there were certain explosions, but in the order of the military authorities.

Senator JONES. I understand that, but I wanted to know if there was any desultory firing or shooting of arms.

Mr. LAGRANO. I don't know. I don't think so.

Senator JONES. After Minister Russell and Capt. Crossley received the forces of the President and of Gen. Arias to stop fighting, what did the President do? What became of them?

Mr. LAGRANO. They withdrew to Hina and remained there waiting.

Senator JONES. How far away is that?

Mr. LAGRANO. After this correspondence there were no more encounters between the forces within the city and the forces outside of the city. The marines were in the middle between them. Minister Russell and

arrived on the 10th on the *Dolphin*, and after Admiral Caperton's Capt. Crossley disappeared from the scene. They recognized the Government constituted by the council of ministers as legitimate, and on the 14th Minister Russell and Admiral Caperton addressed or sent an ultimatum to the forces in the city, to Gen. Arias, demanding him to surrender the morning of the following day or that they would enter the city, that they would enter the city fighting. At daybreak Gen. Arias evacuated with his forces, marching toward the Cibao, and the marines entered the morning and remained up to the present.

Mr JONES. Did President Jimenez withdraw his forces from the city on the 6th of May?

MR GRONO. The 6th of May. He withdrew his troops on the evening of

Mr JONES. Where did he take them to?

MR GRONO. To the Jina.

Mr JONES. How far is that from this city?

MR GRONO. About 15 or 16 kilometers. The procedure was as follows: The marines had stopped the fighting on both sides in the following—First, ordered the withdrawal of the forces of President Jimenez to the city, by sending an ultimatum to the forces of General Arias within

General Arias abandoned the city with his forces and withdrew to the Cibao, where later on, in a peaceful manner, he did not oppose the entry of the marines into the Cibao. He withdrew from the city without fighting. The marines entered peacefully. But the fact that they had entered peacefully prevented certain acts which were the outcome of martial law. They entered peacefully into the city, but with bayonets fixed and placing machine guns at every corner. After the Marine Corps entered the city they disbanded, at this time not under the orders of President Jimenez but under the orders of the council of administration, in the following manner: By close of the day in which the money for their salaries was kept and reducing the number of men until they were completely disbanded. Meanwhile they would wait for the election of the President.—

Mr JONES. I think I can get what information I want in a little quicker than what day did Gen. Jimenez take his troops to Jina?

MR GRONO. The petition for the withdrawal to Jina was made on the 6th, I do not remember if the withdrawal was started on the night of the 6th, but I can state that while I was accompanying President Jimenez on the morning of the 6th, when he was on his way to his family residence, for governmental affairs, we met some troops on their way to Jina, and they were distressed when he passed with sorrow because he was abandoning them.

Mr JONES. Did his troops go into camp at Jina?

MR GRONO. No; that was not a military site. They camped on the banks of the river Hine, on the high road to the west.

Mr JONES. How long did they remain there in camp?

MR GRONO. I can not state. A few days. While they were being disarmed, a lump of sugar through the economic process that was brought to them.

Mr JONES. It was the lack of supplies then that caused them to disband?

MR GRONO. Yes.

Mr JONES. Did some of them remain there as long as two weeks?

MR GRONO. Until the 10th of June, when, due to a notice from C. H. he receiver general of the customs, a deputy receiver under his orders to receive of all of the receipts of the nation, without any exception.

Mr JONES. Was that the time when the last of those soldiers was dis-

MR GRONO. Yes.

Mr JONES. What did the forces under Gen. Arias do after the marines entered the city?

MR GRONO. They went to Santiago de los Caballeros, which is one of the cities of the Cibao.

Mr JONES. How far was that from the city?

MR GRONO. Santiago is 190 kilometers from the city.

Mr JONES. Did they go into camp up there?

MR GRONO. They went to the fort in Santiago.

Mr JONES. How long did they remain in camp?

Mr. LAGRANO. Those forces under Gen. Arias were dissolved. When the marines under Col. Pendleton entered Santiago de los Caballeros they did so without resistance. Gen. Arias went to his private home, and a lute peace reigned throughout the country.

Senator JONES. Those troops went into camp at Santiago, did they?

Mr. LAGRANO. I don't know the details.

Senator JONES. I understood from your statement that they went to Cibao country.

Mr. LAGRANO. Gen. Arias's forces?

Senator JONES. Yes. And to what part of that country did they go?

Mr. LAGRANO. To Santiago de los Caballeros.

Senator JONES. Did they go into camp there at Santiago?

Mr. LAGRANO. They went to the fort at Santiago.

Senator JONES. And how long did they stay there at that fort?

Mr. LAGRANO. I don't know exactly, but due to the lack of money with which to pay the forces, and due to the lack of an object for keeping them under orders, Gen. Arias disbanded them.

Senator JONES. Did Gen. Arias disband them?

Mr. LAGRANO. I have been informed to that effect.

Senator JONES. At what time, more or less?

Mr. LAGRANO. I can not state exactly just when, but I can assure you 60 days after the marines landed they were in full control of the country.

Senator JONES. Within 60 days?

Mr. LAGRANO. More or less.

Senator JONES. So then your judgment is that for about 60 days there were at the fort in Santiago under the control of Gen. Arias?

Mr. LAGRANO. Yes.

Senator JONES. And at about that period of time Gen. Arias gave the order for disbanding them?

Mr. LAGRANO. Certainly. They were not disbanded all at once, but a little, slowly.

Senator JONES. And were any of them finally kept in the National Guard in the forces under the American direction?

Mr. LAGRANO. Yes. The marines did not take charge of the country in any ostensible manner until the 29th of November, when Capt. Knapp's nomination was issued. After President Henriquez's government had been in function for four months, who had the privilege of not only civil employment, but even the soldiers to help him promote the cause of order, without the aid of any kind.

Senator JONES. I don't know that there is anything more I care to ask the witness, but there may be, and you can be here in the morning.

Mr. LAGRANO. I would prefer, and I state respectfully that I do not wish to take up more time, as other Dominicans have to talk here and I would like you to ask me the questions now.

Senator JONES. Oh, I understood that the witness himself preferred to draw at this time.

Mr. LAGRANO. No; I prefer to finish.

Senator JONES. When was it that Minister Russell and Capt. Knapp decided to recognize the cabinet as in authority here?

Mr. LAGRANO. I do not know whether it was done in writing, but Mr. Jimenez resigned on the 7th, and on the 8th Mr. Russell continued his negotiations with the council of ministers, and the proof that he considered them in authority for the Government is that the receiver generalship continued furnished to the council of ministers with the funds of the nation.

Senator JONES. And how long did that continue?

Mr. LAGRANO. Up to the 8th or 10th of June. Up to the time when Baxter's notice published in the press communicating that the receiver generalship would take over the revenues of the Dominican Republic, and after that—

Senator JONES. I don't know that there is anything further that I care to add, but the commission has an engagement in just a few minutes, and I will conclude with the witness now.

(Whereupon, at 4.55 p. m., the committee adjourned until 9 a. m., December 13, 1921.)

## BY INTO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

**TUESDAY, DECEMBER 13, 1921.**

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Santo Domingo City, Republic of Santo Domingo.*

Committee met at 9 o'clock a. m., pursuant to adjournment.  
Senators McCormick (chairman), Jones, and Pomerene, Senator  
presiding.  
Present, Mr. Howe and Mr. Knowles.  
CHAIRMAN. You may proceed.

**TESTIMONY OF DR. ENRIQUEZ HENRIQUEZ, SANTO DOMINGO  
CITY.**

KNOWLES. What is your name?

ENRIQUEZ. Enriquez Henriquez.

KNOWLES. Your profession?

ENRIQUEZ. Lawyer.

KNOWLES. How long have you followed that profession?

ENRIQUEZ. About 30 years.

KNOWLES. Are you a graduate in the law?

ENRIQUEZ. Yes.

KNOWLES. Of what university?

ENRIQUEZ. University of Santo Domingo.

KNOWLES. Of what country are you a native?

ENRIQUEZ. Of the Dominican Republic.

KNOWLES. Born where?

ENRIQUEZ. In the city of Santo Domingo.

KNOWLES. Have you lived continuously in this city?

ENRIQUEZ. No. I spent five consecutive years in New York City.

KNOWLES. How long ago was that?

ENRIQUEZ. From 1908 to 1914.

KNOWLES. In what month of the year of 1914 did you return to your

ENRIQUEZ. In December.

CHAIRMAN. Was he engaged in business or in his profession?

KNOWLES. I will ask him, Senator.

What business or profession did he follow in New York for professional purposes or business purposes?

ENRIQUEZ. I resided there with my family for the benefit of my chil-  
dren.

KNOWLES. Since December, 1914, have you been continuously in this city?

ENRIQUEZ. Yes.

KNOWLES. Are you familiar with all of the events relating to the occupa-  
tion up to the occupation?

ENRIQUEZ. I believe that I know them perfectly well.

KNOWLES. Will you state for the information of the committee, beginning,  
first, at some part during the term of President Jimenez, and relate  
as far as you consider bear upon the subject being investigated by the

ENRIQUEZ. I am disposed to answer every matter presented before me.  
I refer that these matters refer to what I consider to be the essential

parts of them, which is of equal interest to the honor of the United States, which is a true teacher of liberty and humanity, as well as the liberty of the Dominican people.

Mr. KNOWLES. Dr. Henriquez, relative to the causes and reasons for the occupation by the United States of the Dominican Republic, there has been a declaration by the Department of the Navy that those reasons for occupation were primarily and plainly stated.

The CHAIRMAN. Is this the same matter that you called his attention to yesterday?

Mr. KNOWLES. Yes, Senator. Take it in the official record of the proceedings of this committee in the first part of the record, at page 92, which states—

"Fortunately the election of Jimenez, who took office on December 1, 1916, was followed by a brief period of comparative calm in the Dominican Republic. The elements of disorganization were present, however, awaiting opportunity for expression. In April, 1916, Gen. Desiderio Arias, Secretary of War, executed a coup d'état, deposed Jimenez, and seized the executive power. At this point the United States Government intervened and with the aid of the rightful, though deposed President Jimenez, landed naval forces on May 5, 1916, and pacified Santo Domingo City, the capital. Jimenez resigned, and the council of ministers assumed control of affairs."

As to those alleged causes and events that resulted in the occupation of the Dominican Republic, will you please state any facts that you know in connection with that event.

Dr. HENRIQUEZ. In the first place, those affirmations, from the Senate and abstractively, contain an accusation against the proper dignity of the Dominican people, and I, a free citizen of the Dominican Republic, protesting against the slanderous imputation contained in the first affirmation, and I am going to explain my idea regarding same. The Dominican people—

Mr. KNOWLES. Doctor, pardon me just a moment. There is one point in the beginning of the witness's testimony that I neglected to ask him, and I am going to ask you, Doctor—I wish to ask you, Doctor—I forgot to do so at the beginning—if you represent any particular society or organization of the Dominican people?

Dr. HENRIQUEZ. I am vice president of the Dominican National Union, which has a list of the members in Santo Domingo.

The CHAIRMAN. I suggest that you hand this to the stenographer.

(The list referred to is on file with the committee.)

Dr. HENRIQUEZ. It is a national fraternity which has been constituted two years ago to work for the restoration of the Dominican people in the exercise of their complete sovereignty and for the evacuation of their territory. The Dominican people have been slanderously spoken of as a rebellious people. The Dominican people have the honor to have been a rebellious people in the same way as William Tell was. The Dominican people have been like William Tell, obliged to fire over the heads of each of their generations, due to the tyrannies, thus our civil wars are of the highest significance of the dignity of the Dominican people. The people who do not know how to resist tyranny through the legitimate recourse to arms, when there are no other means to overcome tyranny, will be an abject people.

These considerations do not permit me to understand that civil war in the Dominican Republic which has been because of that just cause should be imputative for the armies of a people as free as the American people coming to the aid in the misfortunes of the Dominican people.

Now, referring to the concrete case as to the situation of the Dominican Republic at the time referred to, I state these facts. When the Americans landed, and were the first contingent of the forces of occupation—

The CHAIRMAN. Now, let me understand, so that I can follow the witness, I understand from his former statement that he was here in Santo Domingo at the time they first landed?

Dr. HENRIQUEZ. Yes. The occupation of Dominican territory, this was the scene of this political event, the accusation of President Jimenez.

The CHAIRMAN. Do you call that, technically, in the Dominican case an accusation, or do you call it, as we call it, impeachment proceedings?

Mr. KNOWLES. They have a word for impeachment, which is "acusación."

The CHAIRMAN. Well, it means the same thing.

Mr. KNOWLES. The same thing, Senator.

Dr. HENRIQUEZ. A local newspaper, the *Liston Diario*, announced on May 5, the breaking out of hostilities between the forces of the govern-

omingo and the forces which were accompanying President Jiménez, but four days previous—

CHAIRMAN. Does he mean previous to the breaking out of hostilities?

OWLES. I think he means after that announcement was made.

CHAIRMAN. Just so he makes clear what he means.

NRIQUEZ. The breaking out of hostilities.

to explain these facts. That at the time of the landing of the forces on the territory of Santo Domingo the political state of the country could not be identified in this way, a state of peaceful impeachment of President Jiménez. To state it better, due peaceful impeachment of President Jiménez was a constitutional recourse, which was also carried out constitutionally. Under those conditions the forces occupying the Dominican Republic were landed, and I wish to say that civil war started three or four days on, three or four days after these forces were landed on Dominican soil. If anything is lacking, I can add.

OWLES. Proceed. You are getting along very well.

NRIQUEZ. In reality, there was, therefore, no danger to the lives or property of persons when the American forces were landed, but I insist on it that I understand that the American people have never had the right or the power to intervene in the internal affairs of the Dominican Republic, nor in this case an acceptable motive for the intervention, even though there is a motive in law which justified any intervention.

It is a part of that declaration expresses my opinion, as a professor of international law, that the intervention in no case has an outcome, but an offense against moral ends governing the relations between independent nations. The fact that the first contingent was landed under the pretext of being for peaceful ends and to guard the American Legation, as Commander of the American marines—

CHAIRMAN. The witness refers to him as Commander Crosley, and he is referred to here as Capt. Crosley. Do they mean the same?

OWLES. One and the same, Senator.

NRIQUEZ. Pointed out to the legislative bodies of the Dominican Republic. "Gentlemen, have the goodness to inform every Dominican citizen something: Should it become necessary to land forces for the present, I point out that any hostile act against the American forces would be a serious action on the part of said forces. Should the forces be for their object, which would be a peaceful one, will be for the American Republic. The discharge of a rifle will bring about, as its consequence, war."

CHAIRMAN. Give the date of this.

NRIQUEZ. May 3, 1916.

CHAIRMAN. Where do you get the copy of this letter?

NRIQUEZ. From the newspaper, *Liston Diario*.

CHAIRMAN. Printed at that time?

NRIQUEZ. Yes.

CHAIRMAN. As I understand it, that was addressed to the Congress of the Dominican Republic.

OWLES. To the President and members of the Congress.

NRIQUEZ. Before depositing this testimony, I call the attention of the honorable members of the commission of the honorable Senate of the Dominican Republic that this notification of Capt. Crosley contained this other thing: "Every future act of the American forces will be determined by events after the landing." It appears here that Capt. Crosley, knowing that the Dominican people have always known how to live and die for their freedom, and of the possibility that the Dominican people would go to war against American armies at some moment at which the Dominican people, more than Capt. Crosley, would know that they should go to war against arms, the same not being a legitimate war on the part of the great American people. For that reason, from that moment the Dominican Republic, through love of liberty, a constant and ardent vocation for arms, maintained this peaceful attitude in which the honorable Senate commissioned them after five years in which they have been suffering every kind of error, the outcome of the American occupation.

OWLES. Was the Congress in session when that notice was given?

NRIQUEZ. Yes.

OWLES. What reply was made, if any?

Dr. HENRIQUEZ. I don't know if they made any reply. I think I saw that if they answered it was insinuating that there was no necessity.

Senator JONES. Well, the Congress could only act by some ready formal statement. Was any such given?

Dr. HENRIQUEZ. I believe a note was sent in reply.

Mr. KNOWLES. We will try to get a copy of that, Senator.

Senator POMERENE. Well, whatever action was taken by the Congress of the Republic, we will ask Mr. Knowles to see that it is incorporated in the report, giving the dates of the action, etc., and any such facts as may shed light on the controversy between the two countries, and I assume that the document will aid you in getting that information together, and in any event, if there is any such action, let the facts be stated for the record.

Dr. HENRIQUEZ. After depositing this testimony—

The CHAIRMAN. Just a moment. In this letter I supposed that the letter was presented or read that the whole of it was read, but if it was not correctly there was another paragraph to which the witness has just referred himself. We want the entire letter put in the record.

Mr. KNOWLES. He has read it all, Senator, and I think intends to do so in the record, whatever it is.

The CHAIRMAN. That one there is in the record. Now, this is a letter he is submitting.

Dr. HENRIQUEZ. This is testimony No. 1.

(The document referred to is as follows:)

*Evidencia No. 1.*—Prueba que el primer contingente de las fuerzas desembarcado so pretexto de ser destinada a la Legación Americana es pacífico.

MATO.

*At Presidente del Senado i a la Cámara de Representantes: Ciudad.*

SEÑORES: Tengan la amabilidad de comunicar lo siguiente a los señores:

"Si se hace necesario desembarcar tropas, por la presente solicitamos que cualquier acto hostil contra las tropas americanas sea una seria acción de dichas tropas. Si las tropas desembarcan, su conducta será pacífica, será a la Legación Americana.

"Un disparo de fusil determinará severa acción como consecuencia de acto posterior de las tropas americanas será determinado por lo que después de su desembarco."

W. S. CROSSLEY

*Comandante de la Marina Americana*

Dr. HENRIQUEZ. This is testimony No. 2.

(The document referred to is as follows:)

*Evidencia No. 2.*—Prueba que la ciudad de Santo Domingo fue ocupada militarmente so pretexto de garantizar unas elecciones libres.

SANTO DOMINGO, R. D., 15 de Mayo.

A SUS EXCELENCIAS M. F. CABRAL, *Presidente del Senado.*

LUIS BERNARD, *Presidente de la Cámara de Diputados,*

*Santo Domingo.*

SEÑORES: Esta ciudad ha sido ocupada militarmente por fuerzas americanas. Al tomar esta decisión tenemos el sincero propósito de una libre e imparcial actuación de las Cámaras para la elección del Presidente de la República. Debido a la situación anormal que crean las presentes circunstancias, suplicamos a Uds. no convocar a los señores o tres días hasta que la ciudad recobre su aspecto normal.

Somos de Ustedes.

Seguros servidores,

WILLIAM W. BROWN

*Ministro de Guerra*

W. B. CARRINGTON

*Contralmirante de la Armada Americana*

The CHAIRMAN. Give the date of it. If it is a letter, give the date, please, so we can follow you.

Dr. HENRIQUEZ. May 15, 1916. This testimony No. 2 proves that on the 4th of May were landed under Capt. Crossley's pretext of guarding the American Legation, and for peaceful ends of May, had already taken charge of the city of Santo Domingo.

or JONES. I think that the witness ought to confine himself to a state of facts, and not give his opinion as to the pretenses and pretexts under which acts were done, but state what acts were done, and leave it to us to draw a conclusion as to what the motive was. In other words, I think the witness has gone a little too far in saying that this shows that the first statement is a mere pretext.

NOWLES. I will tell the witness that.

(Nowles here spoke to the witness in Spanish.)

HENRIQUEZ. This is testimony No. 2.

Mr. JONES. Has he read the whole letter?

HENRIQUEZ (reading):

SANTO DOMINGO, DOMINICAN REPUBLIC, May 15, 1916.

Excellency MARIO FERMIN CABRAL,

*President of the Senate.*

AND, *President of the Chamber of Deputies.*

SIR: This city has been militarily occupied by the North American Government. In taking this decision we have the sincere intention of guaranteeing the impartial action of the chamber of the legislative bodies for the election of the new President of the Republic. Due to the abnormal situation of the present circumstances, we request you to refrain from convoking any meeting for two or three days, until the city assumes its normal aspect.

CHAIRMAN. That letter was introduced the other day, was it not, by the witnesses?

NOWLES. Yes, Senator.

HENRIQUEZ. Testimony No. 3. "Santo Domingo, May 18, 1916. Hon. Mario Cabral, President of the Senate, and Luis Bernard, President of the Chamber of Deputies of the Dominican Republic, City."

NOWLES. That the Senate may follow it a little better, I may state that the letter is signed by Minister Russell and Admiral Caperton.

HENRIQUEZ (reading):

SIR: Referring to our communication to you dated the 15th inst., in view of the fact that the proceeding carried out in Congress for the election of a provisional president up to the time of the occupation of the city by the American Military Forces, was developed in the presence and under the influence of a military revolutionary force, which dominated the city, and the chiefs or leaders of those forces were personally interested in the result of the election; and in view of the actual state of revolt in other regions of the Republic; and in view of the continued rebellious attitude of the government mentioned against the constituted government; and in view of the fact that the election of the president of the Republic during the continuance of the present revolutionary state in the Republic would seriously affect the lives and property of the Dominicans and of foreigners, a situation, as has been publicly announced, the American Government would not advise you that the selection by the Congress of a president of the Republic be deferred for the moment, until the revolutionary state exists be sufficiently improved to permit that a selection be made in the possibility of precipitating a condition which would need an action on the part of the forces that are in Santo Domingo, an action which very particularly we wish to avoid.

Respectfully, yours,

WILLIAM W. RUSSELL, *American Minister.*

W. B. CAPERTON, *Rear Admiral,*

*United States Navy.*

NOWLES. Now, Mr. Henriquez, just as a matter of fact, to accompany this document, I will ask you if you know if at the time and prior to the writing and sending of this communication, there were disorders or revolutionary disturbances in the country.

POMERENE. Let us make that question a little more specific. You said "immediately before." What do you mean by "immediately before?"

NOWLES. Within one month before.

POMERENE. Make that explanation to the witness so he will understand.

NOWLES. He understands a little English and I thought he would understand.

POMERENE. Well, all right.

Dr. HENRIQUEZ. I am glad that I was asked that question. From the date of the impeachment of President Jiminez—

Senator POMERENE. Now, let us fix the date of that.

Mr. KNOWLES. May 1.

Dr. HENRIQUEZ. And for a long time after the occupation of Santo Domingo City by American forces the City of Santo Domingo was without light at night and without police of any kind, and not one act against public order was committed.

Senator POMERENE. Up to what time does he mean? Up to the time of this letter, I take it.

Dr. HENRIQUEZ. From the 1st of May up to the 15th of June. No other city on earth would have been more secure than Santo Domingo during that time; for without light and without police for a month and a half there was not the slightest scandal or disorder in which the police had to intervene, nor dispute nor quarrel on the street.

In connection with testimony No. 3 I wish to state the following: Russell and Rear Admiral Caperton's note gave rise to the suspicion that Gen. Arias, or some other public man who had forces under his command, was exercising certain influences in the election which the legislators were freely carrying out. In regard to that, and to prove the truth of the fact that the elections were being fairly carried out, I have to declare that Dr. Ramon Baez, who was a candidate who might have had the right to public esteem on account of high virtues as a man, was, however, overcome by another candidate, who was really the head of the opposition, so that he, Gen. Arias, had certain control over the bodies. The result of the actions of congress showed that Gen. Arias, exercising any, as his candidate was defeated.

Senator POMERENE. Gen. Arias was at this time secretary of war.

Mr. KNOWLES. Yes.

Senator POMERENE. Give the date of his tenure of office, from the beginning to the end.

Dr. HENRIQUEZ. He was a member of the cabinet of Jiminez from the beginning to the end.

Senator POMERENE. Did you furnish yesterday a list of the Presidents beginning the beginning and the termination of their respective terms?

Mr. KNOWLES. Yes; we have them, Senator, and Mr. Lagrone is now furnishing them to the commission this morning.

The CHAIRMAN. If we had them it would help us in the work of ascertaining these various events, and I hope you will get that for us.

Mr. KNOWLES. Yes.

Dr. HENRIQUEZ. This is testimony No. 4 which I present.

Senator POMERENE. Proceed. Give me the date again, if you will.

Dr. HENRIQUEZ. June 5, 1916. I present this as proof that the Dominican convention was violated and is still violated, since the general established through the American convention of 1907 had assumed the collection of all fiscal receipts.

The CHAIRMAN. What is the document that he hands to the clerk?

Mr. KNOWLES. These are different communications that are sent to the American minister and the receiver general in respect to taking the national treasury. These are documents in here and letters.

The CHAIRMAN. You mean official letters?

Mr. KNOWLES. Oh, yes; official letters, which are offered in evidence.

The CHAIRMAN. Very well. Let them be received. Are they in the hands of the clerk?

Mr. KNOWLES. Yes. I think we may arrange on the steamer to have them translated.

The CHAIRMAN. There is no objection at all to the receiving of them. We would prefer to have a translation, so that we could follow them up. There is in any of these letters, however, anything that you wish to call to our attention, we would be obliged to the witness if he would so do.

Mr. KNOWLES. He says these speak for themselves.

The CHAIRMAN. He gave me the date of June 5, 1916. I assume that these are other letters of other dates.

Mr. KNOWLES. Oh, a number of other dates, Senator.

The CHAIRMAN. But that is what he calls his fourth evidence.

Mr. KNOWLES. Group of evidence No. 4.

The CHAIRMAN. As we would say, exhibits, I take it.

NOWLES. Yes.

mony No. 4 referred to is as follows:)

cia No. 4.—Pruebas que establecen que se rataba de imponer i se in control financiera invocando derechos derivados de la Convención de e está no acuerda.

SANTO DOMINGO, *Junio 5 de 1916.*

MINISTRO: En relación con mi comunicación a su Excelencia, fechada el viembre de 1915, con el número 14, tengo ahora el honor de manifestarle bierno de los Estados Unidos de América, en virtud de los derechos que tiza el artículo III de la Convención Américo-Dominicana de 1907, i inmediatamente a establecer un control de todas las finanzas de la a Dominicana i que con este objeto el Receptor General de las Aduanas instrucciones para tomar temporalmente a su cargo este deber hasta s arreglos definidos se realicen.

lir a Su Excelencia que comunique el contenido de esta nota a sus el Consejo de Ministros, aprovecho esta ocasión para reiterarle la segu- mi consideración mas distinguida.

WILLIAM W. RUSSELL.

SANTO DOMINGO, *6 de Junio de 1916.*

ñor WILLIAM W. RUSSELL,

ado Extraordinario i Ministro Plenipotenciario  
de los Estados Unidos de América, Ciudad.

MINISTRO: Me refiero a la atenta nota de Vuestra Excelencia del 5 de riente, en la cual participa por mi órgano al Consejo de Secretarios de ie el Gobierno de los Estados Unidos, en virtud de los derechos conce- el en el artículo III de la Convención Dominico-Americana de 1907, i inmediatamente a establecer un control de todas las finanzas domini- cargando provisionalmente de esa función al Receptor General de las duaneras.

ni nota número 582, Libro B., del 8 de Diciembre de 1915, en contesta- de V. E. número 14., de fecha 19 de Noviembre del mismo año, expresé ue la Convención Dominico-Americana no establece en su artículo III, ún otro, el derecho a crear un control americano en las rentas domini- sa verdad fué reconocida por el Gobierno de los Estados Unidos cu- rino con una Comisión del Poder Ejecutivo Dominicano en suprimir el ie estableció en las postrimerías de la Administración del Presidente

sejo de Secretarios de Estado considera, además, que asuntos de esta mos a la rutina administrativa, deben aplazarse para cuando el Poder recobre la forma normal en la República.

de esta oportunidad para reiterar a V. E. los sentimientos de mi mas tinguída consideración.

BERNARDO PICHARDO.

SANTO DOMINGO, *Junio 16 de 1916.*

elencias don Bernardo Pichardo, don José Manuel Jimenes, don Velázquez i H., don Jaime Mota, Honorable Consejo de Secretarios do de la República Dominicana, Ciudad.

ROS: Refiriéndome a mi comunicación a S. E. el Secretario de Relaciones Exteriores, fechada el 5 de Junio de 1916, número 146, ra el honor de avisar a VV. EE. que, de acuerdo con instrucciones tamento de Estado, la Receptoría General de las Rentas Aduaneras as, ha asumido desde hoy el encargo de recaudar todas las rentas no Dominicano, así aduaneras como internas, i desde hoy comenzará omo agencia pagadora de la República, de acuerdo con las provisiones le Gastos Públicos vijente.

ho esta oportunidad para asegurar a VV. EE. mi mas elevada i dis- onsideración.

WILLIAM W. RUSSELL.

SANTO DOMINGO, Junio 16 d.

Honorable señor WILLIAM W. RUSSELL,

*Enviado Extraordinario i Ministro Plenipotenciario  
de los Estados Unidos de América, Ciudad.*

SEÑOR: El Consejo de Secretarios de Estado acusa a U'd. recu comunicación número 64, del 16 de Junio del corriente, i en respuer presa, de la manera mas categórica, su protesta contra la violación de que implica el aviso que V. E. le transmite de que a partir de hoi la Re General de Rentas Aduaneras se ha hecho cargo de la recaudación de rentas del Gobierno Dominicano, así aduaneras como internas, i com actuar desde hoi como Agencia Pagadora de la República, de acuerdo provisiones de la Lei de Gastos Públicos vijente.

La Convención Dominico-Americana del 7 de Febrero de 1907 exprese mente las atribuciones que en virtud de ella corresponden a las Altas contratantes; i de su articulado no se puede desprender, en forma al derecho que se atribuye ahora el Gobierno de los Estados Unidos de frente a la República Dominicana.

El Consejo de Secretarios de Estado reitera en todas sus partes los de la nota número 146 de la Secretaría de Estado de Relaciones Ex de fecha 6 de Junio de 1916, i no termina esta sin expresar al H Ministro de los Estados Unidos la dolorosa sorpresa que le ha cau nota número 64, de fecha de hoi.

Con sentimiento de la mayor consideración se suscriben de V. E.

BERNARDO PICHAL  
JAIME MOTA,  
FEDERICO VELAZQUEZ  
JOSÉ M. JIMENEZ

SANTO DOMINGO, 16 de Junio d.

SEÑOR SECRETARIO DE ESTADO DE HACIENDA I COMERCIO, PALACIO.

SEÑOR SECRETARIO: Tengo el honor de informar a esa estimada Secretaria las siguientes instrucciones del Negociado de Asuntos Insulares recibidas por cable, hoi viernes 16 de Junio de 1916, por el Receptor de las Aduanas Dominicanas:

"A pedimento del Departamento de Estado, la Receptoría asumirá vez el control de Hacienda del Gobierno Dominicano, la recaudación rentas internas, i el desembolso de fondos dominicanos."

De acuerdo con estas instrucciones, la Receptoría ha asumido el pendiente de la determinación de las nuevas disposiciones que al cambio, i se suplica a usted respetuosamente que oficialmente notifique los funcionarios subalternos del Gobierno, al efecto.

Ruego a usted tener la bondad de pasar a esta oficina mañana sábado Junio, a las 10 a. m., con el fin de tratar con el Receptor General es.

De usted respetuosamente,

C. H. BAXTER, Receptor

SANTO DOMINGO, Junio 17

SEÑOR RECEPTOR DE LAS RENTAS ADUANERAS, CIUDAD.

SEÑOR RECEPTOR GENERAL: La extraña comunicación de U'd. de este mes de Junio, sólo se justificaría cuando las funciones de la General de las Aduanas Dominicanas tuvieran su fundamento en prerrogativa del Departamento de Estado de los Estados Unidos, que éste capacidad soberana para disponer todo lo relativo a las rentas República Dominicana i a la inversión de las mismas.

Pero ni el Departamento de Estado tiene esa capacidad soberana. U'd. mas atribuciones que las que se señalan muy claramente el Trat libremente concluyeron el 8 de Febrero de 1907 los Gobiernos de la E Dominicana i de los Estados Unidos, entre las cuales no figuran la el control de la Hacienda del Gobierno Dominicano, ni la recaudación rentas internas, ni el desembolso de fondos dominicanos.

Si fuese posible que las estipulaciones contenidas en un Tratado cional pudiesen ser modificadas a coluntad de una sola de las naciones, nada conducirían los pactos entra Estados soberanos; i las re

cionales, en vez de estar reguladas por el derecho, dependerían exclusivamente del querer del mas fuerte. Por fortuna para la República Dominicana los Estados Unidos el país que siente mas sincera devoción por el i de seguro no insistirá su Gobierno en sostener las exigencias contenidas en la nota de Ud., para no quebrantar la situación jurídica creada por el Tratado del 8 de Febrero de 1907.

En parte, de nada serviría que el Secretario de Estado de Hacienda i Comercio de la República Dominicana tomara providencias cuyo objeto fuera el de un Tratado Internacional; pues tanto los Tratados que celebre la República Dominicana, como las modificaciones que en los mismos se introduzcan, no alcanzan validez sino a consecuencia de la aprobación que les da el Congreso Nacional. (Art. 35, inciso 17 de la Constitución.) El Gobierno de los Estados Unidos, con objeto de establecer, en beneficio de la República Dominicana, una organización mas eficaz de sus rentas, desea introducir modificaciones en el Tratado de 1907, lastimadas a ese respecto por las encaminadas por la Secretaría de Relaciones Exteriores i no por la de Hacienda i Comercio.

A consecuencia de las comunicaciones precedentes, estat Secretaría de Hacienda de su deber comunicar a Ud., señor Receptor: Mientras el Tratado de 1907 no sea alterado por una nueva Convención Internacional, la recaudación de las rentas internas i el desembolso de fondos para otros son funciones que corresponden exclusivamente al Gobierno Dominicano, i que la Receptoría no puede asumir el control de Hacienda i Comercio.

A Ud. muy atentamente,

J. M. JIMENES,  
*Secretario de Estado de Hacienda i Comercio.*

SANTO DOMINGO, 18 de Junio de 1916.

SECRETARIO DE ESTADO DE HACIENDA I COMERCIO, CIUDAD.

SECRETARIO: En contestación a su carta número 1657, que me comunica la negativa oficial a reconocer el control de la Receptoría sobre la Hacienda Dominicana, expresando extensamente sus razones para tal negativa, respetuosamente expongo lo siguiente:

La Receptoría ha recibido órdenes para tomar en consideración o preceder a las razones avanzadas por el Gobierno Dominicano para su negativa a reconocer el control establecido por el Departamento de Estado de los Estados Unidos.

La Receptoría ha recibido órdenes de establecer dicho control i no de negarse a cumplir esas órdenes, con la cooperación i ayuda del departamento de usted, si fuere posible; sin ellas, si es que la referencia suya indica la actitud definitiva de usted sobre el particular.

En esta esperanza, no obstante, de que esa estimada Secretaría ayudará i cooperará en este control de la Receptoría, como para los mejores intereses del Gobierno Dominicano, es que el Receptor General pide oficialmente lo siguiente:

Que todos los libros i registros relativos a la recaudación de las rentas internas i todos los documentos que se refieran en cualquier modo a la Hacienda Dominicana, sean entregados a la Receptoría.

Que todo el papel sellado, las estampillas de la renta interna i los sellos de cancelación, que actualmente están en poder del Gobierno Dominicano, sean entregados a la Receptoría.

Que todos los fondos, pagarés, reclamaciones, letras de cambio, valores, recibos, vales u otros comprobantes de valores actualmente en posesión del Gobierno Dominicano, o cualquiera de sus funcionarios, agentes o representantes, sean entregados a la Receptoría.

Que el trabajo del Departamento de Hacienda continúe eficientemente, sin que el traspaso del control, respetuosamente insinúa el Receptor General, que el Contador General i sus empleados de oficina reciban órdenes del Gobierno Dominicano de continuar en sus actuales atribuciones.

Que todo lo anterior sea entregado respetuosamente,

C. H. BAXTER, *Receptor General.*

SANTO DOMINGO, *Junio 19 de*

SEÑOR RECEPTOR GENERAL DE LAS RENTAS ADUANERAS, CIUDAD.

SEÑOR RECEPTOR: En contestación a su carta de ayer, exigiéndome: los libros i registros relativos a las rentas internas sean entregados a la Recepción que todo el papel sellado, estampillas i sellos de correo que actualmente están en poder del Gobierno Dominicano, así como los fondos i valores que por el Gobierno sean entregados a la misma oficina, debo decir a Ud. que no puedo acceder a tales exijencias por las razones que le expuse en mi comunicación número 1657.

I en vista de que Ud me dice en su carta de referencia que ha de cumplir los órdenes del Departamento de Estado de los Estados Unidos, con o sin la sanción de la Secretaría de Hacienda de la República Dominicana, he visto, señor Receptor, separarme de la dirección de este ramo de la Administración Pública, ya que, desconocido el derecho, única arma con que pudiera sostener la capacidad de la República Dominicana para el manejo de sus rentas, el Gobierno no tiene otro medio de obligar a los Estados Unidos a respetar el Tratado que libremente fue concertado el 8 de Febrero de 1907.

De Ud. muy atentamente,

J. M. JIMENEZ

*Secretario de Hacienda i Comercio*

Dr. HENRIQUEZ. Testimony No. 5. It proves that the intervening force to impose on the Dominican Government a treaty denying the fiscal control which belonged to them.

The CHAIRMAN. On the part of the United States Government?

Mr. KNOWLES. Yes.

The CHAIRMAN. Denying the delivery to the Dominican Government?

Mr. KNOWLES. Refusing to deliver

Dr. HENRIQUEZ. And which receipts were necessary to cover their expenses? There is a public declaration of statement made by the receiver general Baxter, which reads as follows:

"In accordance with instructions from Washington, and supplementary thereto, transmitted through the American minister in Santo Domingo, the receiver general will not deliver any more funds on the Government's account under the control of the public treasury of Santo Domingo, established on the 16th of June, 1916. This suspension of payment will continue until some complete understanding regarding the interpretation of certain articles of the American-Dominican Convention of 1907 be arrived at, interpretation of which the Government of the United States has insisted and of which the Dominican Government has insisted since the month of November last, or until the present Dominican Government has been recognized by the Government of the United States."

Senator POMERENE. That letter was introduced yesterday also, was it not?

Mr. KNOWLES. Yes, sir.

(Testimony No. 5 is as follows:)

*Evidencia No. 5.*—Prueba que las fuerzas interventoras trataron de imponer al Gobierno Dominicano un tratado, negándole las entradas fiscales que necesitaba para subvenir las erogaciones legales.

## AVISO IMPORTANTE.

SANTO DOMINGO, *18 de agosto de*

De acuerdo con instrucciones de Washington i avisos suplementarios emitidos por conducto del Ministro Americano en Santo Domingo, la Recepción no hará más desembolsos de fondos por cuenta del Gobierno, bajo control de la Hacienda Pública Dominicana establecido el 16 de Junio de 1916.

Esta cesación de pago continuará hasta que se llegue a un completo entendimiento respecto a la interpretación de ciertos artículos de la Convención Americana de 1907, interpretación sobre la cual ha insistido el Gobierno de los Estados Unidos i de la cual tiene conocimiento el Gobierno Dominicano el mes de noviembre último; o hasta que el actual Gobierno Dominicano sea reconocido por los Estados Unidos.

C. H. BAXTER, *Receptor General*

SANTO DOMINGO, 17 de octubre de 1916.

SECRETARIO DE ESTADO DE HACIENDA Y COMERCIO, PALACIO.

SECRETARIO: En el ejercicio de su control de los desembolsos de fondos del Reino Dominicano, la Receptoría tiene instrucciones de Washington de ir con el Ministro Americano i seguir sus disposiciones mientras se a un formal entendido entre los dos gobiernos.

Estosion de la fecha en que deberá empezar a surtir efecto el presupuesto lo en la Gaceta Oficial, número 2,743, fue sometida al Ministro i para mación de usted cito aquí la conclusión de su respuesta :

mos manteniendo un control de las finanzas de esta República de acuerdo provisiones del viejo presupuesto. Tendremos que reconocer el nuevo esto tan pronto como se reanuden las relaciones oficiales entre los dos os, i tendrá que fijarse una fecha para el comienzo de los desembolsos e presupuesto. Al parecer sería perfectamente práctico determinar que a fuese el día primero del mes subsiguiente a la fecha en que fuese do este Gobierno. Mientras tanto los sueldos de todas los empleados artamento de Hacienda deben pagarse en la actualidad según las pro- del viejo presupuesto i los nuevos designados para puestos públicos tendrán que aguardar hasta que sea puesto en vigor el nuevo pre- ; es decir, que en cuanto a finanzas debe mantenerse un absoluto statu

ceptoría, pues, seguirá carando los pagos que actualmente se efectúan, do con las provisiones del presupuesto de 1° de enero de 1916; i no en cuenta ni aprobará para pago eventual ningún sueldo nuevo o do u otras partidas de gastos que fije el nuevo presupuesto, sino desde del mes subsiguiente a la fecha en que lleguen a un entendido los dos s.

mente le saluda.

C. H. BAXTER, *Receptor General.*

SANTO DOMINGO, 20 de octubre de 1916.

BAXTER,

tor General de Aduanas, Ciudad.

RECEPTOR: Por su atenta comun'cación de fecha 17 de los corrientes, a la fecha en que, a juicio del Sr. Ministro Americano podrá ponerse la Ley de Presupuesto votada por el Congreso Nacional en 1° de 0 de agosto i promulgada por el Poder Ejecutivo el 30 de septiembre ño, me he enterado :

que a los empleados del Departamento de Hacienda (con excepción : esta Secretaría) se les paga en la actualidad, no obstante el "Aviso te " que en la edición No. 8173 i en otras del Listin Diario publicó re " que no se haría más desembolso de fondos por cuenta del Gobierno mo " sin excepción alguna ; i

que sin duda por el deseo del Poder Interventor de continuar pagando empleados del Departamento de Hacienda, sin que ese deseo contrarie sito que indudablemente tiene dicho Poder de no reconocer una Ley del actual Gobierno Constitucional de esta República, a fin de que terprete eso como un reconocimiento de este Gobierno por el de los Unidos de América, el Sr. Ministro Americano dispuso que "los sueldos los empleados del Departamento de Hacienda deben pagarse en la d según las provisiones del viejo presupuesto," por lo cual i atenién- do a la decisión de dicho Sr. Ministro, la Receptoría decidió que "no n cuenta ni aprobará para su pago eventual ningún sueldo nuevo o lo u otras partidas de gastos que fija el nuevo presupuesto, sino desde ' del mes subsiguiente a la fecha en que lleguen a un entendido los rnos."

I motivo debo declarar a Ud. que: aun cuando me es grato saber que contratado el medio de que siquiera un número de dominicanos i los ericanos que con Ud. prestan servicios en el Departamento de Hacienda puntualmente sus emolumentos i estén, por lo tanto, exceptuados de isión de pagos contenida en el "Aviso Importante" de Ud. ya men- de que no han podido todavía librarse los demás empleados ni los

huérfanos i las viudas pensionados del Estado, no es posible a esta hora impartirle su aprobación a la medida que expresa su referida comunicación del 17 de los corrientes, por cuanto la Constitución, en su Art. 42, la reconoce que "las leyes, después de publicadas, son obligatorias para los habitantes de la República si ha transcurrido el tiempo legal para reputen conocidas."

En esa virtud, esta Secretaría toma nota de la comunicación de la dicha, pero solamente como contentiva de un hecho que se nos impune, en que al reanudarse las relaciones oficiales entre los dos países aún desde antes, el de los Estados Unidos no verá óbice en que se someta a la Constitución, reconociéndose que la Ley de Presupuesto por el 30 de septiembre último está ahora en ejecución por haberse publicado en la Gaceta Oficial del 1º de los corrientes mes i año.

Atentamente le saluda,

FRANCISCO J. PEYNA

*Secretario de Estado de Hacienda i Comercio*

MR. KNOWLES. Referring, Doctor, to your statement that troops were at the time when the Dominican country was in complete peace and what was your understanding and that of the Dominican people as to the meaning of the landing of such troops?

Dr. HENRIQUEZ. I understand that the landing of American forces constitute a state of war between the American people and the Dominican people, because I understand that in order that there be a war between peoples, which would be repugnant to the American arms and the grandeur of the American people, due to the complete lack of motive, it is necessary in order that a state of war be produced between both countries, first, that war be declared by the legal and institutional order which exists in the United States for the declaration of war between that people and another friendly State. So that there was not a regular state of war between the United States and the Dominican Republic, is there a regular state of war, because a convention exists in which the United States is one of the signatories, and it is one of the conventions of the conference of the Hague in which strict rules are established as to the declaration of war, subjecting those who observe those treaties to a previous notification before any hostilities, or to a conditional notification, which is an ultimatum. On that account, in my opinion, there is no state of war between the United States and the Dominican Republic, because the Dominican people have never caused or given any offense to the honor or any legitimate interests of the noble people of the United States.

If the committee have no questions to ask me I will conclude.

Senator POMERENE. I have no questions that I care to ask the witness now. We are very much obliged to you.

The INTERPRETER. He says he has not finished yet.

Dr. HENRIQUEZ. I heard yesterday that the honorable commission hereby created interrogated several witnesses in connection with the best manner about the evacuation of Dominican territory on the part of the United States.

Senator POMERENE. Let me say that the committee will be very happy to receive an expression from the witness both as to the date of termination, if thought advisable, and as to the terms and conditions on which there be an evacuation, if he thinks there should be one. We shall be very glad to receive any suggestions he may have to make.

Dr. HENRIQUEZ. In connection with that point I declare that there is an American who sincerely loves the glorious history of the United States, the traditional classical probity of the United States, in thinking in that manner to put a stop to this occupation, who would not decide for this in the most frank, sincere, effective manner and unmistakable manner of rectification, and I also declare that any Dominican who stated that the Dominican people wish any solution that is not significant of an unequal and unjust retraction which would restore to the Dominican people the exercise of its full and free sovereignty—if there was such a Dominican that he says such a thing, he would not be interpreting the Dominican people as being deceiving his hearers.

After this declaration, in my capacity as a free citizen of the Dominican Republic and vice president of the Dominican National Congress, I protest against the occupation of Dominican territory by American forces, and against any act attempting or despoiling which has been

requently by the American forces. And I particularly protest against the act, for the exercise of the legislative functions of the Dominican Republic, which have constituted a powerful despoiling of national legislation. I also protest against violations committed of Article III of the Dominican Convention in connection with the contraction of new loans in connection with the reform of the import duty.

**POMERENE.** There is one further question. If the witness is not prepared to do it now, I wish you would do it for him. He has referred to the fact that he is the vice president of the Dominican National Union, and the witness would be pleased if he would furnish a copy of their constitution and have it incorporated as part of his testimony, and the names of the witnesses. He has already submitted a list of the names.

**OWLES.** Just before the witness leaves there, I was a little in doubt as to whether or not the exact meaning that it seemed to me he was intending to state was stated there. I think the United States was used instead of the Dominican Republic.

**CHAIRMAN.** I think you are right. It was a verbal inadvertence. There is no other place where—

**OWLES.** My attention is called to another one that seems not to exactly be the idea as translated, and that is, "attempt at despoiling."

**POMERENE.** I want to make a suggestion in the economy of time. Two witnesses have appeared before us and both of them have taken the position that the United States Government violated the sovereignty of the Dominican Republic by taking over the internal revenue. Now, we know there is that con-

**OWLES.** We will have no more testimony on that.

**POMERENE.** Well, I was going to say, if you have anything further to shed any light upon the right construction of the convention of 1907, we shall be glad to hear it, but it does not avail anything to multiply the testimony as to what the facts are, because they seem to be common to both sides.

**OWLES.** All right, Senator. The present witness is not going to touch the matter at all.

#### TESTIMONY OF MR. JOSE MANUEL JIMINEZ, OF SANTO DOMINGO CITY.

**OWLES.** What is your name?

**JIMINEZ.** Jose Manuel Jiminez.

**OWLES.** What is your age?

**JIMINEZ.** Forty years.

**OWLES.** What is your profession?

**JIMINEZ.** Merchant.

**OWLES.** Where were you born?

**JIMINEZ.** Monte Cristi, Dominican Republic.

**OWLES.** How long have you lived in this country? Have you lived in this country since then?

**JIMINEZ.** No; I was about 20 or 35 years in France and Germany. I came to this country about 22 years ago.

**OWLES.** What relation are you to President Jiminez?

**JIMINEZ.** I am his son, and I was his secretary of state.

**OWLES.** His son and secretary of state?

**JIMINEZ.** First, secretary of the interior and police and afterwards secretary of the treasury.

**POMERENE.** Secretary of interior and police under whose adminis-

**OWLES.** The same administration. How long were you a member of it?

**JIMINEZ.** About six months.

**OWLES.** Was that immediately prior to your father's resignation?

**JIMINEZ.** Yes. The last six months.

**OWLES.** Will you state any facts that you think will be interesting to the court in regard to the event?

**JIMINEZ.** That is just what I want. From the unfortunate date of the death of my father, I was awaiting the arrival of this day, because I wished on behalf of my father and for the good of my father's memory to clear up everything that was connected during that period.

Mr. KNOWLES. I think that is not the interpretation. He does not want to clear up. He wishes to shed light.

The INTERPRETER. To make clear.

The CHAIRMAN. Well, it means the same thing.

Mr. JIMINEZ. I wish to state first that President Jiminez never requested approval nor consented to, nor was agreement made for, the American intervention, and second, I wish to protest energetically against the aspersions and affirmations contained in the pamphlet read by Mr. Knowles in which it is stated: "At this point, the United States Government intervened with the consent of the rightful, though deposed, President Jiminez, landed naval forces on May 3, 1916, and pacified Santo Domingo City, the Capital." I protest against this affirmation and wish that the honorable Senators have it withdrawn. I believe I have the right to ask it until the contrary be proved. I have said of what I have said. It is lacking in common sense that any one three or four days after he had resigned, because he didn't wish to accept the intervention or help the American forces, that three or four days before would allow the American forces to land which could be for no reason than to help to carry out the intention to occupy the territory.

Senator POMERENE. Now, let me interpose here. The witness has asked the committee to withdraw that statement. Of course, we cannot do that.

Mr. KNOWLES. Certainly not, Senator.

Senator POMERENE. That is an official document. It may or may not be true. We are not passing upon that now, any more than we are passing upon the truth of the statement which the witness is making. That is only a matter of the record, and we come to our conclusions after the evidence is all in.

Mr. JIMINEZ. But, honorable Senators, it appears to me that a government cannot publish anything which it can not prove.

Senator POMERENE. That remains to be seen. We are not passing upon the question now. We may go into that further later on, but we cannot remove an official document simply because the proof of it is questioned. We must leave that out.

Mr. KNOWLES. Mr. Senator, I think the intention of the witness was to really ask that this committee do that, but as a method of expressing his opinion.

Senator POMERENE. Oh, well, that is all right. We accept that.

Mr. JIMINEZ. The president knew that the American forces were to be sent because Capt. Crossley, after having insisted since his arrival on the necessity of his aid, or rather the aid of the American forces to occupy the city, communicated to the president one morning, stating categorically, not asking him or asking whether he agreed to it, that he needed to land and to guard American interests.

Senator POMERENE. Now, can the secretary give the date of that letter? Can he furnish us with a copy of that letter?

Mr. JIMINEZ. It was oral.

The CHAIRMAN. Were you present?

Mr. JIMINEZ. Yes; I was present.

Senator POMERENE. And heard it?

Mr. JIMINEZ. Yes; and heard it.

Senator POMERENE. Before we go further, can you give the date of the convention?

Mr. JIMINEZ. It was one day before they disembarked.

Senator POMERENE. And where was the conversation?

Mr. JIMINEZ. In the afternoon, in the house where the President was staying, outside the town.

Senator POMERENE. The day before?

Mr. JIMINEZ. The day before the troops disembarked. That would be the 3d of May.

Mr. KNOWLES. The troops landed on the 4th of May. The witness says this conversation was the day before, which is the 3d of May.

Senator POMERENE. Very well.

Mr. JIMINEZ. At the same time he let him know that he intended to send the boats into the river.

Senator POMERENE. That is, who intended?

Mr. JIMINEZ. The commander.

Mr. KNOWLES. Capt. Crossley intended to bring the forces into the river and land them there at the fort.

Mr. JIMINEZ. But, as on effecting the landing of the forces some shots were fired, he pointed out that martial law would immediately be put in force.

he military law is very severe, if the place from which the shot was not be ascertained, the marines would have to fire at every living women, children, or aged persons. Those are the exact words of Capt.

OWLES. Just right there, Mr. Jiminez. Did Capt. Crossley state in that at which you were present that if a single shot was fired that he indiscriminately into the people, regardless of whether they were children?

JIMINEZ. That is just what he said; those exact words—children, men, and on everything that they saw living.

CHAIRMAN. Was anyone else present at the time except yourself?

JIMINEZ. The President, myself, and I think there were more.

CHAIRMAN. Was Minister Russell there?

JIMINEZ. Yes; Minister Russell was there. Minister Russell was just those words.

CHAIRMAN. I didn't understand.

JIMINEZ. Mr. Russell was translating that they would fire on women, and old people.

CHAIRMAN. Did Capt. Crossley speak in English?

JIMINEZ. He spoke in English. I was translating and sometimes Minister also.

CHAIRMAN. You and Minister Russell were doing the translating. All as anyone else there?

JIMINEZ. I don't recall, but I think yes; I think other secretaries were

OWLES. Will you try to remember and recall what secretaries, if any, present, and let us know a little later?

CHAIRMAN. Certainly you don't mean when you say all the secretaries e, you don't mean that the Secretary of War was there?

JIMINEZ. No; the secretaries who were with my father.

CHAIRMAN. Then one was not there. What other secretaries were there?

JIMINEZ. Secretary Velasquez, Secretary Pichardo, Secretary Jaime Moto, if.

the fact that President Jiminez had no control over the city, and could not prevent anyone from firing on the American forces, and as the commandante it was to safeguard American interests, and as international law permits, there being precedents in the Republic, and as besides the legation and consulates were situated outside of the city, President Jiminez did not at that time could refuse, and advised that it would be preferable to land at Cienfuegos, outside of the town, because at least an immediate conflict avoided, which the taking of the city would have caused.

able Senators, the American intervention does not date from the landing of American forces. That was an act, but it can be stated that the intervention in the note which the American Government handed to President

OWLES. What date?

JIMINEZ. The 19th of November, 1915. Secretary Bryan pursued a friendly and benevolent policy with the country, and I believe with the other American Republics. But after Secretary Lansing was in power he appeared in favor of the big stick policy. The Dominican situation was complicated. I would take the liberty of accusing Secretary Lansing of precipitating the intervention in the violation of this territory, because it can not be understood that any reason that note should have been handed; it was a real surprise to the Dominican Government. Just the same if you lived peacefully with a neighbor and suddenly in the morning he entered your house to dispute and to make trouble, you would not know what is the matter. That was what happened to the Government. It dated from that day.

CHAIRMAN. Are you going to introduce the copy of this letter?

OWLES. The note has been introduced, Senator.

JIMINEZ. It was, as I stated, a surprise, because there was no reason for the intervention. The country was completely tranquil. President Jiminez found out immediately that note signified American intervention. As he was not disposed to accept it, as he did not wish to be a puppet, he knew beforehand that his position had fallen, because his presence would not be agreeable to the American Government. He saw the matter from such a grave point of view he telegraphed the chief of the occupation—

CHAIRMAN. Telegraphed to whom?

Mr. KNOWLES. One of the party leaders in the country.

Mr. JIMINEZ. You know there have always been two parties here in the country, the Horacista party and the Jiminista party—asking him to do immediately, in order to inform him of very grave matters. Both agreed that note implied American intervention. Both agreed that nothing that asked could be accepted, and both agreed—the chief of the Government and chief of the occupation—to unite in defense of the country.

Mr. KNOWLES. "Fortunately, the election of Jiminez, who took office December 4, 1916, was followed by a brief period of comparative calm in the Dominican Republic. Elements of disorganization were present, but awaiting a favorable opportunity for expression."

Mr. JIMINEZ. I would like to say something in connection with what I have also heard it said that the intervention had been caused through the chaotic condition of the country. The disorderly elements and the condition may have been due to two things. The financial and political fusion. The financial condition was good and there was no disorder. President Jiminez died poor. The secretaries before me, Armando Perez and Ramon Herrera, are men of irreproachable conduct. They were incorruptible. And I complied with my duties. And whenever the head of the Government is good it can easily be stated just how the Government is composed. Besides that, it would be convenient for the commission to investigate those who succeeded us acted worse or better than we did. That declaration is contrary to what Minister Russell told me a few days before the intervention with Gen. Arias. During the last interview with Mr. Russell about the state of slight importance he congratulated me on the good state of the financial condition.

Senator POMERENE. What was that date?

Mr. JIMINEZ. Oh, it might be about eight days, six days, seven days before the last conference I had.

Senator POMERENE. You mean eight days before the President's resignation.

Mr. JIMINEZ. No; eight days before the trouble we had with Gen. Arias. Before the conflict. It was about the beginning of April.

Mr. KNOWLES. Of 1915.

Mr. JIMINEZ. 1916.

Referring to the political part, there was peace in the country. During the government of President Jiminez there was peace. There were disturbances of no importance. Besides that, what is called a revolution happened in Mexico, killing, burning, destroying the property of foreigners and natives and not allowing peaceful persons to pursue their businesses, such things are unknown in this country. Unfortunately, those are things known now.

The CHAIRMAN. What does he mean?

Mr. KNOWLES. Those acts of torture and of burning.

Mr. JIMINEZ. Against pacific people.

Mr. KNOWLES. Are committed in Mexico. Never known before in this country are known here now?

Mr. JIMINEZ. I don't wish to state this of all of the American troops are excellent persons among the officers, correct men, esteemed by the Dominicans but there are others whom it would have been better had they remained at home.

Senator POMERENE. Let me say here, the American people and the American officers and the American Government—and by that I mean the American Navy as well as civilians—do not believe in torturing and cruelty of that kind, and they do not permit it when they have the proof of it. And there have been sporadic instances of this kind, no one regrets it more than the American people, and if you or any other witness has any proof in any particular case, the Americans here in the island as well as at home welcome that proof, so that there may be an investigation, so that the justice may be done. Let there be no mistake about that.

Mr. JIMINEZ. It was for that reason that I stated that I did not wish to state to the American forces, because there are many excellent officers. I mentioned many names. But there were some who forgot that they belonged to the great Nation and that the uniform is worn with dignity.

Senator POMERENE. Well, whether this committee is here or not, if there is any evidence of that kind, the American Government as well as the people of the island here and his associates will welcome the information, and they will investigate it very carefully.

r McCORMICK. Let it be noticed, Mr. Chairman, that the committee can obtain depositions even though it be not in physical session. I think preter should translate what Senator Pomerene has said, so that all understand it.

interpreter then translated the statement of Senator Pomerene.)

INEZ. As far as the acts of the secretary of state were concerned after ation of President Jiminez, which is being discussed here, I wish to t the secretaries of state and I, above all, whose mission had ended, o resign also, but Minister Russell told us that we ought not to do so, he country would be without a government, and it would be necessary t an American military governor. For that reason we continued in

AIRMAN. Let me ask a question here. You say "For that reason we in office." Do you mean by that statement the entire cabinet?

INEZ. Not the entire. Those who were with the President.

OWLES. And you were all with the President except Gen. Arias?

INEZ. Yes; because Mr. Peynada had resigned before.

AIRMAN. Dr. Peynada who was before us?

INEZ. No; his brother.

OWLES. He had resigned before the resignation of the President?

AIRMAN. Was there anyone exercising the authority which should have ised by your secretary of war, Gen. Arias?

INEZ. Myself; I had charge.

OWLES. He took that portfolio.

AIRMAN. Were you acting both as secretary of state and secretary of

INEZ. Yes.

AIRMAN. For how long a period?

INEZ. For about 15 days. Our acting was really for the administra- current affairs of every secretary.

AIRMAN. Then you call your secretary of state your secretary of state i affairs, do you?

OWLES. They do not.

AIRMAN. Are they designated—

McCORMICK. Are they all secretaries of state?

OWLES. The secretary for foreign affairs is another title than that have in our country. This title is Secretary of State. Here it is er des relations d'exterieur. That is, minister of foreign affairs. is well as you do the affairs of your father, Mr. Jiminez. I want if he was ever notified, or any act was committed that your father as being a deposition of your father—

POMERENE. Now, let me suggest, you are asking him if he knows ich his father "considered." How can he tell that? He can give dgment about it, but not his father's judgment.

WLES. Was your father ever deposed, Mr. Jiminez?

INEZ. No; he was not deposed. If he had been, there would have ed for his resignation.

POMERENE. To whom was this resignation of the President ad-

NEZ. His resignation?

POMERENE. Yes.

NEZ. To the country.

POMERENE. Did that conform with your constitution and laws?

INEZ. There being a revolution in town, he preferred to give his ion to the country.

McCORMICK. There was a revolution in town?

WLES. Explain just what you mean by that.

NEZ. What I mean is that the forces of Gen. Arias were not at that the control of the President, because they had trouble together.

McCORMICK. You mean that since there was a force which would ; offering his resignation conformably with the constitution, he was lo so.

NEZ. No; he preferred to.

McCORMICK. Mr. Witness, I merely want to illuminate your state- here was a revolution in the city. Now, if there was a revolution in you stated, which prevented his getting in his resignation in con- form, it prevented his so doing by force; am I right?

Mr. JIMINEZ. Well, having that difference with Gen. Arias, he had relations with Arias and preferred to tender his resignation to the President, Senator McCORMICK. Although that was not conformable with the provisions of the constitution under which he had taken office?

Mr. JIMINEZ. No.

Senator McCORMICK. No. That it was not conformable with the constitution?

Mr. KNOWLES. Yes. I think it would be well at this point—

(After a conference with Mr. Knowles, the witness rose to depart.)

Senator POMERENE. I wanted to ask you a question. You have referred to a conversation which occurred in your presence between your father, President of the Republic, and Capt. Crossley and Minister Russell. At that time, before the time of that conversation, had there been any conflict between the forces of the President and the forces of the secretary of war?

Mr. JIMINEZ. No; we had no trouble, no wounding.

Senator POMERENE. When did the first shooting occur?

Mr. JIMINEZ. About three or four days after.

Senator POMERENE. When were the American troops landed, with reference to the time of the first shooting? Before or after?

Mr. JIMINEZ. The American troops were landed before the encounter, which there were two dead.

Senator POMERENE. Well, there seems to be a difference of opinion between the witnesses who appear here on that subject. Possibly the former question may have called for the answer.

Mr. JIMINEZ. When the American troops were landed no encounter took place between the Dominicans.

Senator POMERENE. Had there not been shooting before that?

Mr. JIMINEZ. No; the only encounter was three or four days after.

Senator POMERENE. When did Gen. Arias take charge of the troops? Were they under his control here in the city?

Mr. JIMINEZ. I wish that in connection with our internal affairs no questions be asked, because there are many other witnesses. The question is not very agreeable to me.

Senator POMERENE. If it is your desire that I ask you no questions, I will respect your wishes.

Mr. JIMINEZ. I may say that they are not very agreeable to me and I do not wish to be impartial in my answers.

Senator POMERENE. Very well; I will not ask the questions.

Mr. KNOWLES. The witness stated to me that he did not like to go into immediate affairs that resulted in his father's death.

Senator POMERENE. Very well, I will respect his wishes.

## STATEMENT OF MR. RAFAEL ISAAC PAU, SANTO DOMINGO

Mr. KNOWLES. I wish to state, in presenting this witness, that within a few minutes before the hour for adjournment, and while we have been sitting on the money on the first part of the evidence, as I stated it would be possible, we would like to get before the committee this particular statement relative to some of the financial affairs that have been brought out in cross-examination of some of the witnesses here relative to the deficit and budget.

What is your name?

Mr. PAU. Rafael Isaac Pau.

Mr. KNOWLES. What is your occupation?

Mr. PAU. Bookkeeper.

Mr. KNOWLES. Where do you reside?

Mr. PAU. Santo Domingo City.

Mr. KNOWLES. Where were you born?

Mr. PAU. City of Santo Domingo.

Mr. KNOWLES. Have you always resided here in this city?

Mr. PAU. Not always. I resided for some time in La Romana, where I was a bookkeeper in a factory.

Mr. KNOWLES. Have you ever been employed in the bookkeeping department of the military government?

Mr. PAU. Yes.

Mr. KNOWLES. In this city?

Mr. PAU. Yes; the national treasury.

OWLES. In that capacity of bookkeeper and in that position that you the treasury here—

CHAIRMAN. Give us the date of his employment, so we can understand it.

OWLES. When did you first enter the employ of the treasury here e military government?

A. The 14th of May, 1919.

OWLES. How long did you remain in that position?

A. Two years and two months.

Mr McCORMICK. Why did you leave that employ? Did you resign or dismissed?

A. No; I was dismissed.

Mr POMERENE. By whom?

A. Secretary Mayo.

Mr POMERENE. For what reason?

A. For having signed a protest gotten up by the Electoral Board of on.

OWLES. Let us explain just what this is. To make that brief, and less time, I will state that there was a general protest against holding ions that were drawn up by an organization in the city and was gen- ned by the people of the city, and it was because he joined with the signing that protest—

Mr POMERENE. That is, does that refer to the election for which a procla- ad been issued by the governor of the island?

OWLES. Yes, Senator.

Mr POMERENE. And that election was for the purpose of electing a Presi- a Congress?

OWLES. Yes. Whatever the proclamation said it was for, that was st.

Mr POMERENE. And I understand, then, that while the military governor d for an election there was a general protest against the holding of an

OWLES. Exactly, Senator.

Mr POMERENE. I wish, for the information of the committee, you would copy of that protest which was thus signed.

OWLES. Yes.

as this Mr. Mayo that you refer to?

A. He was the minister of finance under the military government.

Mr JONES. Did Commander Mayo dismiss him by giving him any writ-

OWLES. We will ask him, Senator.

ou notified in writing when you were dismissed?

A. Yes.

Mr JONES. I have been informed that all of the employees of the mili- nment who signed protests against an election which was authorized lamation of the governor general were likewise asked for their resig- is that correct?

OWLES. I think that is true. A number of them were, I know. This he only case.

Mr JONES. Have you a copy of that notification?

A. Yes.

OWLES. Where is it?

A. At home.

OWLES. Will you deliver it to me a little later?

A. Yes.

OWLES. Now, Mr. Pau, in your capacity as bookkeeper, handling the of the treasury department, did you have opportunity to make cer- vations?

A. Yes; many.

OWLES. Did you make notes of certain ones?

A. Yes.

OWLES. Of which you have kept a record?

A. Yes.

OWLES. And which you have brought with you?

A. Yes.

OWLES. For the purpose of giving information to this commission?

A. Yes.

Mr. KNOWLES. Have you that information before you?

Mr. PAU. Yes.

Mr. KNOWLES. Will you be kind enough to state it just before explaining to the committee?

I would like to state, in order that there may not be any contention that was a surprise at all to any of the officials, that whoever may be connected in any way at all in that accounting department, and the secretary of the jury himself, be asked to be present and hear these allegations.

Senator POMERENE. Very well. I had sent to inquire as to whether Mander Mayo was here. If so, we will have him present, if there are any officers here in that department.

Just one moment. A matter has been called to my attention here—information with respect to the calling for the resignation of those who protested against his election was not entirely accurate or complete. I have been told since that no resignations were called for from those who protested in a respectful way; that it was only those who protested in an abusive way, and resignations were called for from those who had signed that particular form of protest. Lest there may be some uncertainty about this, of course, we shall ask that the particular protest which was signed by Messrs. Jones and Pomerene be incorporated in the record.

You may proceed.

Mr. KNOWLES. Will you go ahead and read that?

Senator McCORMICK. Can you furnish us with a copy?

Mr. KNOWLES. We will do so, Senator.

Senator McCORMICK. Can you do that now and then we can recess if we desire and these officials whom you have invited here can have the opportunity to go over these figures.

Mr. KNOWLES. Yes; I will give my copy.

Senator McCORMICK. If you will furnish that copy so we can turn it to the finance department or treasury department for examination it will be returned to you, if you so desire. Meanwhile, I think that it is now about 12 minutes of the usual time for the noon recess, and we will now stand adjourned until 2 o'clock.

(Whereupon the committee took a recess until 2 o'clock p. m.).

#### AFTER RECESS.

The committee met at 2 o'clock p. m. pursuant to recess.

Present: Senators McCormick, Jones, and Pomerene; Senator Pomerene presiding.

#### STATEMENT OF RAFAEL ISAAC PAU—Resumed.

Mr. KNOWLES. Before we proceed I would like to know if there is any certain documents and official statements that I asked for last Monday.

The CHAIRMAN. I think they are ready. You may proceed with the statement.

Mr. KNOWLES. You may proceed with your statement. Read the paper.

Mr. PAU. The budget of 1920 of the military government is as follows: approximate balance not appropriated, \$1,400,000.

Mr. KNOWLES. Let me understand what he means by that. What is the \$1,400,000; what does that represent?

Mr. PAU. That represents a balance which at the beginning of 1920 was a credit of the Government. Import and export duty, \$3,900,000.

Senator JONES. During what time?

Mr. PAU. The year 1920. That was what the Government estimated to be received for that period.

Senator JONES. There is a published financial report for the year 1920; his figures vary from that published report?

Mr. KNOWLES. I think they will in some respects. As he comes to them he will point them out, Senator.

Mr. PAU. Other receipts, \$3,629,800.

Senator JONES. What is the purpose of this examination? What do you want to appear?

Mr. KNOWLES. The object of this witness and this examination, Mr. PAU, is to answer or combat certain matters that were brought out on the examination by, I think, Senator Pomerene, of one of the witnesses; the deficits that occurred under and about the time of the occupation by the Dominicans.

asks to explain what was brought out in that testimony. Moreover, I have evidence from the record, or taken from the records, to inform the committee by what he will point out to the committee that never had deficits occurred under the management of the Dominican Government by the same as occurred under the management of the Dominican affairs by the Government of the United States.

ONES. Now, I am disposed to shorten this investigation. The books do not show exactly what occurred, and if this witness thinks that the accounts are not correct they are open and subject to audit by the Dominican Government. I want to, and I don't want to take up my time going into a lot of details which mean nothing and accomplish no particular end. I have a great deal of patience, but sometimes it reaches an end.

CHILRENE. Let me suggest—see if we can straighten this out. You are now charging that there is a larger deficit here during the American occupation than there was during the Dominican rule. If that was the whole truth it might mean something; but this report—I read it over hastily—I called it except what was in the report itself. The commander has admitted that the finances were not in good order, due to many things, principally to the loss of business. So far as the customs duties were concerned, the people—the merchants and other importers—had overbought. Of course, this resulted in increased customs. Necessarily, having overbought, their purchases therefore are very much less. Necessarily, that has fallen off. And the same may be said, to some extent, as far as the other duties are concerned.

CHILRENE. I have seen a statement made here by the press—wanting an audit of the accounts. We have not any objection to that. If these books are wrong, let them be known. Let that be shown; and if the commander's statement of the accounts is wrong, let that be shown. We are not going to get anywhere by talk. We have got deficits in the United States. You are not alone in having troubles. We have got our troubles. Our employment has fallen off as compared with two years ago, and our merchants, our farmers, and everybody else are distressed. I would be surprised if there was not the same condition here. If it is due to the American occupation, let it be shown. But we can not draw conclusions ourselves. If you have shown that these figures contained in the report submitted by the commander are not correct, I take it we want to hear that fact.

ONES. Certainly.

CHILRENE. And I suggest you go direct to that. If you have an analysis of the figures, go directly to these questions. We do not have to take the time to discuss some of these matters which may be considered.

ONES. Well, in reply, Senator, this matter was opened up not by me, but by questions of one of the Senators—I think yourself.

CHILRENE. I called it out.

ONES. It was pressed upon the witness, if I mistake not, with the idea that the reason for the occupation of the intervention was by reason of the deficits; the imputation being that they were unable to take care of the public affairs.

CHILRENE. Oh, no; that was not the reason for it at all. The one thing that was called attention to especially was this fact that there is a large increase in this convention of 1907 by the terms of which the public debt was increased without the consent of the United States. Now, the Dominican Government has put one construction upon that, and apparently the American people have placed another construction upon that. That was not the reason for it, and no other purpose was in mind; and those facts, as I have said, were practically conceded. But there seems to be a difference in opinion. That was the only purpose of that inquiry.

ONES. Well, based upon that construction, was the subsequent action taken, was it not?

CHILRENE. That was one of the reasons, as I understand, for the

ONES. So that, by way of meeting that reason alleged and now for the occupation, I wish to have the opportunity to present much evidence, already just repeated, but taken from the record in such a way as to show, in the short time that it will take to do it, the specific—

CHILRENE (interposing). Well, bear in mind—what I am not able to do is this: You are talking about deficits. It is not the deficit alone, but the attraction of this debt without the consent of one of the parties

to the convention. That was the reason, as I understand it. Now if figures are wrong, point out. We are only too happy to receive that, if that is what you intend to show or can show; and if you have a written statement, if it is complete by itself, we will receive that statement.

Mr. KNOWLES. Well, I would like very much to have that statement, and that was to be given to me—

Senator POMERENE. Right there it is.

Mr. KNOWLES. Mr. Senator, I think, at least for the present, we content by asking that these statements be entered in the record.

Senator POMERENE. Now, will you for our information—you have the paper now, and the committee has not had the opportunity to will you state to us, in a general way, what it sets forth so that we can determine later on—

Mr. KNOWLES. There are two particular points in here, and that is the budget for 1920 provided for an expenditure of \$4,420,930 for the year. The estimated receipts or revenues for the year 1920 were \$8,329,800. The expenses for that year amounted to \$4,379,099.64. This latter was the budget instead of the actual expenses. That was the estimate.

Senator POMERENE. The actual budget expenses were, as I understand, \$4,379,099, instead of the estimated expense of \$4,420,000?

Mr. KNOWLES. Yes. Now, there were two items, one was the actual expenses incurred in regard to the loan of \$3,908,870. Now, the receipts amounted to \$8,329,800.

Senator POMERENE. Now, are you right about that? You gave that ago as estimated.

Mr. KNOWLES. No; I was wrong about that. I did not understand.

Senator POMERENE. \$8,329,800 were the total receipts. Are not you about that? We are advised here that the estimated were \$8,329,800, actual receipts were between \$10,000,000 and \$11,000,000. Well, say your own way.

Mr. KNOWLES. Yes; you are right about that. I had not had a chance I lent this paper. Now, the total amount that the Government estimated for for the year 1920 was \$8,329,800. Now, the fixed charges against that to take care of the loan and the expenses of collection of customs amounted to a total of \$3,908,870, leaving a balance of \$4,420,930. The expenses or expenditures estimated was \$4,379,099.64, leaving a balance of \$41,830.36. Now, the actual receipts from customs revenues, sundries, etc., amounted to \$11,604,749.73. So that the total revenues of the Republic in the year 1920 showed the amount of \$3,274,949.73; that is more than was estimated when the budget was made up; and, instead of being a balance to the credit of the Government or a surplus of it, there actually existed in the current accounts that the Government of the International Banking Corporation a debit balance of \$70,451.27.

Senator JONES. Where did the witness get his information that that debit balance?

Mr. PAU. From the books of the Treasury.

Senator JONES. Let me ask a question: Have you, in trying to balance, taken into consideration the expenditures for public work?

Mr. PAU. Yes; everything.

Senator McCORMICK. Let me ask this question: Did he get that while he was employed in the Treasury or while he was employed in the International Banking Corporation?

Mr. PAU. While employed in the Treasury.

Senator McCORMICK. He was employed lately by the International Banking Corporation?

Mr. PAU. No.

Senator POMERENE. Let me make an explanation to save time. There are certain matters that the witness has not taken into consideration; also that he has, in attempting to strike a balance, used some figures related to estimates instead of actual cash and actual expenditures. Commander Mayo has his books, which are open to inspection. I am very glad to have this witness, or anyone else who is familiar with the accounts, come before him and see if they can not reconcile these allegations between them. Certainly, no man can object to that.

Mr. KNOWLES. Certainly not.

OMERENE. If they can not reconcile their differences, then we will, off of the record, have a statement by Commander Mayo as representative here, and you can furnish a statement by the witness.

VLES. That is entirely right, Senator.

OMERENE. Very well. Now, then, let us incorporate this statement.

VLES. Now, there is only one point there. There is one other statement—memorandum that I would like to—and I think would be interesting to the committee to know. It is in regard to the last loan negotiated by the government in the name of the Dominican Republic, for two and a half million dollars.

OMERENE. What is the date of that loan? June 1, 1914, I am administering Commander Mayo.

VLES. Yes. The reason given or made known to the Dominican Republic, however, did not cease their protests against making such a loan, the State Department, I am informed, and to others whose consent of the United States would have to be obtained for making that loan, was that two and a half million dollars was needed for the express purpose of carrying certain works that had been started, and including road work. It was, I believe, so stated, by the proclamation of June 14, 1914, that was to be the manner in which that two and a half million dollars was expended. The manner in which that money was actually expended—not for work to be done after the money would come into the hands of the Dominican government, but to pay for debts that were not explained—

The contrary was stated, that it was to be expended in works to be done. The actual amount that was available for the purpose stated in the proclamation—the witness informs me that notwithstanding that statement the amount available for public works was only half a million dollars.

McCORMICK. At what date, Mr. Knowles, was the amount available for public works half a million dollars?

VLES. He says there was an executive order stating that that would be the amount.

McCORMICK. Let me elaborate a little. You have stated in a communication to the State Department that the military government said that it needed to carry on certain public works, and that when the moneys were received, there were available only half a million dollars. It is important to know the date at which the statement was made, first to the Dominican government at Washington, and the date when the moneys were finally received. Some months elapsed, if I remember, between the first proposal of the Dominican government to issue the loan and the making of the contract for the final receipt from the loan. It is conceivable—I don't know, but I am going to bear in mind, that in the meantime, either by the use of certificates or current revenues in part, or other means, they had incurred considerable floating debt, to which it was necessary to apply a part of the loan.

VLES. I see that can exist if the time was long enough. That will make a big difference. I think the Senator has a copy of the proclamation of June 14.

McCORMICK. It is conceivable, too, that the item of \$500,000 might have been a appropriation of whatever balance was due, whatever balance was on hand, so that the businesslike way in which to handle this statement would be to put it in toto to the committee, and that the committee shall through consultation with Mr. Knowles proceed at once to an examination of the statement of the Government and ascertainment of the facts. We are engaging in

VLES. Yes.

OMERENE. Before Senator McCormick came in the question occurred of the alleged deficit during the military occupation, which it was said was incurred during the Dominican régime, and it seems, from information that was furnished us here, that Commander Mayo claimed that certain receipts—and perhaps debits—were not included, and that the basis of the witness was based upon estimates rather than upon actual figures. I suggested, with the consent of Commander Mayo, that the witness be taken to his office and they try to reconcile these statements and, if they cannot reconcile them, that Commander Mayo on behalf of the military government could furnish his statement and let the witness furnish his. Now, I am going to state to me that the same rule could apply to this very matter now.

Senator McCORMICK. I hesitate to make formal objection to the introduction of testimony, but it seems to me this is an exceedingly informal way to do so.

Mr. KNOWLES. It is not done with the idea of impugning the correctness of these accounts—not at all, but merely for the purpose, as was stated by the Dominican people by the admiral, to the effect that this loan that was negotiated as of June 1 was to be used for the purpose of public works—construction of roads, and from the understanding that the Dominicans at that time that the loan would be negotiated and that two and a half million dollars would be available. Now, I take from the records how the two and a half million dollars was spent in four items; \$724,992.76 was to pay a long-claim of Grace & Co.

Senator McCORMICK. For what?

Mr. KNOWLES. That I can not tell you. Another item of \$816,333.33 was to the International Banking Corporation. Another item of \$75,000 was to W. R. Grace & Co.; leaving a balance of \$500,000 that was applied to the construction of the road to El Seibo.

Senator POMERENE. Now let me suggest. I have been furnished with a copy of this proclamation of June 14, 1921, and on page 5, paragraph No. 4, in the following language: "Validation of the final loan of two million dollars, which is the minimum loan required in order to complete the public works which are now in actual course of construction and which are completed during the period required for the withdrawal of the military occupation, are deemed essential to the success of the new Government of the Republic and to the well-being of the Dominican people."

Now, the completion of work, I take it, may mean the completion of the physical work; it may also include, and probably does include, the payment of all obligations which have already been incurred in that behalf. I am entirely clear about that. But whatever the facts are, the committee is anxious to have them, and I think that we can make the same suggestion regarding to this that was made with regard to the others; and if you will produce this statement which has been prepared by the witness, then each of us with an explanation that they have to make, and if each will submit a memorandum in writing to the committee, that memorandum will be incorporated in the record of the hearing.

Mr. KNOWLES. I am very glad, indeed, the Senator has read that. I had read it—that is, I have read it, but I didn't recall just what it said. But now that you have read it I can see how an inference at least was suggested to the Dominican people in believing that a reasonable construction of the language meant that there was needed the sum of two and a half million dollars, not to pay debts already incurred—

Senator POMERENE. Oh, that is an inference that may be drawn, as of those things that might have two different constructions placed upon them. All of us are interested in knowing more particularly as to whether there has been any misuse of this fund in any way. Whatever the facts are, we want to know them.

Mr. KNOWLES. I wish to state clearly I did not intend to impugn the propriety of the loan, but I had been any misuse of funds in regard to this particular statement.

Senator POMERENE. Very well. You are introducing that?

Mr. KNOWLES. Yes. I think, Senator, then, as far as this witness is concerned, we will just file this.

Senator POMERENE. Yes.

(The statement referred to is here printed in full, as follows:)

#### FACTS.

The national budget of the Dominican Republic, under management of the United States military government of Santo Domingo for the year 1921, was for the following:

Customs revenues.....	\$3,800,000.00	
Other revenues.....	3,629,800.00	
Unapplied balance.....	1,400,000.00	\$8,829,800.00
Less interest and sinking fund for \$20,000,000 loan and 1918 bond issue of \$5,000,000.....		2,000,000.00
		<u>\$6,829,800.00</u>

isative administration-----	\$3, 420. 00	
utive administration-----	34, 240. 00	
icial administration-----	627, 409. 28	
artment of interior and police-----	852, 746. 00	
artment of sanidad and beneficencia-----	182, 991. 15	
artment of foreign affairs-----	662, 653. 21	
artment of finance and commerce-----	603, 000. 00	
artment of agriculture and immigration---	183, 620. 00	
artment of fomento and comunicaciones---	658, 756. 00	
artment of justice and public instruction--	1, 170, 264. 00	
		<u>\$4, 379, 099. 64</u>
		41, 830. 36

bove figures from the national budget for the year 1920 anticipated a t of only \$41,830.36, but, in fact, the returns for said year reached far ll expectations, as will be seen from the following:

revenues (imports and exports) (see supplement No. 1) -	\$6, 080, 438. 97
ndry revenues (see supplement No. 2)-----	4, 124, 310. 76
d balance-----	<u>1, 400, 000. 00</u>
	11, 604, 749. 73

tal revenues of the Dominican Republic, therefore, yielded a superavit ,949.73 for the year 1920. Notwithstanding the large surplus brought se favorable returns, the finances of the Dominican Republic were offl- clared, early in 1921, to have entered into a state of disastrous bank-

beginning of 1921 the military government's account (on behalf of the n Republic) with the designated depositary, the International Banking on, was overdrawn in the amount of \$70,451.27 (see supplement No. 3). hereafter it was found necessary to negotiate with aforesaid bank a of certificates of indebtedness aggregating the amount of \$1,200,000.

other hand, the military government had a debt balance, about the e, of approximately \$700,000, with Messrs. W. R. Grace & Co., of k, for supplies ordered and received by the military government.

rmore, the military government thought fit to come in aid of the n Central Railway Co. by withdrawing \$85,000 from the fidelity fund, hich, by its very nature, can not be diverted to other use than that d by the law. In addition, it is well to note that the Dominican Railway, one of the sources of internal revenues, functioned outside nment control for the first time in 1920, and also that it failed to ollections effected with the national treasury since the spring of is also understood that the administration of the Dominican Central has omitted to furnish any reports regarding its operations during nt and the last part of last year.

s the above information, as an illustration of the gross mishandlings ular application of Dominican finances by the military government, ving figures are given, showing the unavowed use made of the greater e \$2,500,000 external loan of 1921, issued on behalf of the Dominican against the unanimous will of the Dominican people:

cent sinking fund gold bonds, loan of.-----	\$2, 500, 000. 00	
	72, 500. 00	
		<u>\$2, 427, 500. 00</u>

to W. R. Grace & Co., as per instruc- f Lieut. Commander Arthur H. Mayo, administering the affairs of the depart-

f finance and commerce-----	724, 992. 76
ternational Banking Corporation-----	816, 333. 33
R. Grace & Co-----	75, 000. 00
etion of road to Cibao, as per execu- ler No. -----	500, 000. 00

2, 116, 326. 09

311, 173. 91

From the above, it will be seen that the application given to the large of this loan did not agree with the terms of the military governor's provision of June 14, 1921, wherein a justification of the loan is pointed out the necessity of obtaining funds for the continuation of public works at expense on account of shortage of money. In violation of the avowed purpose of the loan, as per the so-called Harding plan, proceeds of the loan have been dedicated largely to cover deficits previously incurred by the military government's administration instead.

#### POLICIA NACIONAL DOMINICANA.

The necessity for this body of national police remains yet to be justified as much as the service asked from it has at all times been very limited chiefly to the lack of confidence on the part of its American directors' arms in the hands of the Dominicans enlisted in the corps.

But if the service given by the national police guards has been scant, in turn, the cost of its maintenance has, since their establishment, been a nominal charge on the treasury. The following figures show what the company of practically decorative police has drawn on the public sources during the last four years:

Year 1917 (executive order No. 54)-----	\$500,000.00
Year 1918-----	622,688.00
Year 1919-----	747,780.80
Year 1920-----	702,080.00
Until May, 1921-----	200,000.00
	<hr/> \$2,772.80

The aggregate amount of nearly \$3,000,000 to entertain the livelihood of almost purely ornamental police service would seem altogether disproportionate if one did not stop to consider that the existence of the national Dominican police has at least been useful as a handy pretext for large disbursements have been little, if at all, controlled. As an illustration, the following is stated:

In 19—, the fidelity fund was seized upon to cover peculations incurred by Gustav Schaidt and Frederick A. Edwards, American captains of the police guards. Checks No. 125653 for \$1,089.17 and No. 125654 for \$1,085.99, respectively, served to fill up the holes opened by this couple.

Again, in 19—, in a skirmish arisen at 8 p. m. in the very center of Pedro de Macoris between American marines and a certain number of members of the Dominican national police, a Syrian named Abraham Khoury was severely wounded in the left shoulder. As a result, a claim was put forward by this foreigner through the French diplomatic agent residing at Santo Domingo and subsequently a check was tendered to this gentleman, Monsieur Ponsignon Barré, No. 143962, for \$1,500 as an indemnification for the same.

#### STATEMENT OF MR. FRANCISCO AUGUSTA CORDERO, OF ST. PEDRO DE MACORIS.

Mr. KNOWLES. What is your name?

Mr. CORDERO. Francisco Augusta Cordero.

Mr. KNOWLES. Where do you reside?

Mr. CORDERO. In St. Pedro de Macoris.

Mr. KNOWLES. How long have you resided there?

Mr. CORDERO. Fourteen years.

Mr. KNOWLES. What is your occupation?

Mr. CORDERO. Commercial agent.

Mr. KNOWLES. Were you born?

Mr. CORDERO. In Santiago de los Caballeros.

Mr. KNOWLES. Have you been in the last 14 years in Macoris all the time?

Mr. CORDERO. Yes; with the exception of a couple of occasions when I have been absent for a short time.

Mr. KNOWLES. Will you state to the committee any experience you have had committed against your person since and during the military occupation?

Mr. CORDERO. In the first place I appear before this honorable committee of the Senate, appointed to investigate matters in connection with the American occupation of the Dominican Republic, in my capacity as an American

my protest on account of the attempts made by the Government of States against the defenseless state of the Dominican Republic, of gentlemen who have spoken before have already testified, and to y wishes that the honorable Senators who form such commission ul note of the injustice which has been committed against the peoples in depriving them of their liberty and the exercise of their y, and desire that speedy and just reparation be made to the s. And at the same time as a subsidiary matter or incidental, to ain acts unworthy of the good name of American armies, committed vince of San Pedro de Macoris and El Seibo, of which I have knowl- ie, and I have been an eyewitness to others. ear 1917 I had occasion to go and visit a friend who was arrested on at San Pedro de Macoris and I saw in the yard of the prison two s dressed in prison uniform. As my attention was called to this I was informed by—

POMERENE. Who?

ERO. I can not give the name. An individual that was in the prison.

POMERENE. Do you know anything about these facts personally,

ERO. I am relating things that I saw.

POMERENE. No; but you are trying to relate to us something that a you.

ERO. As I was not an employee and only a visitor, I asked why duals were there in that state. I did not know at the time whether alive or dead.

McCORMICK. I am going to permit the witness to make a statement, am going to ask the chairman, who is a lawyer, to ask Mr. Knowles s sort of evidence ordinarily would be admissible. Have him make statement. What did the individual answer?

ERO. And was informed that those individuals had been riddled with he marines who had been sentries over there. I was also told that ners in the custody—four prisoners in the custody of one marine d.

McCORMICK. I want Mr. Knowles to tell the witness if that is address my remarks both to the witness and to the counsel for and to the interpreter. I have no disposition to insist on close or lmission of evidence. Mr. Knowles, who is a lawyer at the bar d States, must advise witnesses that what I have just assented to red for the record regarding the statement of some person unknown e death of prisoners at the hands of marines is not admissible in f record in the United States, and would not be admissible in any ord by any commission of inquiry having regard to the rules of the United States. If the witness's written statement contains related to him by persons unknown, with all courtesy I suggest that edit the entire statement before reading it to the committee.

POMERENE. I might say in that connection for the record—and I dress myself to the counsel—you, as a lawyer, do not claim that sations would be competent against anybody?

LES. Absolutely not, and I told the witness only to state such things of his own knowledge or had seen with his own eyes.

POMERENE. What he saw there, of course, is entirely competent.

VLES. Now, will you please tell the witness to address himself— is anything that the Senator recalls that was not in the line of imony—

POMERENE. Everything that was said was perfectly competent except ese conversations relate.

LES. All right. That part we will strike out.

McCORMICK. Not because I am interested in striking out that which nitted to go in, but I am concerned that nothing more shall be introduced, or that persons unfamiliar with the rules of evidence evidence uninstructed by counsel from now on. We went through e earlier days of our investigation.

POMERENE. Let us put the shoe on the other foot. Suppose an arine were here and he had found somebody dead, and he had asked ow that man was killed, and he was to tell this committee that a had killed the man in a brutal way. We should be discredited uidence if we admitted any evidence of that kind.

Senator McCORMICK. I should hope so.

Mr. KNOWLES. Now, will you tell the witness again, Mr. Interpreter, proceed with such declarations as he has witnessed or experienced himself?

Mr. CORDERO. May I be allowed to say something?

Senator McCORMICK. Certainly.

Mr. CORDERO. On taking my seat when I have taken oath I understand the honorable Senators who know the law know that when a man takes to speak the truth they ought to have faith to hear him.

Senator POMERENE. We will be the judges of that. Now, we are going to argue that question. When the committee say, and your own admissions, that matters of this kind are not admissible, that ought to satisfy you.

Senator JONES. We are not questioning the good faith of any statement made by the witness. We want the witness to continue his statement of which he knows of his own knowledge, and not to state what he hears from others.

Mr. CORDERO. I speak of that first, that I have seen these men in the prison yard.

Senator JONES. That is admitted. That is all right.

Mr. KNOWLES. Now, Mr. Interpreter, did he see the act, or does what caused their death?

Senator JONES. Of his own knowledge.

Mr. KNOWLES. Yes; of your own knowledge.

Mr. CORDERO. No; I was not in a position to know it.

Senator POMERENE. Very well. Proceed to something else.

Mr. KNOWLES. Now, ask him if he has any case that he wishes to state to the Senators that he personally knows of and witnessed?

Mr. CORDERO. I am going to present a case of innumerable fines imposed upon Dominican citizens.

Mr. HOWE. Mr. Knowles requested the total of fines collected during the military occupation, in the military court, and the recordable. There is here and available the total fines collected in the last the expenditures of those sums. That is now having added to it a giving the totals by years instead of by months. That will be ready in minutes.

Mr. KNOWLES. Give it to me for last year or the year before.

Mr. HOWE. That will be in here in about two minutes. Now, make the statement? As to the preceding years, no figures have been sent to these headquarters, but this information asked for on Monday was immediately telegraphed for to all Provinces where these figures are, and when they are telegraphed in here for the preceding years 1919, 1918, and 1917 of 1916, they will be available, but they are not available at these headquarters and it will take some time to gather them.

Senator POMERENE. As soon as they come in will you see Mr. Knowles furnished with a statement?

Mr. HOWE. I will, sir. The other material called for was the proceedings or official account of the death of Gen. Haymon Bautista here in this file, No. 376.

Senator POMERENE. Is it your desire to incorporate it in the record?

Mr. KNOWLES. It is, Senator.

Mr. HOWE. I think that had better be kept in these headquarters. This is an original file.

Senator POMERENE. Very well—

Mr. KNOWLES. I will be personally responsible for it.

(The record is as follows:)

Mr. HOWE. Vicentico Evangelista. The official file on this can not be found in these headquarters, and there is here a statement by Col. Henry L. who was present, and was an eyewitness of the happening.

Senator POMERENE. Do you know where the file is?

Mr. HOWE. I don't know where it is. It has been taken out a number of times from the files in these headquarters, pending various investigations. At the moment it can not be found. The search, however, for it is continuing. In the meanwhile, is a statement concerning the death of this individual by—

Senator POMERENE. What was his name?

Mr. HOWE. Vicentico Evangelista.

Mr. KNOWLES. As far as the statement will go I will accept that

statement referred to is here printed in full, as follows:)

DEATH OF VICENTICO EVANGELISTA.

a series of operations which covered the period from February 2, 1917, Vicentico Evangelista, a Negro bandit and murderer, was located in a camp on a hill near Seibo known as the "Loma de la Vaca." He lived in his camp at 2 o'clock in the morning by Gunnery Sergt. William United States Marine Corps, and Antonio Draiby, a Syrian, who had a guide and interpreter for the detachment under Sergt. West. West through 11 outposts to get to Vicentico Evangelista's camp, and his was in constant danger at all times. The same may be said of Draiby. impersonated the undersigned by removing the chevrons from his shirt using the name of the undersigned.

When I talked with Vicentico it was stated that West would make certain concessions in return for which Vicentico would give up his arms and disband his group, which consisted of about 300 ragamuffins and fugitives from justice. An order was sent to the capital of what West had done Col. (then Lieut. George C. Thorpe, United States Marine Corps, came from Santo Domingo to assume active command of the field operations.

The next information received by the undersigned was that the man we were looking for, Vicentico Evangelista, was to be sent under guard to San Pedro de Macoris, and the undersigned was there to disarm him and have him continuing further transportation to Santo Domingo.

Vicentico arrived about 5 o'clock in the afternoon of a day in the early part of March. He was conducted to the office of the undersigned and there informed of the instructions which the undersigned had received relative to his being disarmed and confined. He reluctantly gave up his arms, which were six Smith & Wesson revolvers, caliber .44, one caliber .44 Winchester repeating rifle, a machete, and a smaller pocket pistol.

Vicentico was placed in irons and sent for confinement to the camp, then on what is known as "Punta," in the general vicinity of the present marine camp at San Pedro de Macoris.

The undersigned was instructed to report the arrival of this man to the command and this was done. At the same time a request was made for transportation to be sent to Macoris to take him to Santo Domingo. By the time he had been confined at the camp it was rumored that many of his friends were making an attempt to rescue him during the night. It was also reported that an concerted attempt would be made to start disorder so that only a few men would be in the camp.

The undersigned was in command of the eastern district at the time and lived in a building about 200 yards from the part of the guardhouse in which the prisoner was confined. This was the old clothing room. His father-in-law and his second son had been confined with him and they were all to be sent to the capital of Santo Domingo at 2 o'clock in the morning, when it was expected one of the small gasoline boats used by the brigade for coastal transportation would arrive.

The undersigned, without withdrawing any of the troops from camp, made a series of inspections of the city from dark to 1 in the morning and had no communication with the camp and gone to bed after making sure that the prisoners were all there and that the officer of the day understood his orders about sending them under a picked guard to Santo Domingo as soon as the *Guardia* small gasoline boat arrived. He also (the undersigned) left word with the corporal of the guard and with the lookout at the customs lookout to call him as soon as the boat from Santo Domingo city was sighted.

At 2 in the morning the corporal of the guard sent the musician of the band to notify me that the boat had been seen and was coming unusually close to the north shore of the little bay on which the camp was located.

When dressing to go to the dock to meet this boat, the undersigned heard the corporal of the guard and the officer of the day both call at practically the same time, "Halt!" "Halt!" Then an appreciable interval when "Halt!" was called by one voice, but farther away than at first, as though the person calling was quite a distance before calling "Halt!" the third time.

The command to halt was followed almost immediately by three shots in succession; one of these three had a very different sound and I knew at the time what it was. I went over to the guardhouse and met the officer of the day, Capt. Hoyt; the corporal of the guard, Corpl. Worsham; the sergeant of the guard, Sergt. Young, coming back from the direction

of the water-closet, and as I approached I asked what had been the cause of the shooting. They informed me that Vicentico had made an attempt to escape from the water-closet when he was taken there prior to going on the boat which was to take him to the capital.

The water-closet was close to the bank of the bay, and when the prisoner was awakened to get ready for the trip to Santo Domingo he asked to be taken to the water-closet. This closet was a building about 50 feet long and divided into two rows of seats back to back in it with doors at each end. Two doors opened towards the sea and two opened toward the land side. The sergeant, the guard and the corporal of the guard had taken the prisoner to the water-closet of this building, which was not lighted, and he went in the door on the west corner. He stayed a reasonable time and did not return. It was moonlight, and when the corporal entered to see where he was he had a glimpse of the prisoner running out the door on the southeast corner.

He called "Halt!" and almost immediately the officer of the day called the same; then the sergeant ran after the prisoner, who was headed towards the bay, with the evident intention of jumping into it. The third order to halt was given by Corpl. Worsham, who was in the water-closet at the time, fired from that place at the fleeing prisoner. It was this half-inch bullet which had sounded so differently. When I arrived the guard had turned around and was bringing in the body. I sent at once for the surgeon, Dr. H. United States Navy, and he examined the body and pronounced life extinct.

There was one bullet wound of entry just at the junction of the neck and head, one through the right shoulder, and one in the small of the back. The wound in the neck had broken the neck and the others had penetrated organs any one of which the surgeon said would have produced death.

I immediately sent a radio to the capital reporting the circumstances. I also immediately ordered a board of investigation, of which Dr. Ransom was a member, to meet the next day and make a full and complete investigation of the circumstances.

This board met and submitted its report to the commanding general.

The date was between the 3d and the 7th of June, 1917. I can not be more exact, as I do not remember.

The small boat which had been sighted was not the boat from the bay, though it came from that direction, and it was so very close to shore that it is my personal opinion, but one which I can not in any way prove, that the boat had been sent to permit Vicentico to escape by jumping into the bay. This boat picked him up and conveying him to the eastern end of the bay.

Vicentico had, in the month of February, I think, but I am not sure, been to the month, personally captured and killed two American civil engineers, a man named Hawkins and a man named Miller, who were employed on the La Romana sugar estate. These men had never been connected in any way with the military government, were in pursuit of their occupation as engineers, and their murder was particularly brutal. Both were tied to palm trees and one made to watch the other being cut to pieces with machettes. The bodies were both eaten by wild hogs as high as the hogs could reach when Vicentico had Howkins's watch in his pocket when I disarmed him and took Miller's spectacles.

I was informed by my interpreter in Macoris that the civil authorities had indictments against Vicentico for 48 murders which he had committed with his own hand, and there were several which had never been reported in addition to the above murders. I know of four others of natives murdered by him because of their friendliness to the military government.

HENRY C. F.

Mr. HOWE. And Capt. Knox. Here is the file of investigation concerning the death of Capt. Knox.

Senator POMERENE. Who was Capt. Knox?

Mr. HOWE. Capt. Knox was a sergeant in the marines and a captain in the guardia, who was ambushed and killed in the eastern part of the country.

Senator POMERENE. Do you desire to introduce that into the record?

Mr. KNOWLES. I have not seen the record yet, Senator.

Senator POMERENE. Will you take care of that and return it to the committee?

Mr. KNOWLES. I will.

Senator POMERENE. Have you gone over it?

Mr. HOWE. Yes, sir.

POMERENE. It may be that the committee will desire to introduce records. Whatever light it sheds upon the situation that is what we

NOWLES. Either way, yes.

OWE. I might be permitted to continue as to the other material asked

POMERENE. Yes, you might just as well do it now.

OWE. The third item was the permission to—

NOWLES. That is unimportant, because I have seen the man. They let me to see him.

OWE. You have seen Armando Cabral?

NOWLES. Yes.

POMERENE. Then you care nothing about that?

NOWLES. Yes.

OWE. And the fourth item, the report of the committee on claims and that of the uncompleted program of public works.

NOWLES. Senator Jones found those in the book I wanted.

OWE. So that has been complied with.

POMERENE. So you will cut everything out except that one statement?

NOWLES. Yes; I guess that is here now.

POMERENE. Now, let me ask for the information of the committee: statement as furnished, does it give the statement of fines assessed or collected?

OWE. Under LAKE. Fines collected.

OWE. There is, however, in this statement an item showing the remission of certain fines which have actually been collected.

POMERENE. What do you mean by that?

OWE. Having been collected, they were paid back.

NOWLES. That, of course, makes it complete, if it includes that.

POMERENE. We want it complete.

OWE. This, however, does not purport to be a report on fines for any period of June 30, 1920.

POMERENE. But as to the other fines, you are getting that?

OWE. They have been radioed for.

NOWLES. And up until when?

OWE. Up until December 13 of this year.

NOWLES. This is for the entire Republic or just this—

OWE. For the entire Republic.

POMERENE. That is for the period indicated?

NOWLES. What do you mean, Mr. Howe, then, when you said that there is no data that were not available?

POMERENE. For previous years.

OWE. For previous years. As I stated, for the years 1917, 1918, and

NOWLES. So this is complete for the Republic for that year?

OWE. Yes.

NOWLES. Now, the witness can proceed.

DERO. I believed that the honoral senatorial commission had come to the Dominican Republic with the intention of hearing the testimony of men who always lived an honest life and who were astonished at the acts that had taken place in this Dominican territory by the forces of the Marine Corps, the official investigation of every act that has been perpetrated on the island, but I never thought that they come to Santo Domingo to pass facts that are as clear as light of the sun.

POMERENE. What does he mean by that?

JONES. He means to lecture the committee.

MCCORMICK. Ask him what he means by that.

DERO. The facts that I was about to relate—

POMERENE. Let me say your own attorney has admitted that what you are giving us was not competent, and we are going to accept the judgment of our attorney. Now, if you are not going to be courteous to this committee, will excuse you.

DERO. I am going to confine myself to facts.

POMERENE. Very well. We shall be glad to hear them.

NOWLES. Now, Mr. Senator, he has what I wish he had presented first—his personal experience that he will present to the committee.

Mr. CORDERO. I was arrested on the 20th day of August, 1918, and after a charge was brought against me on which I was arrested—of being a traitor to the Dominican Republic, although the Dominican Republic was at war with any nation, that being the only case in which I could be considered a traitor against my country. And I was accused of conspiracy on the testimony of some perverse person who was willing to state that I was against the Dominican Government. Four months after I was sentenced to 25 years hard labor I was deprived of my liberty, sweeping the streets of San Pedro de Macoris and working as a scullion in the military camp of San Pedro de Macoris for eight months. At the end of that time I was set at liberty, with the statement that I had not committed the acts of which I had been accused.

Senator JONES. Is that statement in writing?

Mr. KNOWLES. It is signed by the admiral.

Senator POMERENE. Have the statement incorporated in the record.

Senator MCCORMICK. It is a case of alleged conspiracy with an alien.

Senator POMERENE. Do you offer this in evidence?

Mr. KNOWLES. Yes.

Senator POMERENE. I notice there are some comments made in script. Is that? Such parts as relate to what he has been telling us may be admitted. (The document referred to will be filed with the clerk to the committee)

SAN PEDRO DE MACORIS, Julio 9 de 1918.

SEÑOR: Convencidos los que suscriben, de que en la hora angustiosa que vive la República, ante las pretensiones del Gobierno Americano, de celebrar unas Elecciones indignas bajo todo punto de vista moral, metapolítico, es de imperiosa necesidad que pongamos en juego todas nuestras actividades y energías, al objeto de impedir sean llevados a cabo los proyectos imperialistas de los Americanos, nos permitimos invitar a U'd. a una manifestación que tendrá efecto a las 10 a. m. del domingo 10 del corriente, en el Teatrito Mellor, para formar una Junta de Abstención Electoral que labore en el sentido expresado.

Somos de Ud. Atto. S. S.

Dr. Aybar, F. Tavarez hijo, Fernando A. Brea, P. A. García, E. Romero Matos, B. Martínez A., M. M. Gautier, Miguel A. Enrique Valdes, F. A. Kidd, Fco. Aug. Cordero, Mir. Prestol, S. A. Ricart, J. A. Martínez, G. J. Henríquez, V. V. Reyes, A. Dalmau R., F. W. Valdes, C. M. Guerra, S. L. Díaz, V. Díaz Ordoñez.

#### DOMINICANO.

Defiende tu bandera no votando en ninguna parte de la República, ni permanezca un solo soldado americano en tu territorio.

#### HEADQUARTERS SECOND PROVISIONAL BRIGADE,

#### UNITED STATES MARINE CORPS

*Santo Domingo City, Dominican Republic, 18 September, 1918.*

From: Brigade Commander.

To: Maj. Charles A. E. King, United States Marine Corps, Marine Barracks, Santo Domingo City, Dominican Republic.

Subject: Charges and specifications, case of Francisco A. Cordero.

1. The above-named men will be tried before the military commission, of which you are judge advocate, on the following charges and specifications. The President of the commission accordingly, inform the accused of the charges set for his trial, and summon all witnesses, both for the prosecution and for the defense:

Charge I: Treason.

Specification 1.—In that Francisco A. Cordero, an inhabitant of the Dominican Republic, did, on or about 10th February, 1918, at San Pedro de Macoris, Dominican Republic, while the Dominican Republic was under the administration and protection of the military Government of the United States, write and publish words, phrases, and figures, to the effect:

“El mismo fenómeno que se verifica en la Rep. a mediados del siglo pasado cuando Pedro Santana (el creador de la asarosa vida política que hasta hoy llevo la Rep. con sus constantes revueltas intestinas) por afearse a

el pabellon dominicano para enastar el espanol, esta dosarrollandosa idad en la que hasta ayer nacion libre independiente.

Oca que relatamos hubo muchos dominicanos que incautos, creyeron icion del pais por tropas espanolas seria beneficlosa y que de aquel sas derivarian los dominicanos innumerables ventajas. Los acon- demostraron lo contrario de aquellas absurdas creencias y no mismos sostenedores de la dominacion espanola, en arrepentirse a aquel suceso consecuencias beneficlosas para el pais. Espana no no un ideal de ambiclosa dominacion y poco importaba el bienestar leanos, siempre que ese ideal so realizara. La parte sano del pueblo mas consciente del deber que impone el patriotismo, que lo hemos tales dominicanos, se levanto en armas y a costa de enormes rios de sacrificios logro contener la eumonagla y no se perdio en aquel nacionalidad."

phrases, and figures, translated to English, mean as follows:

phenomena that took place in the Republic in the middle of the when Pedro Santana (the creator of the life struggle that has con- final revolts), that changed the Dominican flag for the Spanish, to-day to a nation that was until now free and independent. time there were many Dominicans who were fascinated, believing ipation by Spanish troops would be benefical, and that from such gs the Dominicans would derive innumerable advantages. Events l the contrary to these absurd beliefs and the same supporters h domination did not delay in repenting, to attribute the benefical for the country. Spain pursued only an ideal of ambitious and was little interested in the well-being of Dominicans, just ized their own ideal. The same part of the Dominican people, ntious of the duties imposed by patriotism than the present have been rose up in arms and at a cost of enormous rivers of sacrifices were able to hold and keep their nationality.

id Cordero did then and there, and by means of such words, figures, willfully, maliciously, and treasonably attempt to pervert n of the Dominican people in order to lessen the respect due to. ority of, the Military Government of the United States in Santo

n 2.—In that Francisco A. Cordero, an inhabitant of the Domini- did, on or about 10 February, 1918, at San Pedro de Macoris, epublic, while the Dominican Republic was under the administra- ection of the Military Government of the United States in the epublic, write and publish words, phrases, and figures as follows: Dom. ha sucumbido bajo el filo de las bayonetas del ejercito de, U. precisamente en los momentos en que dicke pais proclama nder la libertad del mundo y el dereshco a la vida libre e inde- tienen las damas pueblos asi sean mas debiles entra en la guerra

registra muchos casos en que la fuersa bruta se ha impuesto por cia sin mas esphim satisfacion que la que represente el derecho te, poro nunca habia consignado en sus paginas en caso como que maintras se proclama un ideal, mentras se habla de libertad, ende rendir culto a la moral y a la justicia, se oprimio a un esina a sus habitantes, se amordaza la opinion publica y se tierra en que hasta ayer fue libre el estandarte innominioso d.

or ejemplo se vie en el caso de ultraja a Belga pero ha tenida leclarer enfaticamente 'que la necesidad ne tiene ley' y nota presentada su papel sin hipocrisia. Los E. E. U. U. han usado par atropellar a Sto. Do. y mientras asi proceden, hablan de anzan a la fez del mundo las mas hipocrites versiones respecto nes acerca de los pueblos debiles de la america espanola.

nia existe antes la conciencia nacional dominicans una antenua e su fuerza para tropellar un pueblo debil poro a dicho que ara garantizar la libertad del mundo, si no para garantizar to; ha tenido concencimiento. Todo cuanto ha hecho y licho americano en Sto. Do. no incierra sino un fondo de responsa- actos hipocrisia y de maldad, que habla bien claro de sus inten- pais.

Por mas que ahora se haya publicado en el Listén Diario de Santo Domingo un memorandum en que el gob. militar declara como falsas las declaraciones de un periodico newyorkino y asegura que el gobernador de Puerto Rico ha hecho ninguna declaracion que se refiera a este pais, ningun hombre puede tener fe en lo que digan los americanos, toda vez que fue el del engano que estos inauguraron su entrada. Ningun credito merecen repetidas veces se manifiesta de palabras amigo de un pueblo y se convierte en su opresor y elemento de exterminio. Lo que hasta ahora se ha realizado, por esos hombres que se llamen amigos y protectores de Santo Domingo ha sido asesinar a varios contonares de dominicanos, atropellar cobardes, sin derecho el que recibe el insulto a devolverlo, elegir para gobernadores publicos a hombres de reconocido immoralidad, a los mismos que han llevado al pais en el caos en que hasta ayer se mantuvo—sembrar en el alma de los dominicanos la division fermentando en lugar de contribuir a calmar las pasiones politicas. Esa es hasta hoy la obra de los norteamericanos en este desgraciado pais, al que han venido a titulo de amigos."

Which words, phrases, and figures, translated to English, materially as follows:

The Dominican Republic has succumbed under the points of the bayonets of the United States Army precisely at the same time when that country claims that, to defend the liberty of the world and the rights of the weak and independence that other peoples have even the weakest, she was engaged in the European war. History records many cases in which brute force has imposed over justice without more satisfaction than that right is respected by the strongest, but there has never been consigned to it a case like the present, where, while they proclaim an ideal, while they profess of liberty, while they pretend to render culture to morals and to civilization, they suppress a people, they murder her inhabitants, they bribe her opinion, and they plant in the land, which until yesterday was standard of shameful slavery. Germany, for example, found here the necessity of violating Belgium, but they had the valor to declare publicly that "necessity knows no law," and they did not lie and render paper hypocrisy. The United States has used her forces to abuse the face of the world and while she thus proceeded she speaks of liberty and she presents to the face of the world a most hypocritical version regarding her relations with the weak peoples of Spanish America. For Germany she has before the Dominican national conscience the extenuation that she has the force to subdue a weak country, but she did not say that she thus proceeded to guarantee the liberty of the world but to guarantee her own security. The United States there does not exist on the part of the Dominicans except hatred, eternal damnation of a country which groans under of slavery imposed by another country which practices the old maxim says, "While praying to God, keep mixing the dough." There has been published in one of the dailies of the city of New York an item relating to an interview that took place between one of the reporters of the above newspaper and the governor of Puerto Rico, in which this functionary of the Washington Government declares that the United States will never leave Santo Domingo. This version is nothing new for those who, like us, have the conviction that all that has been done or said by the North American Government in Santo Domingo does not disclose anything but a fund of malice and of harm which speaks very clearly for her intentions regarding this country. Notwithstanding that now they have published in the Liberator of Santo Domingo, a memorandum in which the Military Governor declares false the declarations of the New York paper and the governor of Puerto Rico did not make any declaration that regarding this country, no Dominican can have faith in what Americans say. By the means of trickery, they inaugurated their entrance. No credit is due to those who repeatedly manifest by friendly words to a people and by converted themselves into oppressors and elements of extermination which up to the present has been realized by these men who are called friends and protectors of this country has been to assassinate several Dominicans and cowardly abuse others, without the right to return to those who receive them, and to elect for public office men of no morality, the same that have brought the country into chaos, in what until yesterday, maintained—plant in the spirits of the Dominicans

is fomented in place of contributing to calm the political passions. To-day is the work of the North Americans in this unfortunate country which they have come under the title of friend.

statements are wholly false and intended to deceive, and the said statements, by means of such words, phrases, and figures, attempt to pervert the Dominican people. and he did, during the months of February, April, May, June, July, and August, 1918, by means of such propaganda enemies of the military Government of the United States in Santo Domingo to recruit their forces.

tion 3.—In that Francisco A. Cordero, an inhabitant of the Dominican Republic, did, on or about December 1. 1916, while the Dominican Republic was under the administration and protection of the military Government of the United States in the Dominican Republic, write and publish a letter at San Pedro de Macoris, Dominican Republic, in words, phrases, and figures as

" SAN P. DE MACORIS, Diciembre 1 de 1916.

HORACIO VASQUES,

*Santo Domingo.*

MADO DON HORACIO: Su interesante carta del 14 de Mayo de Novbre. me oportunamente y considerando que hoy huelgan los comentarios que us perrafos an el momento que ud la escribiera, los paso por alto. Han venido a demostrar con rapidos asombrosa, que mis provisiones tan lejos de la realidad. Ante el cumulo de deagracias que se nos encima y lo que acaso nos reserve aun ocultas el porvenir, desco pre- ¿Cree ud, que debamos los dominicanos repetir la conducta que ebre rey moro 'Boadil'? ¿Cual es la pauta que ud en las actuales es se aconseja a sus amigos y conciudadanos? Quiero cir sus palabras momentos en que el espiritu se rebela en medio a la soberbia y la ira para saber al nos eguadan las lamentaciones y llores de mujeres, o el del hombre que aun en conocimiento de su debilidad, prefiere efendiendo su honra a vivir en bochornosa esclavitud. Considero miento actual no es de vacilaciones ni titubeos, sino de resoluciones energicas, que digan para siempre que somos hombres dignos de libertades. o quo no merecanos otra cosa que el desprecio y la maldicion de la espera de sus gratas noticias quedo de ud como siempre attto a mi amigo, Francisco A. Cordero."

ords, phrases, and figures translated to English mean substantially

SAN PEDRO DE MACORIS, 1 December, 1916.

O VASQUES,

*Santo Domingo.*

. HORACIO: Your interesting letter of 14 November was duly reconsidering the present commentaries of the people in their opinion itings they passed without notice. Deeds have demonstrated with rapidity that my forecasts were not far from true. In view of the ice that has fallen upon us, and in respect to what may be hidden in us in the future, I wish to ask you: Do you think that we Dominicans beat the conduct of that celebrated Moorish king "Boadil"? What e that you in these circumstances would counsel your friends and take? I wish to hear your words in these moments in which the on behalf of the pride and impotence in order to know if we must lamentations and cries of the women, or the dignified gestures of a knowing his weakness, prefers to succumb defending his honor to bonds of slavery. I consider that this is not the moment to vacillate, that they may say that we are dignified and proud of our liberties; e only deserve the depreciation and eternal malediction. Awniting ain always your loving friend,

FRANCISCO A. CORDERO.

ords, phrases, and figures were substantially an invitation to one squez, a resident of Santo Domingo, Dominican Republic, to enter Cordero into a treasonable conspiracy against the military Government of the United States in the Dominican Republic.

tion 4.—In that Francisco A. Cordero, an inhabitant of the Dominican Republic, did, at or about 10 p. m. August 23, 1918, at San Pedro de Macoris,

Dominican Republic, while the Dominican Republic was under the administration and protection of the military government of the United States in the Dominican Republic, visit Hans A. van Kampen, a German alien enemy of the United States, and did remain in conference with said van Kampen for a period of two hours, more or less, discussing means by which he, Cordero, aided by said van Kampen, could bring supplies of ammunition to a group of armed insurgents against the military government of the United States in Santo Domingo, which insurgents, under the leadership of Batia, had on said date expended an important part of the ammunition with them in the field, by reason of a battle with troops of the said government.

**CHARGE II.—Conspiracy.**

*Specification.*—In that Francisco A. Cordero, an inhabitant of the Dominican Republic, did, at or about 11.30 p. m. August 25, 1918, while the Dominican Republic was under the administration and protection of the military government of the United States in the Dominican Republic, conclude a conspiracy with Hans A. van Kampen, a German alien enemy of the United States, to overthrow the military government of the United States in Santo Domingo; that Pedro de Macoris, Dominican Republic.

**CHARGE III.—Being cognizant of a conspiracy against the Government, failing to report same to proper authority.**

*Specification.*—In that Francisco A. Cordero, an inhabitant of the Dominican Republic, did, at or about 11.30 p. m. August 25, 1918, at San Pedro de Macoris, Dominican Republic, while the Dominican Republic was under the administration and protection of the military government of the United States in the Dominican Republic, held a conversation with Hans A. van Kampen, a German alien enemy of the United States, in which said van Kampen did say to Cordero, "As long as the revolution lasts we shall what you know," Cordero well knowing that said Van Kampen intended to inform said Cordero by means of said utterance, that as long as a certain armed force existed against the military government of the United States in Santo Domingo, he, the said Cordero, aided by said van Kampen, would be able to accomplish certain acts which they could not accomplish after said force should be terminated; and, furthermore, the said Cordero did then become cognizant of the fact that said van Kampen was conspiring to the advantage of and to favor the prolongation of said armed insurrection against the military government of the United States in Santo Domingo, the protection of which government he, the said van Kampen, was then enjoying; and furthermore he, the said Cordero, a Dominican, failed to report to any proper authority of the Government to which he was bound by such fact above stated.

J. H. P.

(Received at 8.25 a. m. Sept. 24, 1918.)

RECORD OF PROCEEDINGS OF A MILITARY COMMISSION CONVENED AT THE BARRACKS, SAN PEDRO DE MACORIS, DOMINICAN REPUBLIC, BY ORDER OF THE BRIGADE COMMANDER, SECOND PROVISIONAL BRIGADE, UNITED STATES ARMY.

GOBIERNO MILITAR DE SANTO DOMINGO.  
SANTO DOMINGO, R. D., Abril 1919.

Asunto: Mitigación de la sentencia de Francisco A. Cordero.

Referencia: (a) Comisión Militar—caso de Francisco A. Cordero, ex convicto de la República Dominicana, juzgado el 16 de Julio de 1918.

1. Como resultado de una reconsideración del caso de Francisco A. Cordero, un habitante de la República Dominicana, la cual fue hecha por resolución expresa del Señor B. H. Fuller, Brigadier General U. S. M. C., en la creencia que esta clemencia recibirá el debido reconocimiento, la Corte queda mitigada como sigue:

2. Se ordena que el dicho Sr. Francisco A. Cordero sea puesto bajo la supervigilancia de las Fuerzas Militares de tal manera que el Jefe de la Brigada o su sucesor. La sentencia quedará suspendida por el término de dos años desde esta fecha y, entonces será remitida, si la conducta del Sr. Cordero durante ese período haya sido a la satisfacción del Gobierno.

THOMAS SNOWDEN,

Rear Admiral, United States Navy,  
Head of United States Military Government  
in the Dominican Republic.

Certificado: B. H. Fuller, Brig. Gen. U. S. M. C.

LES. This witness desires to make a brief statement in regard to the fines, and then he will leave the stand.

Q. I wish to add the document which refers to the fines imposed on the Province of Cegandors. These fines and other fines like this have been collected in the Provinces of Macoris and Seibo, and this money has never been turned over to the public treasury.

A. How do you know that?

Q. I know, because I have read the reports that are published, and I see those in the itemized reports of fines reported.

A. Let him give a statement of the cases in which fines were collected and not paid over to the public treasury.

Q. What court was it that sentenced this witness? Does it appear

LES. The military court, he said, that was composed of seven

CORMICK. At Macoris?

LES. At Macoris.

# STATEMENT OF DR. ALEJANDRO CORADIN, OF HATO MAJOR.

A. Here is what purports to be a letter addressed to the United States Senate in charge of the investigation of Dominican affairs, and the original is in Spanish and duly signed, as I understand it, here is what purports to be an English translation. If I have correctly translated the contents this offer is in the record.

Q. Yes; for the convenience of the committee I had a translation

A. Well, you know it to be a correct translation. Let it be placed in the record.

Q. (The document will be filed with the clerk to the committee.)

Q. What is your name?

A. Dr. Alejandro Coradin.

Q. Where were you born?

A. In the Province of Samana.

Q. Where do you live now?

A. Hato Major.

Q. Have you lived continuously in the country?

A. Yes; always.

Q. Now, you have some matter that you desire to declare to the committee? It is a matter that comes within your personal knowledge please

A. Yes. You address him as doctor. Is he a physician?

Q. No. He is a doctor of law.

A. Before starting, I wish the commission to know that it is not my intention of relating these facts to ask that the methods employed be changed in the forces in the country. What the Dominican people want is the freedom and simple, of their independence. In virtue of same and I have heard the president of the commission state that it is not agreeable to hear matters relating to officers mentioned, but on this occasion I mention him in connection with the facts that I am about to relate to the

A. Let me say there has been no statement of that kind at all. He is going into a subject which he saw.

A. But "It is not agreeable to us to hear statements regarding officers." No such statement has been made and no thought of that kind of the commission. What we want is to confine the witnesses to the matter whom they hit.

CORMICK. Or whether they are agreeable or disagreeable.

Q. On the 22d of June, 1917, I saw an old man dragged, tied to the back of a mule—an old man by the name of Jose Maria Rincon—by an officer by the name of Gonzalez.

A. An officer of what? Of the marines?

Q. He was dressed in marine uniform.

A. Where was this?

Q. In Hato Major.

A. When was it?

Q. The 22d of June, 1917.

Senator POMERENE. What was his rank?

Dr. CORADIN. A lieutenant.

Senator POMERENE. Was he an American or a Dominican?

Dr. CORADIN. He was not a Dominican. This man was tortured in such manner because he carried a prescription to a drug store in which sulphur and lard were mentioned. This was for some skin disease, and the doctors of the forces stated that it was for dressing wounds, and that was sufficient reason to have what I have just stated done to him. After that he was shot, and in being shot he was hung from a tree.

Senator McCORMICK. Did you see him shot?

Dr. CORADIN. I saw it, and I saw him hanging from a tree.

Senator POMERENE. Who else was present at the time?

Dr. CORADIN. That happened in the plaza.

Senator POMERENE. From whom did you get this information about the prescription?

Dr. CORADIN. I am a doctor.

Senator POMERENE. No; from whom did he get the information? He said that it was sold to him; that he got this prescription, and for this reason it was done.

Senator McCORMICK. Who told him that Rincon was subject to torture? He killed because he carried that prescription?

Dr. CORADIN. I heard the medical officers state that that salve was for dressing wounds.

Senator McCORMICK. Can you name any of those officers? It would be an inquiry.

Dr. CORADIN. No, sir. Perez was the man who committed the act.

Senator McCORMICK. Was Perez also present at the hanging?

Dr. CORADIN. Yes; Perez was mounted on horseback.

Senator POMERENE. Can you name any other witnesses who saw this? Who know about it?

Dr. CORADIN. These men were present [indicating two men standing in the room].

Senator POMERENE. Ask each his name.

Mr. SUAREZ. Emilio Suarez, Hato Major.

Mr. VASQUEZ. Jesus Maria Vasquez, Hato Major.

Senator POMERENE. Proceed.

Dr. CORADIN. On the 24th of August, 1918, Cipriano Alarcon was killed. Capt. Charles Merckle. All that I state here I saw. Mr. Alarcon was seen at his door; and Capt. Merckle and Maj. Taylor, under the orders of Col. [unclear] had concentrated all the peasants in town. There were about 2,000 persons in the public square, when a shout was heard, and Mr. Alarcon, who was under the influence of liquor, appeared to have made some remarks that offended Capt. Merckle, and it appeared to me, as a serious man, that whatever the reason may have been, it was not sufficient reason for taking his life.

Mr. HOWE. Where was this occurrence?

Dr. CORADIN. In Hato Major. Capt. Merckle took him by the left arm and took him to a corner of the house, drew his revolver, and shot him in the head. I saw this, because I live in front of the house. The captain sent for the chief of police and me in order that I might render my services as a doctor in the case, to which I replied that I could not, as the man was in a dying condition. More than three or four hundred of the same kind of cases happened in the community; but as I did not see them, I do not wish to have any discussion regarding them, as my predecessor had. Before closing—

Mr. HOWE (interposing). May I ask a question here that would be very useful? Was Capt. Merckle in Hato Major or on duty in or about Hato Major beyond June 22, 1917, at the time when Rincon was killed?

Dr. CORADIN. No. Before closing, I wish to present the commission of the victims of the water torture committed by Capt. Merckle. If the commission wants to examine him, they can do so.

Senator POMERENE. What is this man's name?

Dr. CORADIN. Pedro Hernandez Rivera.

Senator POMERENE. Where does he live?

Dr. CORADIN. Hato Major.

Senator POMERENE. And when did this occur? Let him sit down, if the matter has anything further.

Dr. CORADIN. At this time I do not know whether the military government had ordered concentration of the wretched inhabitants of the community.

major who had been locked up like pigs in stockades under the pretext of investigating whether or not they were bad persons, a procedure which we consider puerile. This is psychological. When an individual is taken from the street to the light suddenly a certain impression is formed owing to the effect on the optic nerve of the light. These individuals are inclosed in the stockades. They are taken to a room where there is a marine with a flashlight, and soon as they come out the flashlight is put on them, and the individual is examined, and for that sole fact I considered it bad. I can present a picture of a concentration camp [handing a picture in], which is similar to the camps in Cuba. Some individuals who can pay have been fined.

Senator McCORMICK. Is there not a hiatus there?

Mr. KNOWLES. Yes; I think there is, Senator.

Senator McCORMICK. His last sentence referred to the military camp. The sentence which I heard from the lips of the interpreter was that some individuals who can pay had been fined, and therefore not put in the camp.

Senator ARADIN. No. As soon as they pay they have been released. Until they pay they are kept confined.

# MENT OF MR. PEDRO HERNANDEZ RIVERA, OF HATO MAJOR.

Mr. KNOWLES. What is your name?

Mr. RIVERA. Pedro Hernandez Rivera.

Mr. KNOWLES. Where were you born?

Mr. RIVERA. In the rural districts of Utujado, Porto Rico.

Mr. KNOWLES. How long have you been in this country?

Mr. RIVERA. About 14 years.

Mr. KNOWLES. And where have you resided since you have been in this country?

Mr. RIVERA. In Hato Major.

Mr. KNOWLES. Continuously?

Mr. RIVERA. I was in Santiago de los Caballeros for about four or five years.

Mr. KNOWLES. Have you resided in that city during the military occupation?

Mr. RIVERA. Yes.

Mr. KNOWLES. Did anything occur to you during the occupation?

Mr. RIVERA. Yes.

Mr. KNOWLES. Will you please tell the committee exactly all that happened during that incident?

Senator McCORMICK. First, Mr. Interpreter, as nearly as may be, the time and the place.

Mr. RIVERA. The 14th of April, 1918.

Mr. KNOWLES. Where?

Mr. RIVERA. At Hato Major.

Mr. KNOWLES. Proceed.

Mr. RIVERA. I was taken prisoner by the forces of occupation under the command of Capt. Merckle, who was in charge of that district. A rope was round my neck, my hands tied, and I was taken to the country about 4 kilometers from town, on foot, and had to keep up with a horse trotting.

Senator McCORMICK. Let me ask. Who tied your hands and who led you by the horse?

Mr. RIVERA. Capt. Merckle and some other marines.

Senator POMERENE. Did you know them or know their names?

Mr. RIVERA. No.

Senator POMERENE. Were they Americans or were they Dominicans?

Mr. RIVERA. Americans.

Senator POMERENE. Mr. Knowles, it is not customary for one witness to speak from behind.

Mr. RIVERA. And when in the country I was tied by the feet, placed on my hands with my face to the sun, and with a funnel water was poured into my mouth from a demijohn. I was in that state for about three or four days.

Mr. KNOWLES. You mean in that position?

Mr. RIVERA. No. I only mean I was kept tied for about four or five days, at night I slept with my hands and feet tied in the open air with a sentry near me, and near to a huge bonfire which had been built. That is all. About three or four days after I was released as there was nothing against me.

Senator McCORMICK. There was no charge made against you?

Mr. RIVERA. I was confounded or mistaken for a man by the name of P-  
Rivera.

Senator MCCORMICK. Were you cross-examined during this period?

Mr. RIVERA. I was asked how much ammunition I had sent to the m-  
the hills. That was all the questions asked. They did not allow me to ask

Senator MCCORMICK. Is that all, Mr. Knowles?

Mr. KNOWLES. No; I wish to ask a question.

In whose hand was the rope that was tied around your neck?

Mr. RIVERA. A marine on horseback, but Capt. Merckle was there.

Senator POMERENE. You know the names of any of those marines?

Mr. RIVERA. No.

Senator POMERENE. Have you seen any of them since?

Mr. RIVERA. I may have seen them but I could not identify them.

Senator POMERENE. You would not be able to recognize any of them  
if you were to see them?

Mr. RIVERA. I could identify the sergeant who went to my place to take  
prisoner. His name is Mario.

Senator POMERENE. Was he an American or a Dominican?

Mr. RIVERA. An American.

Senator POMERENE. Have you seen the captain since then?

Mr. RIVERA. I saw him after that; that is about three or four years ago.

Senator POMERENE. Now let's be a little more specific, upon another point.  
Can you tell us where this place was to which you were taken?

Mr. RIVERA. Yes.

Senator POMERENE. Was it near their camp, or where?

Mr. RIVERA. They had a camp there.

Senator POMERENE. That is where this treatment was given to you?

Mr. RIVERA. Where they took me they had a camp about 4 or 5 kilometers  
from town.

Senator POMERENE. I think that is all.

Mr. KNOWLES. You were arrested and tied in the city, Mr. Rivera?

Mr. RIVERA. Yes; on the street.

Mr. KNOWLES. How many marines and officers were in the group that  
you to this place?

Mr. RIVERA. About 10 or 12.

Senator JONES. Did they take any other prisoners at the same time?

Mr. RIVERA. Yes.

Senator JONES. How many?

Mr. RIVERA. Two more.

Senator JONES. Who were they?

Mr. RIVERA. Agapito Jose and Pedro Rivera and Jesus Reyes. Two  
taken with me and one brought up in the night.

Mr. KNOWLES. Besides how many American officers or marines were in  
group of 12 along with Capt. Merckle?

Mr. RIVERA. Ten or twelve took us out in the country, and there may  
been about 20 in the camp.

Mr. KNOWLES. Were they all Americans, officers and marines?

Mr. RIVERA. The only officer I recognized was Capt. Merckle. I saw sergeants  
and corporals. I had no time to notice their rank.

Mr. KNOWLES. Were they Americans or Dominicans?

Mr. RIVERA. Americans.

Senator JONES. All of the marines were Americans?

Mr. RIVERA. Americans.

Senator MCCORMICK. Let me state to the distinguished counsel, Mr. Knowles,  
that during the brief recess we sought to lay our hands on the formal charges  
against Capt. Merckle and papers relating to his suicide when officers were  
sent to arrest him. We have not been able to lay our hands on those papers,  
but, of course, as soon as we can find them they will be ready for the  
and at his disposal. I do not need to say to Mr. Knowles that the members  
the committee speak with restraint when they say that they are ashamed  
regret that such incidents should have taken place under the direction  
officer of the American forces here or anywhere. Pending the arrival of  
papers I publicly want to note that the commander of the American forces  
jealous for their honor, caused charges to be filed and ordered the arrest  
Capt. Merckle.

Mr. KNOWLES. Mr. Chairman and Senators, I am glad that the honorable  
chairman makes this statement, voicing, I am sure, the sentiments of

is Government and fellow Senators but of every American citizen, and I t to say, as I expected to say, that I did not intend to present this testimony in the form of charges against either the officers and men who committed actions or the other officers that were here at that time, or against the rican Government, but merely for the purpose that the committee might rstand that certain reasons and causes—it matters not who committed —produced a mental effect upon these people that made them resentful rd us. I hope I make myself clear in my purpose in that statement. It to explain more why these people feel as they do, rather than to make ges against those who actually committed the acts. And, furthermore, e we perhaps shall close in a moment, I wish to say somewhat in explan of my position that I consider my first duty in this investigation to aid ll fair and honorable means this committee to get at the truth of all of the committed, impressions formed among these people, with the hope that ay lead to an early solution and ending of the differences that now exist een them.

Then you were taken to the police—

Senator MCCORMICK. This relates to another witness, but perhaps as it is mind we had better clear it up now. The witness who is on the stand testify- with regard to finances was to have furnished a copy of the protest which and others signed against the holding of the election. I have here from the of the military governor a copy of that protest, and assuming that it is a —and I have no doubt about it—I will offer this to be incorporated in record now.

Mr. KNOWLES. Well, I would say, Senator, I have also a printed copy that y my possession that is signed.

Senator MCCORMICK. So that it gets in the record, and the stenographer will r that in mind. It is a typewritten copy. Let me suggest that it be in- orated, and if you will examine the Spanish copy and you find that it is entirely accurate—

Mr. KNOWLES. Oh, I have no doubt it is correct, Senator, but in case you dd like to have the two I will also give the Spanish copy.

The documents referred to are here printed in full, as follows:)

Protest raised by the Antielection League of the Santo Domingo Province against the order of convocation promulgated on July 14, 1921, by the United States of America in the subjugated territory of the Dominican Republic.]

Whereas the Antielection League of the Santo Domingo Province is composed f Dominican citizens who are determined not to submit to the criminal rute force being employed here by the United States of America, which in 916 sent to the Dominican Republic a pirate expedition that, under the com- and of the already celebrated filibuster, Caperton, landed on the sacred soil f the Dominican Republic, took possession thereof, and still retains same erely by virtue of their machine guns and bayonets. They commit mur- er, burn, and concentrate the poor peasants of entire regions, depriving hem of their lands and water for the benefit of despicable Yankee corpora- ions; they weigh the people down with burdensome taxes, squander and rob he public funds to the extent of bringing the country to bankruptcy, sup- press public instruction throughout the land, and, lastly, commit all kinds of unjust abuses before the eyes of the world, which witnesses such acts in consternation;

Whereas the United States of America is haunted by the incessant and increas- ing clamor of protest from Spain, Latin-America, and England, and, goaded by its insane desire to possess the treasures of the Dominican soil, as well as Dominican funds and police, on the 14th of June last it issued a proclama- tion in which it hypocritically expressed a desire to withdraw from Santo Domingo, and ordered the Dominican people to hold an election to the end that sovereignty might be placed in the hands of the United States;

Whereas from among the people the Antielection League has been formed to oppose the holding of the elections ordered by the Americans, undaunted by the apparent complicity of the three party leaders, who, when requested by the head of the military occupation to lend him their aid, contrary to the will of the people, expressed their willingness to vest him with the powers of constitutional President, and, if the United States deemed it necessary, to form a treaty with that country;

Whereas entirely ignoring the unanimous protest of the Dominican people, the United States of America persists in holding elections, and after promulgat-

ing an election law, also promulgated, on the 14th instant, an order of convocation for the primary assemblies to meet on the 13th of August next; Whereas the only object pursued by the Antielection League is simply to prevent the Dominican people of the Santo Domingo Province to abstain entirely from taking part in said elections; now, therefore,

The Antielection League of the Santo Domingo Province—

1. Protests against the order of convocation published by Rear Admiral Robison on the 14th instant.

2. Exhorts all citizens to ignore said order of convocation and to completely abstain from choosing electors or other public officials, or from being chosen such. And it is further declared that—

(a) No citizen should vote, even though his party leader advises him to do so, for parties owe their existence to the will of the people rather than that of party leaders, and the people have publicly declared themselves opposed to any election ordered and arranged by the United States.

(b) No member of a political party should accept any appointment as member of an election board, nor form local party committees, nor take as such member of an election board, nor take his place as such member on the day set by the order of convocation.

(c) No Dominican should as a member of the superior advisory boards of parties inform any foreign official, who represents the executive power in accordance with the election law, as to any special insignia used as a distinctive mark on ballots; nor deliver any quantity of ballots to the municipal secretaries, nor, finally, comply with any of the provisions of the superior advisory boards of parties, whether they appear in the so-called election law or not.

3. It also exhorts the municipal governments, aldermen, sindicos, secretaries and municipal employees not to obey said order of convocation and to abstain entirely from complying with the so-called election law contained in executive order No. 646. And it also declares as follows:

(a) That the municipalities should pay no attention to the American officer who by force usurps the functions of the secretary of the interior, police, and should throw into the wastebasket the order for the formation of electoral precincts; and, consequently, they should form no precinct in a commune nor erect guardrails, nor place ballot boxes, nor construct booths, nor post maps or plans of the precincts.

(b) Municipal chairmen should appoint no aldermen, and the latter should accept no such appointments to form part of an election board, nor to administer oath to the chairman of such board, and not notice any communication from party leaders.

(c) Municipalities should refuse to allow polling places to be established in their respective communes on the 13th of August next. The municipal chairmen should cast into the wastebasket the lists furnished to them by the foreign official who would be dubbed the secretary of the interior and police, and the municipal secretaries should accept no ballots nor give receipts therefor. They should the municipal chairmen see to it that such ballots are furnished, either in large or small quantities, to polling places; nor should such polling places be supplied with either a large or small ballot box, either covered or uncovered, nor should any voting certificate sent be received.

(d) Municipalities should also fail to secure places for the electoral colleges to meet in.

(e) All officials and magistrates as are mentioned in the null and void law, published with the absurd title of executive order No. 646, should also regard that which is so abusively decreed therein by foreign authorities as absolute defiance of the right and dignity of the Dominican Republic.

(Signatures follow.)

SANTO DOMINGO, R. D., July 18, 1921.

Mr. KNOWLES. Will you please describe again exactly what happened when you arrived at the destination of the officers and marines who were taking?

Mr. RIVERA. About an hour after I arrived I was placed on my back, my face to the sun, and was kept there for about two hours while water was poured through a funnel at intervals, and when I refused to open my eyes they forced it open with a stick.

Mr. KNOWLES. Were you fastened to a stake or tied to anything?

Mr. RIVERA. Yes. [Indicating with his arms out at right angles and his hands separated.]

Mr. KNOWLES. And each hand and foot bound to a stake?

r. RIVERA. Yes.

Senator McCORMICK. Lying on his back?

r. RIVERA. Lying on my back.

r. KNOWLES. How many men were present when the funnel was put in your mouth?

r. RIVERA. Americans?

r. KNOWLES. Yes.

r. RIVERA. About eight Americans. My feet and arms were held by Americans. My head was held by an American. I still have a scar (pointing to his temple). I did not feel it at the time.

r. KNOWLES. Who was it, if you could see, that poured the water in the mouth that entered your body?

r. RIVERA. A marine. I did not know him. He kept it over my mouth.

r. KNOWLES. How long did they continue to pour this water?

r. RIVERA. Two minutes. They poured water in the funnel until I became unconscious. Then some minutes they poured again after I revived.

r. KNOWLES. How many times was that repeated?

r. RIVERA. I believe it was about three times.

r. KNOWLES. Why did they stop?

r. RIVERA. I don't know, because I suppose they did not wish to give me more.

Senator McCORMICK. Now, let me ask a question. He said, if I remember, there were two other companions taken at the time. Were they similarly treated?

r. KNOWLES. Yes, Senator; we have some here.

Senator McCORMICK. Does he know that fact? If so, let him testify.

r. KNOWLES. Were there any others that were taken to the camp or to that place that same day and treated in the same way as you were treated?

r. RIVERA. Yes.

r. KNOWLES. What happened to these men?

r. RIVERA. They threw water in the same way as I have stated.

r. KNOWLES. With what result?

r. RIVERA. I don't know, because I was taken about 20 or 30 meters away. I heard the movements.

r. KNOWLES. Do you know whether serious injury resulted to either of them?

r. RIVERA. I think they were injured.

Senator McCORMICK. Well, they are here, so they will testify.

r. KNOWLES. How long did they keep you at the stake there after they were shed?

r. RIVERA. I was tied by a rope around my neck to the trunk of a tree. At night I slept in the same state, with my right hand loose and the other hand tied.

Senator McCORMICK. It is needless to say that the other members of this committee share in the expressions of regret which was given by the chairman of the committee. Now, we will adjourn until 9 o'clock to-morrow morning.

Whereupon the committee adjourned until 9 o'clock a. m., December 14, 1911.)



# INQUIRY INTO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

DECEMBER 14, 1921.

UNITED STATES SENATE.  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO.  
*Santo Domingo City.*

The committee met pursuant to adjournment.

Present: Senators Jones and Pomerene. Messrs. Howe, Knowles, and Angell.  
Senator Pomerene presiding.

Senator POMERENE. Let me say, while the matter is in my mind, if I can, for the record, that the committee, as stated by the chairman yesterday, was very much distressed to hear about these cruelties which were perpetrated upon some of the Dominicans. The stay of the committee here is necessarily very short, because we are obliged to return to Washington. However, if any of the people of the Dominican Republic have any charges or evidence with regard to other cruelties which may have been perpetrated by the occupational forces, if they will present these charges and proofs to the governor of the Republic or send them to the committee at Washington, they will be examined to the very best of our ability. Neither the Government at Washington nor the occupying forces here will tolerate anything akin to cruelty when the fact becomes known.

Now, Mr. Knowles, I am going to suggest to you, out of deference to your own physical condition, that you keep your seat and do not overexert yourself, and if at any time you feel that you would like to have the committee suspend its hearing for a little while we shall be very glad to do it.

Mr. KNOWLES. Thank you, Senator. On Monday, Senators, I think it was, asked for permission to visit one of the prisoners in the city here, which I did, and interviewed him at some length. I would like very much to obtain for verification and as soon as possible the record of his case, Armando Cabral.

Senator POMERENE. Will you furnish the name to the stenographer, and, Commander, will you get that report if you can? And can you give the date of the court-martial proceedings?

Mr. KNOWLES. It has been very recent, within the last 30 days or 6 weeks.

Senator POMERENE. And where was the court-martial held?

Mr. KNOWLES. I think at Macoris; but at any rate, they have the record here with the prisoner, who is here in the fort.

Senator POMERENE. They would have the commitment, but whether they would have a record of it here, I am not prepared to say. I don't know.

Mr. KNOWLES. Another statement, Senator, we would like to have from the records of the military government, and that is the total amount that has been spent for medicinal supplies.

Mr. HOWE. Within what periods of time, Mr. Knowles? From the beginning of the occupation on?

Mr. KNOWLES. Yes; from the beginning of the occupation.

Senator POMERENE. I can anticipate it might take a little time to prepare that.

Mr. KNOWLES. As to the amount for all the medical supplies.

Mr. HOWE. Do you mean medical supplies for every marine and every sailor, or do you mean those which were supplied and charged to the funds of the Dominican Government?

Mr. KNOWLES. That is what I mean; yes. That was for the marines and on the ships—

Mr. HOWE. That would be charged to the United States Treasury, but you are interested in the amount charged to the Dominican funds.

Mr. KNOWLES. That is right.

Senator POMERENE. Do you desire simply a lump sum?

Mr. KNOWLES. Yes; that would be sufficient, but with particular reference to the vaccine points. If they could give me that vaccine points item first, the rest can come later.

Senator POMERENE. Very well. That will be furnished.

#### STATEMENT OF DR. ALEJANDRO CORADIN—Resumed.

Mr. KNOWLES. Dr. Coradin I failed yesterday to get some details relative to certain descriptions you made relative to the man in Hato Major named Jose Maria Rincon. I wish you to speak to the commission something particular about this man, who he was, how long he had lived in Hato Major, and the esteem with which he was held by the people.

Senator POMERENE. Is that the man who was shot?

Mr. KNOWLES. Yes; he was shot and dragged at the tail of a horse.

Dr. CORADIN. Jose Maria Rincon was a man 80 years old, generally esteemed due to his conduct as a good man. As stated yesterday, he was taken prisoner in the drug store in town by Mr. Perez, who was operating with the forces of the occupation.

Mr. KNOWLES. Do you mean operating or in charge of?

Dr. CORADIN. He was the lieutenant. There were other officers of high rank whom I did not know. Under the imputation or accusation that the medicine which had been prescribed for healing some skin disease was for dressing the wounds of the men in rebellion in the hills, of course—I add to-day to what I stated yesterday that this man was tied.

Mr. KNOWLES. I want to get this clear as to this point. You mean to say that the medicine that was found in his possession was intended to dress the wounds of his compatriots who were outside of the city and who may have been wounded in contact with the marines?

Dr. CORADIN. That was an accusation made by the forces of the occupation because the medicine was not intended for dressing the wounds of those men.

Mr. KNOWLES. What is that?

Dr. CORADIN. I state to-day and stated yesterday that the medicine was for healing a skin disease, and that the marines stated that it was for dressing wounds. That is what I said.

Senator POMERENE. Can you give the names of those marines who stated that?

Dr. CORADIN. I have said more than once that I don't know the marines. I know Mr. Perez.

Senator POMERENE. Let me ask a question. How long had you known this man Perez?

Dr. CORADIN. At that time.

Senator POMERENE. Only at that time?

Dr. CORADIN. Yes.

Senator POMERENE. Are you certain about his name? Do you know his first name?

Dr. CORADIN. No.

Senator POMERENE. Are you sure he was a marine, or did he belong to La Guardia?

Dr. CORADIN. He was a marine. He was with the marines and dressed like a marine.

Senator POMERENE. Explain to the witness that I am asking these questions so that we shall be able to identify this man. I am advised that there was a man by that name in the Marine Corps.

Dr. CORADIN. I have sworn.

Senator POMERENE. Well, I know, but you may be mistaken about the name or other people who informed you may be mistaken about the name. We want to identify him, and if we can find out who he is he will be prosecuted. That is all there is to it.

Mr. KNOWLES. Senator, may we ask how he found out the name?

Senator POMERENE. Yes. Now, maybe he can help. We want all the information which will lead to the identification of that man.

Mr. KNOWLES. I see what it is, Senator.

Senator POMERENE. Will you suspend a minute. I have some little information that may help to clear this thing up. Was there a military police force there at this place at that time?

Dr. CORADIN. Here is the chief of police. [Indicating a man in the room.]

Senator POMERENE. What is his name?

Mr. CORADIN. Jesus Vasquez.

Senator POMERENE. I have just been informed that this man Perez was a member of the police force of San Pedro de Macoris, and was not a member of the Guardia or the marines. Now, any information that they can get which will enable us to—I wish you would explain to him what I have said.

Mr. KNOWLES. I will.

Senator POMERENE. Any information they can get which will help to identify the man we would like to have.

Mr. KNOWLES. It seems, according to certain information furnished at this moment to the commission, that a man by the name of Perez was connected with the police service of Macoris, and it was that man, according to the information the Senators have received, that was the man—

Mr. HOWE. Oh, no; that was not the information that was received.

Senator POMERENE. Mr. Howe says he can make a brief statement that will carry that up. Let us have that.

Mr. HOWE. According to the information received by the committee from the military authorities there was at that time a man named Perez who was one of the policemen on the police force of San Pedro de Macoris. Some time ago the military authorities were informed by one, Mr. Caceras and by Archbishop Noel concerning the incident of the dragging of an old man through the streets at the tail of a horse. In connection with that information the date was not furnished, the name of the old man was not furnished, the name of the person accused of dragging him through these streets was not furnished. The only particular that was given was that the incident happened at Hato Major.

The time thorough investigation was made and the two informants were questioned for further particulars, which were not forthcoming, therefore the authorities were unable to find out whether or not such an incident had taken place. They were unable to find out who was responsible for it. Now, for the first time, as I understand it, is anyone in authority able to go on definite information and make an investigation of this matter. But it would be premature at this time to say that the Senate committee has received information about the man Perez, who was on the police force, was, in fact, the man who executed that Rincon be dragged through the streets or executed. But with this information now at hand and any further information which we may get from the witness, further investigation will be made and the results incorporated in the record.

Mr. CORADIN. The data just given is connected with a celebrated letter of Archbishop Noel to Mr. Russell, of which the American Senate has knowledge. I understand that this is a disagreeable matter for the honorable Senate commission, because had I been an American citizen I would feel ashamed of all those acts that have happened at Hato Major.

Senator POMERENE. All we ask is that you give us the information to help us identify this man, and it will be taken care of.

Mr. CORADIN. With regard to the fact that this man was a member of the police force of Macoris, I can not affirm that, but even if it was so, and even if Perez was a Chinaman, he was acting under the orders of the American forces.

Mr. KNOWLES. Who told you that the name of this man who was in charge of that force there, or that operation, was Perez?

Mr. CORADIN. I knew Perez in the drug store where old man Rincon had taken his prescription.

Mr. KNOWLES. Did this man that was in the drug store say that his name was Perez, or had you heard previous to this time that his name was Perez?

Mr. CORADIN. He stated that his name was Perez.

Senator POMERENE. That is, Perez himself?

Mr. KNOWLES. Perez himself stated that.

Senator POMERENE. Mr. Knowles, if you have any uncertainty about the identification, tell him to describe the man, whether he was a large man or a small man. His general appearance.

Mr. KNOWLES. Now, will you please describe, as near as you can, the appearance of the man, his approximate weight and height, whether he was a tall man or short man, a heavy man or a light man.

Mr. CORADIN. He was a tall man, and weighed about 160 pounds.

Senator JONES. What was his age?

Mr. CORADIN. A young man, somewhere between 35 and 40 years old.

Senator POMERENE. Dark or light?

Dr. CORADIN. White.

Senator POMERENE. Do you remember the color of his hair, or anything of that kind?

Dr. CORADIN. Brown hair.

Mr. KNOWLES. Have we sufficient on that point?

Senator POMERENE. Anything that you can get. You have conferred with him, and anything you can get to help identify that man we shall welcome.

Mr. KNOWLES. Will you describe a little more particularly, if you can, the kind of uniform he had on?

Dr. CORADIN. A marine uniform.

Mr. KNOWLES. Was he the man, Peralez, who was in charge of that detachment or body of men that operated in the city at that time?

Dr. CORADIN. No; as I stated yesterday, there were officers of higher rank.

Mr. KNOWLES. Were they present during all of the happenings that you have described?

Dr. CORADIN. Yes; there was a doctor, a captain, and another captain.

Senator JONES. Two captains?

Dr. CORADIN. Two captains and Lieutenant Peralez.

Senator JONES. Oh, Peralez was a lieutenant?

Dr. CORADIN. Yes.

Mr. KNOWLES. Was Rincon a strong man?

Dr. CORADIN. A man of 80 years old can not be a strong man.

Mr. KNOWLES. Was he taken out of the drug store?

Dr. CORADIN. Yes.

Mr. KNOWLES. And immediately the rope passed around him?

Dr. CORADIN. No; he was taken to the camp and then brought back to town.

Mr. KNOWLES. How far was the camp?

Dr. CORADIN. About 200 or 300 meters.

Mr. KNOWLES. Was the rope fastened to him in the camp?

Dr. CORADIN. I suppose so, because I remained in the drug store. When I came out I saw him being dragged through the streets.

Mr. KNOWLES. How soon after he was taken from the drug store did you see him dragged by the tail of the horse?

Dr. CORADIN. About 15 minutes.

Mr. KNOWLES. Can you say whether or not any trial of any kind or charges were made before anybody against the man?

Dr. CORADIN. I suppose accusations were made.

Mr. KNOWLES. When do you suppose they were made?

Dr. CORADIN. I suppose they were made the same day.

Mr. KNOWLES. Between the time he was arrested and the time he was dragged by the horse?

Dr. CORADIN. I can not assure you that, because I was with Rincon in the drug store. I don't know what happened on the street.

Mr. KNOWLES. Well, it was 15 minutes, so there could not be much done. In what manner and in what part of the city was he dragged?

Dr. CORADIN. I can not state in what part. I state through the streets of the town.

Mr. KNOWLES. In the presence of many or few people?

Dr. CORADIN. Of the whole town.

Mr. KNOWLES. How long a time, if you know, was he dragged about before the man who dragged him stopped?

Dr. CORADIN. The town is small, and you can go around it in 15 or 20 minutes on horseback.

Senator POMERENE. Let him tell there the population of the town.

Dr. CORADIN. About 500.

Senator POMERENE. Let me ask just a couple of questions there, if it is not interrupting you. I think you gave on yesterday, but I have forgotten, the date.

Dr. CORADIN. The 17th of February, 1917. I am not stating as to the exact date.

Senator POMERENE. Are you certain as to the year?

Dr. CORADIN. Yes.

Mr. KNOWLES. The month? February?

Senator POMERENE. Now, another matter. Did you make complaints to any of the authorities? And if so, to whom did you make complaint?

Dr. CORADIN. No; at that time I would have wished God to deliver me from doing such a thing.

tor POMERENE. Have you made any complaints since then or made any of this to any of the officers, either Dominican officers or American?

CORADIN. This is the first time.

KNOWLES. When they stopped where did they stop dragging him? At what point in the city?

CORADIN. Northwest part of the town.

KNOWLES. But in the city?

CORADIN. In the town.

tor JONES. What became of his body?

KNOWLES. State to the Senators exactly what happened when they were there with the man, and the condition in which he was.

CORADIN. It is easy to suppose the condition in which that old man must have been after having been dragged by the tail of a horse at full speed in the town. When Peralez stopped with him I can state that he was

KNOWLES. And then what happened?

CORADIN. And then Peralez shot him. And then with the same rope he took him and hung him from the branch of a tree.

KNOWLES. Was that in the presence of all the other marines?

CORADIN. A short distance from the camp.

KNOWLES. In sight of the incident?

CORADIN. Yes.

tor POMERENE. What became of the body?

CORADIN. It was buried.

KNOWLES. Where?

CORADIN. It was buried about 2 kilometers from the town. I suppose, among the marines.

tor POMERENE. Can you locate the grave?

KNOWLES. Or tell us how we can locate it?

CORADIN. Should the commission wish to visit Hato Mayor I could point out the man's grave.

tor POMERENE. Well, the commission can not, but this will be investigated and we are asking so that you could take any officer who wishes to go to the grave. They may want to do it.

tor JONES. In what direction from that town was the body buried?

CORADIN. In the northern direction.

tor JONES. Was his body buried in the public cemetery?

CORADIN. No.

tor JONES. Buried by the side of the road?

CORADIN. Yes.

tor JONES. How far from the road is the grave?

CORADIN. About 10 or 12 meters from the road. Near to Hato Mayor is a plain, and he was buried on the plain.

tor JONES. Is there anything there to mark the grave?

CORADIN. I don't know.

tor JONES. Have you personally seen the grave?

CORADIN. No.

tor JONES. Then you are not personally able to point out the grave?

CORADIN. But I can find some one who can point it out.

tor JONES. Who told you where it was?

CORADIN. There are no skyscrapers in Hato Mayor. There are small houses, so a man can easily see in the distance.

tor JONES. That does not answer my question. I asked who told you where that grave was located?

CORADIN. I saw from a distance when he was killed and the body was taken some distance from there and buried.

tor JONES. Oh, you saw it buried?

CORADIN. I saw when they were burying the body.

tor JONES. Didn't you state just a while ago that you had not seen that?

CORADIN. I stated a while ago that I had not seen the grave, but I can find persons who can tell you, who can take anyone to the spot.

tor JONES. I asked you to state who told you where the grave was located.

CORADIN. I saw when they were burying old man Rinson on the northern side of the town from a distance.

Senator JONES. How near the town was the grave? Was it the same town? Were you remaining in the same town where he was killed at the time he was buried?

Dr. CORADIN. Yes.

Senator JONES. And that is about 2 kilometers away?

Dr. CORADIN. Yes.

Senator JONES. Could you see that distance of 2 kilometers?

Dr. CORADIN. Right outside of town there was a plain, and it is about 5 kilometers across, and a man from one side could easily see a man on the other side.

Senator JONES. Are there trees on the other side of the plain?

Dr. CORADIN. Hills.

Senator JONES. Was he buried near those hills?

Dr. CORADIN. No. About half way between the town and the hills.

Senator JONES. And he is buried where he was killed?

Dr. CORADIN. No. I stated a while ago that he was not buried at the spot. A little farther away.

Senator JONES. How much farther away?

Dr. CORADIN. About 500 feet.

Senator JONES. Then he was killed about 500 feet from where he was buried?

Dr. CORADIN. Yes.

Senator JONES. Was he carried out on that plain where you could see him?

Dr. CORADIN. Yes.

Senator JONES. Where was the tree, then, to which he was hanged?

Dr. CORADIN. On the plain there; there is a tall tree which is on a small hill. Perhaps that is the only tree on the plain, so that you could see from town where he had been done to him.

Senator JONES. What kind of a tree is that?

Dr. CORADIN. I don't know.

Senator JONES. Is that tree there yet?

Dr. CORADIN. Yes.

Senator JONES. And he was buried about 500 meters from that tree?

Dr. CORADIN. More or less about.

Senator JONES. In what direction from that tree is he buried?

Dr. CORADIN. To the north.

Senator JONES. And near to a road leading north from that tree?

Dr. CORADIN. There are many roads on the plain.

Senator JONES. Have you ever been to that grave?

Dr. CORADIN. No.

Senator POMERENE. I want to make a statement to you. If you do not hear of any other evidence which would help the authorities to locate the man or identify this man Peralez, whom you charge with this offense, the committee will be obliged to you if you will immediately give that information to the governor or other members of his staff.

Dr. CORADIN. All right.

#### STATEMENT OF MR. LUIS BAUTISTA, OF HATO MAYOR.

Mr. KNOWLES. What is your name?

Mr. BAUTISTA. Luis Bautista.

Mr. KNOWLES. Where were you born?

Mr. BAUTISTA. In the city of Santo Domingo.

Mr. KNOWLES. Have you lived continuously in this country since then?

Mr. BAUTISTA. Yes. I have left the city for a short time.

Mr. KNOWLES. Where do you reside at present?

Mr. BAUTISTA. In the town of Hato Mayor.

Mr. KNOWLES. I understand that you can give some information to the committee.

Senator POMERENE. Before you go to that find out what his employment is, whether or not he is in any way engaged with La Guardia, or anything of that kind.

Mr. KNOWLES. What is your present occupation?

Mr. BAUTISTA. I was released from prison 15 days ago, and I have tried to set my property in order, which was burned by the forces of the occupation.

Mr. KNOWLES. How long were you in prison?

Mr. BAUTISTA. Ten months and 11 days.

Mr. KNOWLES. For what were you in prison?

Mr. BAUTISTA. I am going to state briefly—

Mr. KNOWLES. Where were you in prison?

Mr. BAUTISTA. In the prison at San Pedro de Macoris.

Mr. KNOWLES. How far from that is the town in which you reside?

Mr. BAUTISTA. About 38 kilometers.

Mr. KNOWLES. Now proceed with the description as to the cause of your imprisonment.

Mr. BAUTISTA. On the night of the 26th of December, 1920, a group of marines of the forces of occupation burned my property. Those properties were composed of a house in which I was doing business and the house in which I resided. On the same date, the 26th of December, I was not present, but the man in charge of the establishment was there.

Senator POMERENE. Where were you?

Mr. BAUTISTA. I was in the town of Hato Mayor. The governor opened an investigation in connection with the burning of my properties, and after studying the case and finding it necessary to take the matter up with the high governmental functionaries I came into the city for that purpose. On arriving here—

Senator POMERENE. When did you arrive here?

Mr. BAUTISTA. On the 30th of December, 1920; several newspaper reporters asked me to give them the date for publication, in spite of the fact that I had made a brief statement which I sent to the *Liston Diario* to have it published in the columns of that paper. On my arrival here I asked some confidential friends to introduce me to the military governor, which I succeeded in having them do. When it appears that the publication of that data was prejudicial to my cause, because after having visited the military governor and having put off my case for later on it happened that on my return to San Pedro de Macoris I was imprisoned. The marines who burned were sentenced to suffer imprisonment. After having been sentenced I was accused by the same marines in their condition as prisoners of having sold liquor on the morning of the 28th. After that I was brought to trial. You may judge of my surprise when the same marines who had burned my house had contributed to rob me of the only thing that remained with which to attend to my family, and that was my liberty. That court—

Senator POMERENE. What court?

Mr. BAUTISTA. The court of San Pedro de Macoris; that court in all its severity—

Senator JONES. Was it a military court?

Mr. BAUTISTA. A military court—sentenced me to pay the sum of \$3,000 United States currency, under pretext of having violated the Executive order relating to same.

Mr. KNOWLES. What do you mean by "the same"?

Mr. BAUTISTA. The sale of liquor. In spite of having proved to the court that I had not sold any liquor on that day. At that time Rear Admiral Snowden was relieved by Rear Admiral S. S. Robison. In sending my deposition to Gov. Robison demanding justice, which I considered I should have, the only answer I got was that my request had been denied.

I now invite the honorable Senate commission of the United States if they consider it just, after they are in the United States, to reconsider my case, in order that they may find out exactly the defense which I presented during the seven days through which my case lasted, in which I proved to the military court that I had not sold liquor to the marines.

Senator JONES. You were seven days in the trial of the case?

Mr. BAUTISTA. Yes; the case lasted seven days. That same night the same marines burned four other commercial establishments in the same town. Only one family house was burned by the marines, which shows that the marines attacked the commercial establishments only because they refused to sell them liquor.

Senator JONES. Did the commercial houses have the liquor?

Mr. BAUTISTA. On Christmas eve I had taken about \$3,000 worth of liquor to my establishment.

Senator JONES. For what purpose did you take it there?

Mr. BAUTISTA. Because it is the custom to celebrate Christmas.

Senator JONES. Do you usually spend \$3,000 for liquor for the purpose of celebrating Christmas?

Mr. BAUTISTA. Not only for Christmas celebration, but for sale in general.

Mr. KNOWLES. Was your business that of a merchant in liquor?

Mr. BAUTISTA. General provisions, dry goods, provisions, etc.

Senator POMERENE. A general store?

Mr. BAUTISTA. A general store.

Mr. KNOWLES. You have a license or permission to conduct such a store?

Mr. BAUTISTA. Yes.

Mr. KNOWLES. Was anyone injured at the time of the burning of these houses?

Mr. BAUTISTA. No; but the marines that night after setting fire to the houses prevented anyone extinguishing the fire; the 16 who took part in that witness fired shots until the house was burned to prevent anyone extinguishing the fire.

Before closing, I request the honorable Senate commission to guarantee for myself but for my companions who have come in to declare, because remember that my complaint to the military governor was the cause of imprisonment; and I don't wish, after having left prison recently, to be imprisoned again for the statement which I have just made.

Mr. KNOWLES. Does the Senator understand?

Senator JONES. Assure him he will not be.

The INTERPRETER. He thanks you.

Mr. KNOWLES. I wish that that observation might imply to others who were before the commission. One or two have hesitated because they feared consequences. I told them if they would come there would be the best protection they could have against any recourse against them after their testimony.

Senator POMERENE. We assume that any witness who is presented before this committee comes to tell the truth, and the committee will see that they are protected. I am quite sure that none of the military officers, either here on this island or in Washington, and representing the American people, have any intention whatsoever of interfering with or trying to intimidate any witness who comes before it. What we want is to know the truth; and, in the language of the oath which was administered, we want not only the truth, but the whole truth and nothing but the truth, and any witness thus testifying will be protected to the utmost of the power of the Government of the United States and of the military authorities.

Mr. KNOWLES. Will you state any other events or happenings?

Mr. BAUTISTA. Anything that is in my knowledge I am ready to state.

Mr. KNOWLES. Do you know, of your own knowledge, of any other attacks which occurred in your city?

Mr. BAUTISTA. The crime committed on the person of Cipriano Alarcón.

Mr. KNOWLES. Is he present here?

Mr. BAUTISTA. No; he died. He was killed.

Senator POMERENE. Is that the old man?

Mr. KNOWLES. No; another man, Senator.

Senator POMERENE. Let him give all the details of the crime.

Mr. KNOWLES. State who this man was, the date of the incident you are about to relate to the commission, and all of the things, and nothing but the things actually witnessed yourself.

Mr. BAUTISTA. Mr. Cipriano Alarcón was the man who lived by his work; after noon on which the offense took place the people were summoned by Mr. Merckle for a meeting. After the people were gathered there—

Senator POMERENE. How do you fix the date of that meeting?

Mr. BAUTISTA. The 24th of August, 1918. He addressed them in the following manner: "I have gathered you together to tell you that I intend in the most efficacious manner to have you tell me the persons who are accomplices of bandits in this town." The majority of the people replied that "If it is true there are bandits in the community of Hato Mayor we, the men who devote our time to work only, could not select the bandits, because we have proved to the officers of the occupation once again that we, the inhabitants of Hato Mayor have used every effort to prevent there being malefactors around the town." After this speech he himself separated a group of citizens—

Senator POMERENE. That is, the captain?

Mr. BAUTISTA. Capt. Merckle, which he asked: "Are you a bandit?" and replied, "I have my home and family here. How could I be a bandit?" and in that state of things he made use of his revolver and fired two shots in the air. Of course, the people were scared at what happened before—

Mr. KNOWLES. What do you mean by that?

Senator POMERENE. He means the speech, I suppose.

Mr. KNOWLES. What do you mean by that?

Mr. BAUTISTA. The outrages and killings. Some ran away. Then, as a result the shot fired there was some wounded—

Mr. KNOWLES. Fired by whom?

Mr. BAUTISTA. By Capt. Merckle. Later on he went to the house of Cipriano Alarcon, and when about 3 meters from the house—he was standing in front his house—

Senator POMERENE. That is, he means by "he" the witness?

Mr. BAUTISTA. Cipriano Alarcon was standing in front of his house. Capt. Merckle asked—

Senator POMERENE. Did you hear this yourself?

Mr. BAUTISTA. Yes; I was standing a short distance away.

Mr. KNOWLES. In reply to the question of Capt. Merckle, "What are you doing re?" his answer was what?

Mr. BAUTISTA. "I am standing at the door of my house." Then he drew his revolver and fired a shot at him, which shot caused his death. About five minutes after Dr. Coradin was called in my presence by Capt. Merckle. He told him, "Can you do anything for this man?" Dr. Coradin replied, "I can do nothing for him, because he is dying." That is all I know.

Senator POMERENE. You heard afterwards, did you not, that the military governor issued papers for the arrest of Capt. Merckle, and that he committed suicide?

Mr. BAUTISTA. I did not only hear that, but Col. Thorpe, in prison, told me so.

Mr. KNOWLES. Was Capt. Merckle alone or were there other men—marines or soldiers—with him?

Mr. BAUTISTA. A group of marines were behind him.

Mr. KNOWLES. How near to him during all these incidents?

Mr. BAUTISTA. About 8 or 10 paces.

Senator POMERENE. How many marines?

Mr. BAUTISTA. I can not state.

Senator POMERENE. About how many?

Mr. BAUTISTA. About six or eight.

Mr. KNOWLES. Were any of them in uniform of officers?

Mr. BAUTISTA. No, sir; Capt. Merckle was the only officer.

Mr. KNOWLES. Of your own knowledge do you know whether any of the liquor was in these houses—

Senator POMERENE. Will you pardon me just to make this remark. Do you know any of these marines who were with Capt. Merckle?

Mr. BAUTISTA. I might know them by sight. I don't really know.

Mr. KNOWLES. Do you know of your own knowledge whether or not the marines, on the occasion of the burning of those houses on Christmas Eve, took any of the liquor that was in yours or the other houses?

Mr. BAUTISTA. I am going to state something in connection with that. On leaving my house the marines went to the employees of the commercial establishments, requesting them to sell them liquor.

Senator POMERENE. Let me suggest this: That won't help us very much.

Mr. KNOWLES. I know. I have not the slightest idea of what answer he is going to give to my questions.

Senator POMERENE. But he leaves us all in the dark about the matter unless we can get the particulars.

Mr. KNOWLES. Suppose we get that in now. What is the name of the business man that they went to?

Senator POMERENE. Did the witness go with the marines to that man? Was he present when the conversation occurred?

Mr. BAUTISTA. No, sir. I got to know this through the investigation opened up by the Government after this thing had happened.

Mr. KNOWLES. Were you present at the hearings when the investigation was made?

Mr. BAUTISTA. Yes.

Mr. KNOWLES. Is what you are saying now the sworn testimony you heard in that court?

Mr. BAUTISTA. Yes.

Senator POMERENE. I presume that testimony is all available, is it not?

Mr. KNOWLES. I suppose so, Senator.

Senator POMERENE. Then I don't believe I would take up time.

Mr. KNOWLES. I think it would be well for us to ask for the record of that case that he refers to.

Senator POMERENE. Give a memorandum of it, and we will try to get it.  
Mr. KNOWLES. Will you tell us where and about when that trial took place?  
The INTERPRETER. He does not understand.

Mr. KNOWLES. Yes; he does. He says on the 27th they opened an investigation. How soon after the firing of the houses, about, did the investigation take place?

Mr. BAUTISTA. Twenty-four hours after.

Mr. KNOWLES. Where was the investigation held?

Mr. BAUTISTA. In the camp, which is about 500 meters from town.

Mr. KNOWLES. Were you present at the hearing?

Mr. BAUTISTA. Yes.

Mr. KNOWLES. Who presided at that investigation?

Mr. BAUTISTA. I don't know his name.

Mr. KNOWLES. Was he an officer of the marines?

Mr. BAUTISTA. Yes.

Mr. KNOWLES. One or more—was there one or more that sat in court?

Mr. BAUTISTA. The major in charge of the forces there. The officer in charge of the detachment in Guajabo Dulce, that burned the houses. There were five officers.

Mr. KNOWLES. I think I will identify it, Senator, as about the end of 1920 or 25th of December, 1920.

Do you know anything of your own knowledge in respect to the taking of liquor from either your own house or other houses that were burned on that occasion?

Mr. BAUTISTA. They took liquor from all of these places.

Mr. KNOWLES. Did they take it from your place?

Mr. BAUTISTA. Yes; from my place and from other places, too.

Mr. KNOWLES. How much from your place did they take, more or less, in quantity and value?

Mr. BAUTISTA. It is very difficult to state. What they couldn't drink broke.

Senator POMERENE. They did not carry any away?

Mr. BAUTISTA. I can not state.

Mr. KNOWLES. I wish to say, merely for the purpose of letting the court have an idea as to the credibility and proof of this testimony, that I have been informed that 16 courts-martial, or perhaps more, were held immediately after this incident as the result of this investigation.

Senator POMERENE. And after he made complaint?

Mr. KNOWLES. I don't know whether it was after or not.

Senator POMERENE. The commander advises me that he made the statement that the investigation began 24 hours after he had made complaint.

Mr. KNOWLES. What was the sentence imposed upon you when you were arrested after having given the information to the newspapers there?

Mr. BAUTISTA. To pay a fine of \$3,000, which was later on reduced to \$500.

Mr. KNOWLES. Any imprisonment?

Mr. BAUTISTA. No; but as I had not the wherewithal to pay I remained 11 months and 11 days in prison, because all that I had was destroyed in the burning.

Mr. KNOWLES. How were you able at last to get the \$500 to secure your release?

Mr. BAUTISTA. I proposed to the court, based on the promises made to me, that they take over my losses, which amounted to \$700. They refused to release me, because I was a young man and could work again. That proposal was not accepted.

Mr. KNOWLES. And, then, how at last did you give the \$500?

Mr. BAUTISTA. I didn't get it, and remained 11 months in prison, working hard labor, with commutation at \$2 a day.

Mr. KNOWLES. And it was with that hard labor that you were able to secure your release?

Mr. BAUTISTA. I was released after having finished my sentence.

Mr. KNOWLES. How many marines were present at the burning of your other houses?

Mr. BAUTISTA. There were about 30 marines in camp, and these were present at the incident—and my employee pointed out or selected those who went to oblige him to sell them liquor, and as they could not get him to sell them, they went in and took all they wanted.

Mr. KNOWLES. In what manner did they set fire to the houses?

Mr. BAUTISTA. I can not state, but, as I was told by my employee, they set fire to a little hillock and opened a box of petroleum and set it on fire.

and they used an axe to break open the doors and set fire, and they acted the same way at other places.

Mr. KNOWLES. Was there any act of rebellion of any kind, or resistance of any kind, made by the people of the town when that was done?

Mr. BAUTISTA. No, no, no. There was no encounter at all. Only the thirst for liquor.

Senator POMERENE. Let me ask a question to clear up a matter that is in my mind: Was this burning before or after you and your employee had refused to sell liquor to the marines?

Mr. BAUTISTA. After.

Senator POMERENE. Mr. Knowles, in view of the statement that was made a little while ago, I am now advised that there were 24 courts-martial coming out of this incident of which you speak; there were 13 convictions and 9 acquittals, and 2 are not yet tried, and the sentences run as high as one five years' imprisonment.

Mr. KNOWLES. Will you not, for the benefit of the commission, who is trying to give enlightenment to the people on all these matters, make that statement so these people may know?

Senator POMERENE. Just repeat that statement, so that they may understand.

Mr. KNOWLES. And where are those men who were sentenced to imprisonment? Please let the people know they are actually in prison.

Senator POMERENE. I am advised that these marines who were sentenced were transported to the United States and are now serving time in the penitentiary in the United States. Capt. Howe furnishes me here with a memorandum showing in detail the disposition of each of these cases, and I will incorporate it at its point for the record.

Mr. HOWE. I produce the record in that case for the committee, with, however, a remark that final action on this case has not yet been taken by the military governor, who is considering it.

Senator POMERENE. With that understanding, do you desire it in the record?

Mr. HOWE. I will make the suggestion that as these papers are needed by the military governor for the consideration of this case they be admitted in such form that they be immediately available for the military governor.

Senator JONES. Moreover, I suggest the impropriety of going into a case which is under consideration by the military authorities.

Senator POMERENE. There may be truth in that; but I think so far as the record has been made that Mr. Knowles has the right to investigate that. I suggest, however, that it be not formally introduced in the record, and that you can look it over at your leisure. We will not stop now, but you can look over it at your leisure, and if there are any special matters in it that you wish to all to the attention of the committee, the committee will be very glad to hear that, unless there is some special objection that I know nothing about.

Mr. KNOWLES. There were two arrests. This, I presume, is the latter one in his case, and this young man was arrested twice for the same offense; that I wish him personally to state to the committee.

Senator JONES. I think that would be highly improper, Mr. Knowles, to bring up here at this time any case which is under consideration by the military authorities. After a case is disposed of, if counsel sees anything wrong about it will be glad to consider it then.

Mr. KNOWLES. But as to the case that was disposed of and he was sentenced and imprisoned and served his time?

Senator JONES. That is all right.

Senator POMERENE. There is no objection to that, I presume.

Mr. HOWE. If this record does not disclose those facts, if Mr. Knowles will furnish the committee with the approximate date of the earlier conviction—it was a conviction was it not, and was not an arrest; it was more than an arrest?

Mr. BAUTISTA. I only know that the man told me that he was imprisoned. Whether there was any conviction or not, I don't know; any trial or not, I don't know.

Mr. KNOWLES. About when?

Mr. BAUTISTA. Some time during the present year, and so I simply let the young man state under oath when he was arrested; for what, so far as he knows; that he was arrested; and how long he was in prison. I don't know, as I said—

Senator POMERENE. Well, counsel, of course, will understand me when I say, in regard to a matter of this kind, he may have honestly had the idea that he was arrested for one thing and, in fact, been arrested for another. And, of course,

whatever the record is that is the best evidence, and if you will look into a little further there will be no trouble.

Mr. KNOWLES. Yes; if it shows it was all the same case, then we will bring it to the committee.

Senator POMERENE. I suggest that you defer that.

Mr. KNOWLES. I have asked Mr. Angell to examine the record.

Senator POMERENE. Very well, we will get along with that all right.

Mr. KNOWLES. The witness wishes to say one word or two more. I think will be wiser to let him say it.

Mr. BAUTISTA. My aspiration is not for the Senators to try and repair material damages, but as every young man needs only liberty and action to prosper I at this time join my weighty protest against the intervention, with the hope that the honorable commission of the United States will be successful in the projects formed for the speedy restoration of our sovereignty. That is all.

Senator POMERENE. Mr. Knowles, I think we will recess for five minutes. (A recess of five minutes was here taken.)

#### STATEMENT OF MR. JESUS M. VASQUEZ.

Mr. KNOWLES. What is your name?

Mr. JESUS VASQUEZ. Jesus M. Vasquez.

Mr. KNOWLES. Where do you reside?

Mr. VASQUEZ. Hato Major.

Mr. KNOWLES. Where were you born?

Mr. VASQUEZ. In the town of Los Llanos.

Mr. KNOWLES. Where is that place located in respect to your present residence?

Mr. VASQUEZ. It is in the Province of Macoris.

Mr. KNOWLES. How far from Hato Major?

Mr. VASQUEZ. About 18 leagues.

Mr. KNOWLES. Have you always resided in the Province of Macoris?

Mr. VASQUEZ. No.

Mr. KNOWLES. How long have you resided there prior to the present time?

Mr. VASQUEZ. About 20 years.

Mr. KNOWLES. Continuously up to the present date?

Mr. VASQUEZ. No.

Mr. KNOWLES. How far back from the present date have you resided there?

Mr. VASQUEZ. My residence is in Hato Major.

Mr. KNOWLES. You mean in Hato Major?

Mr. VASQUEZ. Thirteen years.

Mr. KNOWLES. What is your occupation?

Mr. VASQUEZ. Silversmith.

Mr. KNOWLES. Did you ever occupy any official position in your town?

Mr. VASQUEZ. Chief of municipal police.

Mr. KNOWLES. When and for what period?

Mr. VASQUEZ. From the year 1915 to the year 1919.

Mr. KNOWLES. Will you please state to the committee any incidents which you have personally witnessed and which have not been reported to you?

Mr. VASQUEZ. I am going to disclose here as to what I saw personally in connection with the crime on Agapito Jose, a merchant in Hato Major.

Senator POMERENE. That is his home city?

Mr. VASQUEZ. Yes. On the 14th of April, 1918, Capt. Merckle and four marines came out and took Agapito Jose prisoner. After having taken him prisoner they took him out of town tied. Three days after they returned to town with him.

Senator POMERENE. Does he mean by "they" this same captain and four marines?

Mr. VASQUEZ. The captain and eight marines. They went to the camp about 20 minutes past eight that night, a group of six marines went out with him Maj. Taylor and Capt. Merckle armed with carbines and rifles, and at about 50 meters from the camp in the center of the town a volley was fired at Agapito Jose who was killed instantly. Then Maj. Taylor took a dagger and driving it into his throat slashed him down to the abdomen, from the neck to the abdomen. Maj. Taylor called me immediately to take away the body, and I and two policemen took it and went to bury it wrapped in a blanket. He told me that he had killed that man.

Mr. KNOWLES. Who told you?

Mr. VASQUEZ. Maj. Taylor told me that he had killed that man because he was a bandit.

Mr. KNOWLES. Who was this man?

Mr. VASQUEZ. A Syrian.

Mr. KNOWLES. A business man in the town?

Mr. VASQUEZ. Yes.

Mr. KNOWLES. How long had he resided there?

Mr. VASQUEZ. Thirteen or fourteen years.

Mr. KNOWLES. What was the opinion of the people of the town about him?

Mr. VASQUEZ. That he was a good man, a hard working man.

Mr. KNOWLES. As chief of the police, do you know whether he was ever guilty of any offenses against his neighbors?

Mr. VASQUEZ. None.

Mr. KNOWLES. Did he ever of your knowledge, or was any charge ever made to you as chief of police, that he had ever committed any act against any of the marines, and especially Maj. Taylor?

Mr. VASQUEZ. to my knowledge none.

Mr. KNOWLES. Can you tell us of any other incidents?

Mr. VASQUEZ. Only that.

Senator POMERENE. Let me ask you. You said the first day that Capt. Merckle and these marines took this man.

Mr. VASQUEZ. Yes.

Senator POMERENE. Was Maj. Taylor with them when they took him out?

Mr. VASQUEZ. When they fired the volley at him Maj. Taylor was there, but when they took him prisoner Maj. Taylor was not there.

Senator POMERENE. This you say occurred April 14, 1918? You were chief of police at that time?

Mr. VASQUEZ. Yes.

Senator POMERENE. Did you make any report of this killing to the Dominican authorities or to any of the military authorities on the Island?

Mr. VASQUEZ. None.

Senator POMERENE. Have you made no report at any time.

Mr. VASQUEZ. Only now.

Senator POMERENE. Can you give the names of any other witnesses to this killing?

Mr. VASQUEZ. Yes; Regla Moto.

Senator POMERENE. Where does he live?

Mr. VASQUEZ. In Hato Major.

Senator POMERENE. Does he live there now?

Mr. VASQUEZ. He is at present in Consuelo. That is a sugar plantation.

Senator POMERENE. Now, give the names of any other witnesses and where they can be found.

Mr. VASQUEZ. Felipe Meris Pacheco. He was in Hato Major. I don't know if he is still there.

Senator POMERENE. Any other men or women?

Mr. VASQUEZ. We were the only persons at that time. We, the policemen, because we were ordered to do so.

Senator JONES. What were the names of the other policemen?

Mr. VASQUEZ. The two just mentioned.

Senator POMERENE. Did you see this firing that killed this old man?

Mr. VASQUEZ. Yes.

Senator POMERENE. Did you hear the order given to fire?

Mr. VASQUEZ. I didn't hear the order.

Senator POMERENE. You know who gave the order?

Mr. VASQUEZ. I don't know which of the two officers did.

Senator POMERENE. Are you sure that it was Maj. Taylor who told you to take this man and bury him, and not Capt. Merckle?

Mr. VASQUEZ. Maj. Taylor.

Senator POMERENE. I desire to say that I am informed that this is the first information that the military authorities have had connecting Maj. Taylor with this offense, and as I understand it, this is the first knowledge that the authorities have had of the killing of the man, and it will be most vigorously investigated.

Senator JONES. Where did you bury this man?

Mr. VASQUEZ. In the cemetery at Hato Mayor.

Senator JONES. Who was present at the time he was buried?

Mr. VASQUEZ. The two policemen.

Senator JONES. Did he have a family in town?

Mr. VASQUEZ. No; he had a nephew out of town.

Senator JONES. In what part of the town did the shooting occur—were the shots fired that killed Jose?

Mr. VASQUEZ. In the middle of the town, on a street called Mercedes.

Senator JONES. Were there houses all along that street?

Mr. VASQUEZ. There are several.

Senator JONES. Were there people living in them at the time?

Mr. VASQUEZ. Yes.

Senator JONES. Did they all see the shots fired?

Mr. VASQUEZ. The houses were all closed, because the people were all asleep.

Senator JONES. Did they put Jose up by the side of a house and fire at him? Were several shots fired at him?

Mr. VASQUEZ. In the middle of the street.

Senator JONES. And how many shots were fired?

Mr. VASQUEZ. I saw six rifles.

Senator JONES. Do you think that all of those six rifles were fired?

Mr. VASQUEZ. I don't know. I heard the volley. I was behind.

Senator JONES. You could not see it then?

Mr. VASQUEZ. See what?

Senator JONES. See the shots fired.

Senator POMERENE. The flash.

Mr. VASQUEZ. The night was very dark.

Senator POMERENE. How far away were you?

Mr. VASQUEZ. About 5 or 6 meters.

Senator JONES. Well, if you were only 5 or 6 meters away you would know whether all of those guns were fired or not, couldn't you?

Mr. VASQUEZ. No. I only heard the volley. I can not state whether all fired.

Senator JONES. Were there several fired?

Mr. VASQUEZ. Yes.

Senator JONES. Was Maj. Taylor there at that time?

Mr. VASQUEZ. He was at the head.

Senator JONES. And you were standing 5 or 6 meters away?

Mr. VASQUEZ. Yes.

Senator JONES. And Maj. Taylor then turned to you and told you to bury the body, did he?

Mr. VASQUEZ. Yes; immediately.

Senator JONES. Did you go up to where the body was and where Maj. Taylor was, or did Maj. Taylor go to where you were?

Mr. VASQUEZ. I went up to them.

Senator JONES. How far was Jose from those men who fired the shots at the time the shots were fired?

Mr. VASQUEZ. About 3 or 4 meters at the most.

Senator JONES. Did Jose have a rope around him at that time?

Mr. VASQUEZ. None. He was loose.

Senator JONES. In what way was he brought up to that point?

Mr. VASQUEZ. They told him to keep on and they followed him.

Senator JONES. As they came into town Jose was in front of these men?

Mr. VASQUEZ. They left their camp in Father Pena's house in which Company 52 was quartered.

Senator JONES. How far is that away from the place where this man Jose was shot?

Mr. VASQUEZ. About 15 meters.

Senator JONES. Just near by?

Mr. VASQUEZ. Very near.

Senator JONES. Was this company of marines quartered right there in the town?

Mr. VASQUEZ. Right in the town in Father Pena's house.

Senator JONES. Where were you when they left Father Pena's house with Jose?

Mr. VASQUEZ. I was at one corner of the camp.

Senator JONES. These other two policemen were there with you?

Mr. VASQUEZ. Yes; they were with me that night.

Senator JONES. And they saw them bring Jose out of Father Pena's house to the street?

Mr. VASQUEZ. Yes.

Senator JONES. Who is Father Pena? Where does he live now?

Mr. VASQUEZ. He is the priest of that town. He lives in Hato Major.

Senator JONES. Where was he that night?

Mr. VASQUEZ. He was in El Selbo.

Senator JONES. What time of the night was this—did this killing of Jose. . .

Mr. VASQUEZ. Twenty minutes past 8.

Senator JONES. And it was a very dark night?

Mr. VASQUEZ. Pretty dark.

Senator JONES. The moon was not shining that night?

Mr. VASQUEZ. No.

Senator JONES. Was it a cloudy night?

Mr. VASQUEZ. No. You know in places where there are no street lamps it is

Senator JONES. Did you see Maj. Taylor take his dagger and mutilate the

Senator JONES. He did that after he had asked you to take the body and

Senator JONES. Did you take the dagger also?

Mr. VASQUEZ. It was buried with the man's body.

Senator JONES. What kind of a dagger was that?

Mr. VASQUEZ. A short dagger resembling a knife with a hilt and a black

Senator JONES. What sort of a blade did it have?

Mr. VASQUEZ. A blade about an inch wide.

Senator JONES. How long?

Mr. VASQUEZ. About 5 inches.

Senator JONES. Did the major have a scabbard in which he carried that

Senator JONES. And after mutilating the body with that dagger, he left the

Senator JONES. Yes.

Senator JONES. And you did that?

Mr. VASQUEZ. I carried out the orders he gave me.

Senator JONES. And that dagger is buried there with the body?

Mr. VASQUEZ. Yes.

Senator JONES. And buried in the public cemetery of that town?

Mr. VASQUEZ. Yes.

Senator JONES. Can you locate that grave now?

Mr. VASQUEZ. I can.

Senator JONES. Did you and your two policemen dig the grave?

Mr. VASQUEZ. We did.

Senator JONES. How deep did you dig the grave?

Mr. VASQUEZ. Between 2½ and 3 feet.

Senator JONES. Where did you get the blanket in which to bury the body?

Mr. VASQUEZ. I knocked at the door of a commercial establishment, Mr.

Senator JONES. How much did you pay for that blanket?

Mr. VASQUEZ. I went on the following day to pay him and he would not

Senator JONES. What is the name of the man who donated the blanket?

Mr. VASQUEZ. Pedro Rosa.

Senator JONES. Where is he now?

Mr. VASQUEZ. In Hato Major.

Senator JONES. Is he still a merchant there?

Mr. VASQUEZ. Yes.

Senator JONES. Was this body buried near some other grave?

Mr. VASQUEZ. Near to several others.

Senator JONES. Whose?

Mr. VASQUEZ. I don't know, for at that time persons were buried privately.

Senator POMERENE. Just a question or two. Was Maj. Taylor in command of La Guardia at that time, or the marines?

Mr. VASQUEZ. At that moment he was not commanding La Guardia. He was with the Fifty-second Company of marines.

Senator POMERENE. Did he have the uniform of the marines on?

Mr. VASQUEZ. Yes; a major's uniform.

Senator POMERENE. Now, are you certain that the men who fired the shot that killed this man were marines, or were they members of La Guardia?

Mr. VASQUEZ. I only saw marines.

Senator POMERENE. Do you know the names of any of these marines?

Mr. VASQUEZ. I don't know any. I only know the captain. I know him.

Senator POMERENE. Would you be able to identify any of these marines whom you were to see them?

Mr. VASQUEZ. I can not state with certainty.

Senator POMERENE. What was Maj. Taylor's first name?

Mr. VASQUEZ. I only knew him as Maj. Taylor.

Senator POMERENE. How long had you known him?

Mr. VASQUEZ. Four or five months.

Senator POMERENE. And how long had you known Capt. Mercier?

Mr. VASQUEZ. Ever since he came to Hato Major. In June or July, before he took charge.

Senator POMERENE. Can you give the names of any other witnesses killing than those you have already given?

Mr. VASQUEZ. Only the policemen, because the people were in such state at that time that at 7 o'clock at night they were all closed up in their houses.

Senator POMERENE. Now, will you say to this witness that if he can at future time discover the names of any witnesses who may know about the facts concerning which he has testified before this commission, will he give those names to the governor general or to other officers of the American army here on the island?

Mr. VASQUEZ. Should I hear or know of any I will.

Mr. KNOWLES. Or forward to the—

Senator POMERENE. Yes. It will save time if he will give them here, you willing to assist the officers in the investigation of this matter further.

Mr. VASQUEZ. Yes; I promise to help in any way.

Senator POMERENE. We shall be obliged to you if you will give them help in your power.

Mr. VASQUEZ. Everything that comes to my knowledge, I will let you know.

Senator POMERENE. And do it very promptly. As soon as you get it the information to the officers.

Senator JONES. How far from the town is the cemetery where Jose was buried?

Mr. VASQUEZ. At present it is about 18 or 20 meters.

Senator JONES. Just nearby where he was shot then?

Mr. VASQUEZ. Not very near, because the town is much bigger to-day than it was at that time.

Senator JONES. How far from the place where he was shot is it to the place where he was buried?

Mr. VASQUEZ. About 200 meters.

Mr. KNOWLES. Will you please state to the commission what was the reason that you waited until now that the commission is here to give information to this act?

Mr. VASQUEZ. Because at that time we did not dare speak the truth. For one who made any statement was punished.

Mr. KNOWLES. I had not the slightest idea of what his answer would be to that question.

Senator JONES. Did you and the two policemen alone carry the body to where it was killed to the place of burial?

Mr. VASQUEZ. Yes.

Mr. KNOWLES. Was Jose a man of family?

Mr. VASQUEZ. He had a nephew who was not in town.

Senator JONES. Where is that nephew now?

Mr. VASQUEZ. In Macoris.

Senator JONES. How old is he?  
 Mr. VASQUEZ. About 33 years old.  
 Senator JONES. What was he doing there?  
 Mr. VASQUEZ. He was working.  
 Senator JONES. What's his name?  
 Mr. VASQUEZ. Isaias Jose.  
 Mr. KNOWLES. How old a man was Jose, the one that was killed?  
 Mr. VASQUEZ. He was between 42 and 45 years old.

# STATEMENT OF MR. EMILIO SUAREZ, HATO MAJOR.

Mr. KNOWLES. What's your name?  
 Mr. SUAREZ. Emilio Suarez.  
 Mr. KNOWLES. Where do you reside?  
 Mr. SUAREZ. In Hato Major.  
 Mr. KNOWLES. Where were you born?  
 Mr. SUAREZ. In Macoris.  
 Mr. KNOWLES. What is your occupation?  
 Mr. SUAREZ. I am a merchant and farmer.  
 Mr. KNOWLES. How long have you lived and conducted business in Macoris?  
 Mr. SUAREZ. I have not lived in Macoris for a long time.  
 Mr. KNOWLES. How long?  
 Mr. SUAREZ. For two years after my birth.  
 Mr. KNOWLES. Do you reside there now?  
 Mr. SUAREZ. Where?  
 Mr. KNOWLES. In Macoris.  
 Mr. SUAREZ. No.  
 Mr. KNOWLES. How long had you resided there prior to this day?  
 Mr. SUAREZ. You mean Hato Major?  
 Mr. KNOWLES. Yes.  
 Mr. SUAREZ. Twenty-seven years.  
 Mr. KNOWLES. Had you had any connection or position with the army or navy under the military government?  
 Mr. SUAREZ. No. I only acted as guide.  
 Mr. KNOWLES. For what time and period?  
 Mr. SUAREZ. A year and two months.  
 Mr. KNOWLES. In that capacity as guide what did that call upon you to do?  
 Mr. SUAREZ. Capt. Merckle obliged me to accompany him.  
 Mr. KNOWLES. Where?  
 Mr. SUAREZ. In Hato Major.  
 Mr. KNOWLES. And where did he accompany Capt. Merckle?  
 Mr. SUAREZ. In San Francisco, Pedro Sanchez, Le Candelaria, Anama (?) Bayabo Dulce, Mata Palacio, Dos Rios, Hato Major, Savannegrande, El Jobo.  
 Senator POMERENE. Between what dates were you a guide?  
 Mr. SUAREZ. From the 12th of April, 1917, up to July, 1918.  
 Mr. KNOWLES. During that time that you accompanied Capt. Merckle as guide were there other officers and men of marines?  
 Mr. SUAREZ. Yes.  
 Mr. KNOWLES. In the party?  
 Mr. SUAREZ. In Hato Major; yes.  
 Senator POMERENE. Now, I don't think I understand that answer.  
 Mr. KNOWLES. I asked him if there were other officers of the marines that accompanied Capt. Merckle.  
 Senator POMERENE. On this tour?  
 Mr. KNOWLES. On this tour. And he replied "In Hato Major." Now—  
 Senator POMERENE. You understand that there were no other officers with him at these other places?  
 Mr. KNOWLES. I don't understand in that way.  
 Senator POMERENE. Well, proceed.  
 Mr. KNOWLES. Will you state any incidents when you were acting as guide for and with Capt. Merckle which you yourself witnessed and wish to relate to this commission?  
 Mr. SUAREZ. Yes.  
 Mr. KNOWLES. Proceed with your declaration in your own way.  
 Senator POMERENE. Let him give dates as near as he can.  
 Mr. KNOWLES. Yes; and fix the date and place of each incident as you relate them.

Mr. SUAREZ. It is very difficult to give dates, because I did not keep the record on which we made a tour in my memory.

Mr. KNOWLES. We only want approximately. Even the month will be sufficient.

Mr. SUAREZ. In June we left Hato Major with a detachment of marines.

Mr. KNOWLES. June of what year?

Mr. SUAREZ. 1917. Under the command of Capt. Merckle and Lieut. Simmons of the Forty-fourth Company.

Mr. KNOWLES. Any other whose names you recall at this point?

Mr. SUAREZ. And Lieut. Buckle, of the Fifty-second Company.

Mr. KNOWLES. Other names?

Mr. SUAREZ. No; no other officers.

Senator POMERENE. Simmons was of what company?

Mr. SUAREZ. The Forty-fourth.

Mr. KNOWLES. Proceed.

Mr. SUAREZ. On arriving opposite a place called Santana, Capt. Merckle ordered Lieut. Buckle to continue or go on as far as San Lorenzo, section Magrin, and Capt. Merckle and Lieut. Simmons and I in the group went to San Valerio. Capt. Merckle obliged the people in that place to declare where the bandits were to be found, tying women, men, and children, and threatening them with death if they did not state where they were to be found. When they were all taken to San Lorenzo. But before getting to San Lorenzo, about 2 kilometers before reaching the place, Capt. Merckle ordered the prisoners be blindfolded.

Mr. KNOWLES. How many were at that time prisoners?

Mr. SUAREZ. About 25—women, children, and men. When there at the trunk of a tree an incision was made in the trunk of the tree and a hole placed in the ground and the leg raised and placed in the incision and there. Then Capt. Merckle ordered all the marines to build houses on that spot, and he placed his camp there for a long time. After being there about three or four days he sent away all that he had brought from San Valerio as prisoners. After going through the country around there he sent the people in that section from their houses and carried them away as prisoners in the same condition that he did the first. The following day he commenced to send them away until he had released all. After that he went in the country, setting fire in El Candelaria, in Pedro Sanchez, in Maricao, and in San Francisco, burning many houses, perhaps about 200 houses. That, in the month of August, the forces were concentrated at Hato Major at the petition of Col. Thorpe—

Mr. KNOWLES. What does he mean by "at the petition of Col. Thorpe"?

Mr. SUAREZ. By order of Col. Thorpe. Col. Thorpe ordered the reconquest of the whole eastern Province. After that there were about 1,500 marines in Hato Major. This was started on the 24th of December, 1918. After that Capt. Merckle called me and told Amador Cisneros, that second chief of police of San Pedro de Macoris, and me that we had to kill many prisoners in the country, so as to put a stop to banditry. On the 27th of September we went with a detachment of marines for Dos Rios, passing by Matapolacio. When we got to Matapolacio he ordered that the whole town of Matapolacio be burned. Only one house was left standing at that place, and the name of the owner was Martin Santos.

Mr. KNOWLES. How many houses were burned?

Senator JONES. He said about 200.

Mr. SUAREZ. Where we slept. The following day we left that place in the direction of Dos Rios. On reaching the El Salto, which belongs to the Ma. Sugar Co., a town with a good many houses, Capt. Merckle ordered all the houses to be burned. After that I and the marines in examining, found on the river bank a man wounded in the thigh, and we took him to Capt. Merckle, who told him that he ought to state where his companions were. He told him that he had been wounded and had been interned in the colony, for maintaining himself by eating sugar cane. He told him that that was insufficient, that he should tell the truth as to where his companions were, and stated that he didn't know. Then he took that man and took a big trunk of a tree and placed him face downward on the trunk and cut another stick of that thickness [indicating], and beat him on the buttocks and all over the back. Cut off his ear, wounded him on the chest in two places.

Mr. KNOWLES. How did he wound him?

Mr. SUAREZ. Making crosses on his chest.

Mr. KNOWLES. What with?

Mr. SUAREZ. With a knife. He poured salt into the wound and orange juice. Amador Cisneros was present, too.

Senator POMERENE. Who is this man?

Mr. KNOWLES. He is the chief of police of Macoris at the present time. Proceed.

Mr. SUAREZ. Then he took that man and mounted him on a horse and tied his legs tightly under the belly of the horse, and we left for Dos Rios. We arrived there in the afternoon, and then the chief at Dos Rios told Capt. Merckle that he knew where there were two fugitives, and that he wished to capture them. He told him that he could go, giving him two revolvers. The following day, pretty early, he appeared with the two men as prisoners, one of them had yaws.

Mr. KNOWLES. Do you know what it is?

The INTERPRETER. It is a tropical skin disease.

Mr. KNOWLES. Proceed.

Mr. SUAREZ. These men stated that they had not come to town, because they were suffering with that bad disease, and they might infect the people of the city. His companion stated that he had not come because he was keeping the company of his sick friend, as on a former occasion his sick friend had done the same for him. That night Capt. Merckle and Amador ordered us to kill the man suffering with yaws with our knives. We told him we would not do so, because the man had not offended us, and he had many rifles and machine guns and could use them on him. Then he sent a sergeant of marines and an enlisted man, and the sergeant fired one shot. He fell on the ground alive, then the enlisted man drove a pick-ax through his head from one side to the other.

Senator POMERENE. Do you know the name of this sergeant or this marine?

Mr. SUAREZ. No; I don't remember.

Senator POMERENE. Or of the marine?

Mr. SUAREZ. No.

Senator POMERENE. Have you any way of finding out their names?

Mr. SUAREZ. It is impossible. However friendly you may be with the marines, you seldom get to know their names.

Senator POMERENE. Are you willing to assist the officers in looking this matter up?

Mr. SUAREZ. I will do all that I can. Then Capt. Merckle ordered me and Amador Cisneros, the chief of Dos Rios, to bury the body. Then the sergeant told me that that man was suffering from a bad disease, and we might be infected with the same disease if we tried to bury him; that we should tie a rope around him and throw him away in the hills, about a kilometer and a half away.

The following day Capt. Merckle saw him and asked us why we had not buried the body. We told him that the sergeant had opposed our doing so, telling us that the man was suffering from a bad disease and we might be infected. Then he threatened Amador and me with death for not having obeyed his orders.

Senator POMERENE. Amador. Was that this private?

Mr. SUAREZ. The second chief of police. At that moment a man came up and reported to the captain that \$66 had been stolen from his place, that three young men had committed the robbery, and the young men were brought before Capt. Merckle right away. They alleged that they were not guilty of the robbery of that money, but that man demanded and insisted in saying that they were the ones, they had enough to pay him or return his money.

Mr. KNOWLES. Give him the amount.

Mr. SUAREZ. Or reimburse the amount. Then Merckle declared that he was going to set an example in order that no more robberies might be committed in Dos Rios. He tied each of the young men and turned each one over to a marine, telling them that if they allowed one of those men to escape he would shoot them.

Mr. KNOWLES. Shoot the prisoner or the marine?

Mr. SUAREZ. Shoot the marine. If he allowed one of the prisoners to escape he would shoot the marine. About two hours after we left for Hato Major with the three prisoners, with the man who had been tortured, and the companion of the man who was suffering from yaws and had been shot the previous night,

mounted on a horse the same way he came from Dos Rios. On reaching M. Lambre, Capt. Merckle ordered that the three young men and the companion of the man who had been suffering from yaws, be shot, and he ordered that he be released one by one, and he stood off with a machine gun and killed each one only leaving the man whose ears had been cut off and whose chest had been marked with crosses. Then he shot each of those men through the ear and then dead on the plain near the road, and the bodies were eaten by the pigs or the hogs and dogs. Then he ordered Armado Mejia, whose ears had been cut off, to tell him where his companions were, saying that if he did not tell him, he was going to shoot him. He said that he could not state where they were. Then he set fire to the leg in which he was wounded and burned his trouser on that leg. After that we left for Hato Major. On reaching the H. Higuamo he ordered that breakfast be prepared for the forces.

Mr. KNOWLES. How many men were there in that detachment?

Mr. SUAREZ. Forty marines. He ordered 10 marines to throw oranges at Mejia and to strike him all over the body. Sometimes he fell on the ground and he remained breathless for a time, and he asked them to kill him and to torture him so much, but they stated that he was a bandit and should die by little; that bandits should neither eat, drink, nor sleep, but die by little, and that he would not give him anything else to eat until he was hungry and thirst.

Senator POMERENE. Who said this?

Mr. SUAREZ. Capt. Merckle. Then we left that place and arrived at Hato Major. The following day Col. Thorpe arrived at Hato Major and saw a wounded man. The wounded man told Col. Thorpe of all that had happened to him, and then Col. Thorpe ordered Dr. Coradin to dress his wounds and attend to him every day.

Senator POMERENE. Did you hear this talk between the wounded man and Col. Thorpe?

Mr. SUAREZ. Yes.

Senator POMERENE. Fix the date of this if you can.

Mr. SUAREZ. In October.

Senator POMERENE. 1918?

Mr. SUAREZ. No, no, no; in September.

Senator POMERENE. 1918?

Mr. SUAREZ. The 2d of September, 1918.

Senator POMERENE. Now, do you mean that, or do you mean 1917?

Mr. SUAREZ. The 2d of September, 1918.

Senator POMERENE. There is something wrong about the date, because he was in the early part of his examination that he was with Capt. Merckle from August 1917, to July, 1918.

Mr. SUAREZ. The 17th of December, 1917.

Mr. KNOWLES. The 17th or the 2d of September?

The INTERPRETER. He doesn't appear to remember.

Senator POMERENE. Let me put another question. How long did you continue in the service of Capt. Merckle after this talk between the wounded man and Col. Thorpe?

Mr. SUAREZ. A very short time.

Senator POMERENE. Now, Mr. Knowles, it is just about 1 o'clock, and I think we will suspend until 3 o'clock. We have another engagement.

(Whereupon the committee, at 1 o'clock p. m., took a recess until 3 o'clock p. m.)

#### AFTER RECESS.

The committee met pursuant to recess at 3 o'clock p. m.

Present, Senators Jones and Pomerene.

Also present, Messrs. Howe, Angell, and Knowles.

#### STATEMENT OF MR. EMILIO SUAREZ—Resumed.

Mr. KNOWLES. Senator, the witness desires to correct one or two matters in his testimony this morning in regard to dates.

Senator POMERENE. All right.

Mr. KNOWLES. You can make such modifications and corrections in the dates as you wish as you spoke to me about.

Mr. SUAREZ. I wish to explain to you that my services rendered to the military government instead of beginning in April, 1917, began in April, 1918, and ended in July, 1919.

Mr. KNOWLES. And I suppose that means that the dates would be just one month later?

Senator POMERENE. Yes; the stenographer will note that. Occurrences stated occurring in 1917 will be stated as occurring in 1918.

Mr. KNOWLES. In your testimony this morning you stated that there were 200 houses burned. In about what period did that occur?

Mr. SUAREZ. In three months.

Mr. KNOWLES. And to make the record clear, according to what you later told me, I understand that those 200 houses were not of any one place, but included in all of the different towns.

Mr. SUAREZ. Yes; at different places.

Mr. KNOWLES. Do you know whether or not any of the people were injured or lost their lives in the burning of these houses?

Mr. SUAREZ. Yes.

Mr. KNOWLES. What do you know about it?

Mr. SUAREZ. The day on which Maj. Taylor and Capt. Merckle burned the house of Nicholas Tavera in Magarin and several other houses in the same place, they killed Frederico Ramos and the wife of Pedro Cedena, going toward a Candelaria and burning several other houses, among them the house of Arcelina Paredes, Lorenzo Musu, and several other houses, the names of the owners of which I don't know.

Mr. KNOWLES. Were any lives lost, if you know, in those houses?

Mr. SUAREZ. No; not in those houses, but in Vincentillo.

Mr. KNOWLES. What can you say in regard to those places?

Mr. SUAREZ. As the peasants were scared when they saw a detachment of marines at that place, the people used to run away, leaving their houses, and in one house, after being burned, the cries of a child were heard, as several persons had been killed in that place for having run away through fear of the marine forces.

Mr. KNOWLES. How long was Capt. Merckle in that district?

Mr. SUAREZ. He used to go there very often, and whenever he went he stayed about four or five days.

Mr. KNOWLES. Where did he go from? When he was not in that district, where, if you know, was Capt. Merckle?

Mr. SUAREZ. In Macoris.

Mr. KNOWLES. Macoris was his headquarters?

Mr. SUAREZ. He used to go from Hato Major to Macoris.

Senator POMERENE. Just ask him to state where his headquarters were when he was in this section of the country.

Mr. SUAREZ. In Hato Major.

Mr. KNOWLES. Was he the most of the time in Hato Major or in Macoris?

Mr. SUAREZ. In Macoris.

Mr. KNOWLES. Over what period of time from the first time you saw Capt. Merckle in Hato Major, or in that section, until the last time, how long was that? How many weeks or how many months?

Mr. SUAREZ. Five or six months.

Mr. KNOWLES. During all of that five or six months, were these occurrences such as you have described?

Mr. SUAREZ. Yes.

Mr. KNOWLES. Any questions, Senator?

Senator POMERENE. Are you through?

Mr. KNOWLES. Yes; I am through with him.

Senator POMERENE. Did you make any report of these atrocities which were committed under Capt. Merckle to either the Dominican authorities or to the military occupation?

Mr. SUAREZ. No. Capt. Merckle had several men who used to go around with him in the country. And more than one was killed by Capt. Merckle himself, because they had been eye witnesses to these acts.

Mr. KNOWLES. Who were these men thus killed?

Mr. SUAREZ. Domingo de la Cruz.

Mr. KNOWLES. Does he mean they had given testimony?

Senator JONES. No; he means they were there and saw the thing done.

Senator POMERENE. Any other witnesses?

Mr. SUAREZ. No; I don't recall any other.

Senator POMERENE. Did you not tell some of the Dominican authorities this?

Mr. SUAREZ. Nothing absolutely. This is the first time.

Senator POMERENE. Is this the first time you have related this to us?

Mr. SUAREZ. Yes; to the military officers.

Senator POMERENE. How is that?

Mr. SUAREZ. To the military officers.

Senator POMERENE. I don't quite understand that.

The INTERPRETER. It is the first time he has related it to the military authorities.

Senator POMERENE. Was it through a sense of fear on your part that you did not report this?

Mr. SUAREZ. Yes; because I was threatened with death by Capt. Merckle himself, after having rendered him good service.

Senator POMERENE. When did Capt. Merckle kill himself, if you know?

Mr. SUAREZ. I don't know the date, but I know the date on which he was ordered to arrest him, because Col. Thorpe ordered him to come to Macoris.

Senator POMERENE. Ordered whom to come to Macoris?

Mr. SUAREZ. Capt. Merckle.

Senator POMERENE. Well, now, you know that Capt. Merckle was arrested for these offenses which you just described, did you?

Mr. SUAREZ. No; I did not know.

Senator POMERENE. Well, what did you think he was arrested for?

Mr. SUAREZ. I didn't know. Col. Thorpe ordered him to Macoris, but he did not state that he was to be taken prisoner.

Senator POMERENE. After Merckle was arrested, or after his death, did you not then feel free to tell the American authorities about what he had done?

Mr. SUAREZ. No; because we were still afraid. After Col. Thorpe had ordered him to go to San Pedro de Macoris on the 1st or 2d of September, 1918, he returned to Macoris two days after he returned to Hato Major with a detachment of marines on his way to Los Pajos, going to El Salto, the colony of Mr. Fernandez, and firing at the laborers whom he saw in the colony.

Senator POMERENE. Who fired?

Mr. SUAREZ. Capt. Merckle. And burning the house on the colony of Mr. Romero. After that they dismounted at La Pluma of Mr. Jimenez and took two prisoners and shot them on the river bank of El Higuano. Mr. Jimenez and Mr. Jimenez reported the matter immediately to the manager of the plantation, and the manager reported the matter to Col. Thorpe at San Pedro de Macoris. When Capt. Merckle got to Hato Major he found a radio from the Government ordering him to return again, after which he was confined.

Senator POMERENE. Now, as I indicated before, the authorities here on the island are going to investigate these disclosures further. Are you willing to help the military authorities here in their investigation?

Mr. SUAREZ. Yes.

Senator POMERENE. And you will do that to the best of your ability?

Mr. SUAREZ. Yes.

Senator POMERENE. I desire to say for the committee or repeat what I have before, that these occurrences which have been reported here are very distressing. The principal participant has evidently confessed his guilt of at least some of these cruelties, because his suicide is the evidence of his confession. We are very sorry that these things have occurred, and say for the benefit of others who are present again that if they have any information which will lead to the conviction of men who have been guilty of this kind of crime, Admiral Robison, the military governor, and the people of his staff, as well as the Government of the United States, will be under obligation for any assistance that may be given, to the end that the truth may be known and the guilty, if any, may be punished.

Mr. SUAREZ. I have no objection whatever to prove all that I have stated only because I stated, but because there are hundreds of persons who have appeared before you to mention their grievances for lack of means, and I have no objection to giving all aid I can to the military authorities as long as they guarantee my life and person.

Senator POMERENE. No one is in any danger who will come and tell the truth to the military governor and his associates, because they are all high-class and want to get the truth.

Mr. KNOWLES. Before he leaves there is just one question I omitted, and that to ask what became of the men whose homes were burned that he has scribbed.

Mr. SUAREZ. Some of them are on the sugar plantations. Others are at Hato Jor.

Senator POMERENE. If you or other witnesses will submit the statements in the form of affidavits, giving all of the particulars of any atrocities, so that they can be investigated by the American authorities or others, we will appreciate that very much. Give the dates and places. You, of course, as a lawyer, understand what we want about that, and we want it so that we can investigate to the very limit. If you will get that for us we shall be obliged.

Mr. HOWE. I have here the file concerning Capt. Merckle and investigation of his case, and I offer for the record the letter from the brigade commander the brigade paymaster, dated September 30, 1918, reporting that Capt. Merckle is placed under arrest September 27, 1918. Also the report of the investigation by Maj. Kingsbury, begun September 28, 1918, with Maj. Kingsbury's opinion and findings. Also a set of six specimen charges prepared against Capt. Merckle, including the charge of murder, which charges, however, were not completed because of the death by suicide of Capt. Merckle on October 27, 1918. And I submit the report of the board of inquest on Capt. Merckle's death, showing his death by suicide in his tent while under guard.

With this request, however, that, although these are admitted into evidence before the committee the military authorities here supply the committee with copies of these portions of the files so offered in testimony, because it is the only file which they now have on the important subject of Capt. Merckle.

I also have a report on the fines collected, which was requested by Mr. Knowles, and I submit that with the statement that it supplements the report given for the time from June 20, the date which was turned over yesterday, and includes those collections. The total shown for all the fines from the beginning of the occupation to date is \$69,587.60.

Mr. KNOWLES. That is for the whole country?

Mr. HOWE. For the whole country; fines in the provost court.

I also have figures showing the amount spent on vaccine points in the last year. The medical expenditures called for are being prepared. But I have a report here from Commander Reeves, in charge of the sanitary department, showing that \$40,000 was expended in vaccine small points, with a statement which I think can be placed in the record now.

Mr. KNOWLES. As I understand, that refers to one year?

Mr. HOWE. To one year. The other figures are in course of preparation.

There is also this statement as to the extent and prevalence of smallpox during the years when those smallpox points were bought and expended, showing the extreme prevalence of that disease during the time those smallpox points were obtained and brought here at that expense.

I also have the statement of Commander Mayo, commenting on the statement submitted yesterday by Señor Pau. I offer that.

(The documents produced by Mr. Howe are here printed in full, as follows:)

UNITED STATES MARINE CORPS,  
HEADQUARTERS SECOND BRIGADE,  
Santo Domingo City, December 12, 1921.

*Memorandum showing fines received from provost courts for the following months.*

1920.		1921—Continued.	
June 30	\$238.00	March	\$1,490.00
July	2,246.00	April	None.
August	1,196.00	May	600.00
September	1,330.00	June	524.00
October	1,388.00	July	666.40
November	2,428.00	August	432.00
December	196.00	September	250.00
		October	1,058.00
		November	2,020.00
		December 1-13	1,726.00
		Total	19,394.40
1921.			
January	1,206.00		
February	400.00		

O. N. MULBROW,  
Provost Marshal General.

UNITED STATES MARINE CORPS.  
HEADQUARTERS SECOND BRIGADE.  
Santo Domingo City, December 12, 1921

*Memorandum concerning receipts and expenditures of provost funds*

1. Prior to June 30, 1920, provost funds were kept by the individual provost officer.
2. On June 30, 1921, all balances were collected in a general fund and expenditures made to the individual provost officer from the provost marshal general's office.
3. Expenditures from provost marshal general's office were of two kinds: ordinary monthly expenses, which has amounted to approximately \$1,000 per month; extraordinary appropriations, which were requested by commanding general to meet some expenses that was out of ordinary and not included in ordinary expenses table. All expenditures, both ordinary and extraordinary were supported by vouchers, original kept by provost office, a signed duplicate forwarded at end of month to the commanding general.
4. Unexpended balances from sums sent to meet expenditures called for in ordinary table of expenses or extraordinary appropriations were returned to the provost marshal general's office for further expenditure.
5. All sums received by provost marshal general's office have been deposited in the International Banking Corporation, Santo Domingo branch, and all expenditures made by check.
6. A radio to all district commanders to have provost marshals submit total of all fines received by their offices immediately has been sent and as received a statement of totals will be submitted. As the period for a request is made covers a number of years, it will undoubtedly take some time to secure such information.

C. N. MULBROW,  
Captain, United States Marine Corps,  
Provost Marshal General

MILITARY GOVERNMENT,  
OFFICE OF THE PROVOST MARSHAL GENERAL,  
Santo Domingo City, December 13, 1921

*Memorandum covering expenditures for provost marshal general's office June 30, 1920, to Dec. 13, 1921.*

Regular monthly ordinary expenses, which cover the following items: Rent of office, pay of interpreter, office supplies, maintenance of automobiles, forage of mount, witness expenses, prison instructors, amount to

Extraordinary expenses:	\$21,750.00
Transport of prisoners	2,500.00
Refund of fines	150.00
Furniture	100.00
Interior and police allowance	100.00
Reimbursement one horse	75.00
Auto accessories	75.00
Stationery	50.00
Printing	100.00
Hato Mayor operation	25.00
Ramon Santana operation	75.00
Total	27,000.00
Balance received from provost marshal offices upon formation of office	4,000.00
Funds received from intelligence fund	1,300.00
Unexpended balances, sale of ammunition, sale of property	2,250.00
	7,550.00
Fines as enumerated	19,450.00
Total	27,000.00

C. N. MULBROW

Provost office.	Rent of office.	Pay of interpreter.	Office supplies.	Maintenance of automobile.	Forage for mount.	Witness expenses.	Prison instructors.	Total.
de Cristi.			\$5			\$10		\$15
de Plata.			5			10		15
dehes.			5			10		15
dehes.		\$70	5			10		85
dehes.		75	5			10		90
Francisco De Macoris.		100	10	\$25		20		155
ago.			5			10		15
Major.			5			10		15
omana.			5			10		15
Pedro De Macoris.	\$95	100	10					205
o Domingo City.		100	15	25		30	\$98	268
hona.			3			5		8
hona.			3		\$5	5		13
Total.	95	445	81	50	5	140	98	914

Table of ordinary monthly expenses, provost marshal offices.

Office.	Rent of office.	Pay of interpreter.	Office supplies.	Maintenance of auto.	Forage for mount.	Witness expense.	Prison instructors.	Total.
de Cristi.		\$50	\$5			\$10		\$65
de Plata.		75	5			10		90
dehes.		50	5			10		65
dehes.	\$30	75	5			10		120
dehes.		70	5			10		85
Francisco de Macoris.		75	5			10		90
ago.		100	10	\$25		20		155
ago.		50	5			10		65
Major.		50	5			10		65
omana.		75	5			10		90
Pedro de Macoris.	45	100	10			20		175
o Domingo City.		100	15	25		30	\$98	268
hona.	15	50	3		\$5	5		78
hona.		60	3		5	5		73
Total.	90	980	86	50	10	170	98	1,484

Table of ordinary expenses in effect February, 1921, as shown by records.

C. N. MULDROW,  
Captain, United States Marine Corps,  
Provost Marshal General.

DATA ON GUAYABO DULCE CASES.

Jene Wales, tried on March 7 on following charges and found guilty: (1) drunkenness; (2) absence without leave; (3) conduct to the prejudice of good order and discipline; two years; dishonorably discharged.

Leamon Green, tried on March 19 on following charges and found guilty: (1) Absence from station and duty without leave; (2) drunkenness; six months; dishonorably discharged.

George Schmidt, tried on March 31 on following charges and found guilty: (1) Conduct to the prejudice of good order and discipline; one year; dishonorably discharged.

Louis J. Spann, tried on March 31 on following charges and found guilty: (1) Drunkenness; (2) absence without leave; (3) conduct to the prejudice of good order and discipline. On the following additional charges: (1) Assault with battery; (2) violation of a lawful regulation issued by the Secretary of the Navy; was acquitted of the first, but found guilty of the second; two years; dishonorably discharged.

Robert H. Lorah, tried on March 25 on following charges: (1) Drunkenness; (2) violation of a lawful regulation issued by the Secretary of the Navy; (3) absence from station and duty without leave; was found guilty of the third, but acquitted of the first and second; four months.

John P. Gorman, jr., tried on March 29 on following charges and found guilty: (1) Drunkenness; (2) absence from station and duty without leave. On following additional charges and found guilty: (1) Assault and battery, two specifications; (2) assault; five years; dishonorably discharged.

Robert E. Ryerson, tried on April 4 on following charges: (1) Assault and battery, two specifications; (2) absence from station and duty without leave. He was acquitted of first charge but found guilty of the second; two months pay, \$60.

Frank Voigt, tried on April 2 on the following charges and found guilty: (1) Assault and battery, two specifications; (2) violation of a lawful regulation issued by the Secretary of the Navy; three specifications; reduced from corporal; five years; dishonorably discharged.

Frank Voigt, Corpl.; Robert E. Ryerson, private (first class); Louis J. Spann and John P. Gorman, privates, tried on April 11 on the following charges: Scandalous conduct tending to the destruction of good morals. Corpl. Voigt and Gorman found guilty; Pvt. (first class) Ryerson and Pvt. Spann acquitted. Voigt sentenced, three years, reduced to private; dishonorably discharged. Gorman, three years; dishonorably discharged.

Robert E. Ryerson, tried on April 23 on following charge and found guilty: Conduct to the prejudice of good order and discipline; reduced from private (first class) to private; one year; dishonorably discharged.

Carl W. Oakes, tried on April 15 on following charge and found guilty: Neglect of duty; reduced to rank of private, lose pay, \$30.

James W. Hamilton, tried on April 18 on the following charges: (1) Assault and battery; (2) drunkenness; (3) absence without leave; was found guilty of first and third charges but acquitted of second; also tried on following additional charge and acquitted. Violation of lawful regulation issued by Secretary of the Navy; reduced to private from private (first class); six months; \$30.

Charles C. Rheney, first sergeant, tried on April 25 on the following charges and found guilty thereof: (1) Violation of lawful regulation issued by Secretary of the Navy, three specifications; (2) neglect of duty, two specifications; reduced to rank of private, 18 months; dishonorably discharged. Reduced by convening authority to one year.

Claude E. Schroeder, private, tried April 28 on the following charge and found guilty: Absence without leave. On the following additional charge acquitted: Assault and battery; lose pay, \$90. Charge of theft (basket of food) made out against Schroeder was nolleed by the commanding general.

George H. Goodrich, private, United States Marine Corps, charged with: (1) Drunkenness; (2) absence without leave; not tried yet.

Charles E. Dennison, private, United States Marine Corps, charged with: (1) Drunkenness; (2) absence without leave; not tried yet.

Carl O. Gilliam, private, United States Marine Corps, tried March 18, 1921, on the following charges and acquitted: (1) Drunkenness; (2) absence from station and duty without leave.

Norman C. Gammon, private, United States Marine Corps, tried March 19, 1921, on the following charges and acquitted: (1) Drunkenness; (2) absence without leave.

Gene Wales, in joinder, with John P. Gorman, jr., private, United States Marine Corps, tried April 15, 1921, on the following charge and acquitted: Scandalous conduct tending to the destruction of good morals (arson), burning of house of Simon Astacio.

Howard W. Byrne, corporal, United States Marine Corps, tried April 17, 1921, on the following charges and acquitted: (1) Neglect of duty; (2) absence from station and duty without leave.

John P. Gorman, jr., private, United States Marine Corps; James M. Hamilton, private first class, United States Marine Corps; Robert H. Lorah, private first class, United States Marine Corps; Louis J. Spann, private, United States Marine Corps, in joinder, tried from 22d to 27th of April, 1921, on the following charge and acquitted: Scandalous conduct tending to the destruction of good morals (arson), burning house of Francisco Hidalgo.

Howard W. Byrne, corporal, United States Marine Corps; James W. Hamilton, private, first class, United States Marine Corps; Claude E. Schroeder, private, first class, United States Marine Corps; Carl O. Gilliam, private, United States Marine Corps; George W. Goodrich, private, United States Marine Corps; John P. Gorman, jr., private, United States Marine Corps; Louis J. Green, private, United States Marine Corps; Louis J. Spann, private, United States Marine Corps, tried in joinder on April 20, 1921, on the following charges:

acquitted: Scandalous conduct tending to the destruction of good morals, specifications—first, arson, house of Ysael Guzman; second, arson, store of el Guzman.

James W. Hamilton, private, first class, United States Marine Corps; Claude Schroeder, private, first class, United States Marine Corps; Carl O. Gilliam, late, United States Marine Corps; John P. Gorman, Jr., private, United States Marine Corps, tried in joinder on May 5, 1921, on the following charge

acquitted: Scandalous conduct tending to the destruction of good morals (son), burning of store of Feliz Astacio.

Edward W. Byrne, corporal, United States Marine Corps; Robert E. Ryerson, late, first class; James W. Hamilton, private, United States Marine Corps; Arthur R. Daniell, private, United States Marine Corps; Carl O. Gilliam, private, United States Marine Corps; John P. Gorman, Jr., private, United States Marine Corps; Leamon Green, private, United States Marine Corps, tried in joinder on May 2, 1921, on the following charge and acquitted: Scandalous conduct tending to the destruction of good morals (arson), burning store of Luis Bautista.

Edward W. Byrne, corporal, United States Marine Corps. Arthur R. Daniell, late, United States Marine Corps; Charles E. Dennison, private, United States Marine Corps; Norman C. Gammage, private, United States Marine Corps; Raphael F. Girard, private, United States Marine Corps; Leamon Green, late, United States Marine Corps; Carl O. Gilliam, private, United States Marine Corps; Louis J. Spann, private, United States Marine Corps, tried April 27, 1921, on the following charge and acquitted: Scandalous conduct tending to the destruction of good morals (firing rifles).

Certified:

C. M. PERKINS,  
*Law Officer and Legal Aid.*

SANTO DOMINGO CITY, SANTO DOMINGO.

May 20, 1921.

[Fourth indorsement.]

APRIL 22, 1921.

From: Military governor of Santo Domingo.

To: Commanding general Second Brigade, United States Marines.

Subject: The running amuck of the Seventieth Company, Guayabo Dulce, Dominican Republic, on the night of December 26, 1920.

Returned; contents noted.

THOMAS SNOWDEN.

MARCH 14, 1921.

From: Regimental commander.

To: The commanding general.

Subject: The running amuck of the Seventieth Company, Fifteenth Regiment, at Guayabo Dulce, Dominican Republic, on the evening of December 26, 1920. Reference: (a) Letter of military governor, 623-21-Sn-AMC, dated February 24, 1921; (b) first indorsement, commanding general, on reference (a), 363-3-F, dated February 26, 1921.

Closures: Two.

1. I assumed command of the Fifteenth Regiment and eastern district on November 16, 1920. Up to December 26, 1920, I had, I believe, twice visited the camp. I know that on a Sunday early in December I inspected the camp at Guayabo Dulce, the headquarters of the company. At that time the camp was in very good condition; everything was neat and clean; arms and equipment, clothing boxes, etc., looked very well. There was nothing to show that the men were not under good discipline. I believe that my inspection was made without prior knowledge of the company commander.

2. The first sergeant and gunnery sergeant were men of long service, the first sergeant, I believe, having been a commissioned officer in the United States Army during the World War. It was noted by me that most of the men were recruits. That was, however, the condition in all camps. As soon as the shooting affray was reported to me I went to this camp and investigated the matter. I was very forcibly impressed with the youth of the men who were at the time implicated; several were not 19 years of age, and only two were more than 20. I think the majority of them joined the company in November. Besides the first and gunnery sergeants, the noncommissioned officers were very young, one, private Blood, being about 18 years of age. He, I understand now, was sent away

from Parris Island because he took bribes from recruits. I believe it not, however, be proved.

3. Nothing has transpired which shows that Capt. Harrison neglected duty. I do not consider that he is a strong, forceful officer. He is and to quote the company medical officer, "treated his men better than deserved." I believe that Lieut. Col. McE. Huey, who had been in command since June, recommended Capt. Harrison to me when I assumed command.

4. I had issued no special orders regarding conduct during the holiday season. I had never observed that excitement naturally runs high during holiday season among troops in the field. More trouble is experienced on pay day.

5. The camp at Guayabo Dulce was under the personal supervision of Harrison. Up to the time of my inspection of Guayabo Dulce I had a very favorable opinion of Capt. Harrison (due entirely to unofficial personal actions), and was agreeably surprised at the appearance of his men. I believed that he had maintained a normal routine of drills, inspections, and inspections.

6. The Seventieth Company joined this regiment during August, 1920, Santo Domingo City. While it was in Santo Domingo City it was a detriment for the bad characters of the provost company. (Two hundred and tenth) and the Forty-fourth Company. Captain William M. Marshall, who at that time commanded the provost company, made the above statement to me.

7. On December 26, 1920, Luis Batista, a native bodega keeper, had been running a licensed dance near the camp. On this date he had sold liquor to marines, which was unusual, and about 4 p. m. had left bodega in charge of a small boy and had gone to Hato Mayor. There was no authorized liberty this day; nevertheless, the acting sergeant of the 5th allowed men to leave the camp. The gunnery sergeant was under arrest. The first sergeant showed utter lack of reliability and force. He was where the captain was, but did not send for him when conditions became serious. He undoubtedly knew exactly where the shooting was taking place, but it was the nerve to take strong measures. I believe the only criticism that the captain deserves is for being out of camp for two nights in succession. I think that he had confidence in his first sergeant. Events showed this confidence to have been misplaced.

8. I am of the opinion that this most unfortunate and disgraceful affair due to the leadership of a few bad characters, the unreliability of the commissioned officers, the unusual amount of liquor sold to marines, dislike of a British subject known as "English," and a fancied grievance against English and one or two natives.

9. I recommend that no further action be taken.

GEORGE C. BARR

[First indorsement.]

HEADQUARTERS SECOND BRIGADE, UNITED STATES MARINES  
Santo Domingo City, D. R., March 31, 1921.

From: Commanding general.

To: Commanding officer Fifteenth Regiment.

Subject: The running amuck of the Seventieth Company, Fifteenth Regiment at Guayabo Dulce, D. R., on the evening of the 26th of December, 1920.

1. Returned for additional information, as follows:

(a) What authority had Capt. Harrison to be absent from Guayabo Dulce from 5 p. m. December 25 to 4.30 a. m. December 27?

(b) At what hour, exactly, was the outbreak reported to Capt. Harrison and what action did he take?

(c) Why was the gunnery sergeant under arrest on December 26?

(d) Had Capt. Harrison reported that his noncommissioned officers were unreliable?

(e) Did Capt. Harrison know that liquor was being or had been sold to members of his command?

2. Please expedite reply by indorsement hereon.

By command of Brig. Gen. Long.

MACKER BARR, Brigade Advisor

[Second indorsement.]

HEADQUARTERS, FIFTEENTH REGIMENT,  
SECOND BRIGADE, UNITED STATES MARINES,  
*San Pedro de Macoris, D. R., April 13, 1921.*

From: Regimental commander.

To: Commanding general Second Brigade.

Subject: The running amuck of the Seventieth Company, Fifteenth Regiment detailed at Guayabo Dulce, Dominican Republic, on the night of December 26, 1920.

1. Returned.

- (a) No authority was required, inasmuch as he was visiting a detachment of his company.
- (b) At or about 4.30 a. m., he at once returned to Guayabo Dulce; there he found Capt. Hart, One hundred and fourteenth Company, Hato Mayor, Dominican Republic. At reveille both officers inspected the camp and the command.
- (c) Gunnery Sergt. Schmidt was awaiting result of recommendation for trial by general court-martial for drunkenness; some time prior to December 26, 1920, he again became drunk, so was placed in arrest in his tent.
- (d) No.
- (e) Capt. Harrison knew that his men obtained liquor, but had been unable to locate the vendors.

2. Capt. Harrison came to Chicharones on December 25 to have dinner at my house. It was raining and very muddy that evening, so Capt. Harrison stayed in camp that night. He stayed over on Sunday, December 26, for no particular reason. During the afternoon of December 26, Sergt. Rice, of the Chicharones detachment, shot himself through the foot while out hunting. As there was no other way of getting him to the hospital in Macoris, Capt. Harrison took my Ford car and drove in to Macoris with Sergt. Rice. It was dark when he returned to Chicharones, and as he did not like to walk through the mud in the dark he again stayed in camp. Before this date I had thought that Capt. Harrison was spending considerable time out of his camp, so I spoke to Lieut. Col. Huey and Maj. Campbell about him. They both spoke very well of him, so I made up my mind that he knew what he was doing and therefore said nothing to him.

Generally his trips to Chicharones were for part of a day only. He is a very good cabinetmaker and had spent some time repairing my household furniture. Until the events of December 26, Capt. Harrison had every reason to believe that his first sergeant was reliable. I had seen the man at Guayabo Dulce and had stated that he looked like a good "old timer," and I believe had congratulated Capt. Harrison on having an old first sergeant. It seems to me that this same sort of thing might have happened on some occasion when Capt. Harrison was absent on strictly duty status; such being the case, no officer is entirely safe in ever leaving his camp in charge of a noncommissioned officer; yet it is manifestly impracticable to have two or more officers in every camp.

GEORGE C. REID.

[Third indorsement.]

HEADQUARTERS SECOND BRIGADE, UNITED STATES MARINES,  
*Santo Domingo City, D. R., April 21, 1921.*

From: Commanding general.

To: The military governor.

Subject: The running amuck of the Seventieth Company, Guayabo Dulce, on the night of December 26, 1920.

1. Forwarded.

2. The within correspondence indicates that Capt. Harrison had authority to go to Chicharones to make inspection of a detachment of his company, but does not indicate any necessity for his prolonged absence. Although his regimental commander had cognizance of his presence at Chicharones on December 25 and 26, neither the regimental nor battalion commander had specially authorized such an absence. The length of his absence seems to have been left to Capt. Harrison's discretion. If he had returned to Guayabo Dulce on the 26th it is probable that most of the trouble would have been avoided. It is also true that if a request had been made for authority to remain at Chicharones that

such request would have been approved. It is also true that with only one officer at a post it is necessary that he leave the post in charge of the noncommissioned officer. At certain times it is necessary for the officer to be absent on patrol or other duty, leaving a noncommissioned officer in charge. In this case the results were most deplorable.

3. The offenders are all being tried by general court-martial. In the absence of other instructions from the military governor it is my intention to write a letter of reprimand to Capt. Harrison for the bad judgment and lack of interest shown by him in not returning to his command on the completion of inspection at Chicharones. It is not believed that a case for general court-martial can be made against Capt. Harrison. A letter will also be addressed to the regimental commander.

4. Attention is invited to the frequency of inspections made by the battalion commander.

5. Return of papers requested.

CHARLES G. LON

[Fourth indorsement.]

HEADQUARTERS COMPANY, FIFTEENTH REGIMENT,  
SECOND BRIGADE, MARINE BARRACKS,  
*San Pedro de Macoris, D. R., March 11, 1921*

From: Capt. William H. Harrison, United States Marine Corps.

To: Regimental commander, Fifteenth Regiment.

Subject: The running amuck of the Seventieth Company at Guayabo Dulce, D. R., on the evening of December 26, 1920.

1. Returned.

2. I was absent from the camp at Guayabo Dulce from 5 p. m. December 26 until 4.30 a. m. December 27, 1920. This absence was not entirely in the nature of a liberty, but was occupied with various duties in connection with the detachment of the Seventieth Company at Chicharones, D. R., and was authorized in every respect. This absence makes it useless for me to make a detailed statement, as I have no first-hand knowledge of the affair on the 26th.

3. For a statement of facts as to my manner of performing my duties as company commander of the Seventieth Company, I respectfully request the regimental commander, Fifteenth Regiment, and battalion commander, Second Battalion, Fifteenth Regiment, furnish these statements.

WILLIAM H. HARRISON

[Fifth indorsement.]

OFFICE OF THE COMMANDING OFFICER, MARINE BARRACKS,  
*San Pedro de Macoris, D. R., March 13, 1921*

From: Commanding officer.

To: Regimental commander, Fifteenth Regiment.

1. Returned, inviting attention to preceding indorsement.

ROBERT YOWE

[First indorsement.]

263-3-F.

HEADQUARTERS SECOND BRIGADE, UNITED STATES MARINES,  
*Santo Domingo City, D. R., February 26, 1921*

From: Commanding general.

To: Commanding officer, Fifteenth Regiment.

Subject: Running amuck of the Seventieth Marine Company at Guayabo Dulce, D. R., on the evening of December 26, 1920.

Reference: (a) Report of board of investigation, dated December 29, 1920

1. Forwarded, for report and recommendation.

2. A complete report on this company, setting forth the character and frequency of inspections by responsible officers senior to the company commander, and of the general attention to duty displayed by the company commander, is desired. The report should include the instructions issued by responsible officers about conduct during the holiday season when excitement naturally runs high, the reason for the absence of the company commander from duty on this occasion, where he was at that time, and the length of time he had been

ent when this incident occurred; also state what supervision, instruction, attention had been passed by him to the detachment at Guayabo Dulce.

The report should also show the number and distribution of officers attached to the company.

Please expedite.

y command of Brig. Gen. Long.

MACKER BABB, *Brigade Adjutant.*

HEADQUARTERS SECOND BATTALION, FIFTEENTH REGIMENT,  
UNITED STATES MARINE CORPS,  
*Marine Barracks, Hato Mayor, D. R., March 5, 1921.*

m: Commanding officer, Second Battalion. Fifteenth Regiment.

Regimental commander.

ject: The running amuck of the Seventieth Marine Company at Guayabo Dulce, D. R., on the evening of December 27, 1920.

erence: (a) Report of board of investigation, dated December 29, 1920; (b) commanding general's first indorsement on letter, same subject, 263-3-F, dated February 26, 1921.

. From the time the Seventieth Company joined this battalion we had considerable trouble with them. Several general courts-martial, numerous summary courts-martial, and other minor punishments were awarded.

. This company was located at four different posts, viz, Chicherrones, Guayabo Dulce, Morquecho, and Canada del Agua. The three company officers were stationed as follows: Capt. W. H. Harrison at company headquarters, Guayabo Dulce; First Lieut. E. A. Craig at Chicherrones; and Second Lieut. A. Wachler at Canada del Agua; First Lieut. L. G. De Haven of the One hundred and fourteenth Company was in command at Morquecho.

. As battalion commander, I made inspections two or three times a month. owing to the fact that I at this time had nine posts under my command, this was as often as I could cover the ground. In addition, Capt. Harrison, as company commander, inspected his posts frequently.

. No special orders were issued regarding the holiday season, as conditions at this sector at that time were excellent and the outposts have orders to patrol and watch conditions at all times. At the time that this incident took place Capt. Harrison was at Chicherrones, one of his posts, and only an hour's ride from his camp at Guayabo Dulce. To the best of my knowledge he had been absent from his station about 24 hours. An exact statement can be obtained from Capt. Harrison, who is now on duty at San Pedro de Macoris.

. Capt. Harrison is young and inexperienced, but to the best of my knowledge his attention to duty has always been excellent. Whether an older officer could have foreseen and prevented this occurrence is a question, as the duty in this battalion requires the officers to be absent from their posts frequently, and at times for several days.

C. CAMPBELL.

FEBRUARY 21, 1921.

om: Military governor of Santo Domingo.

o: Commanding general Second Brigade, United States Marines.

ject: Disturbance created at Guayabo Dulce by marines.

losure: (1) Clipping from Las Noticias of January 7, 1921, entitled "El crimen de Guayabo Dulce."

1. Referred. The military governor can not understand how an act of vandalism of such magnitude as is reported to have occurred at Guayabo Dulce could have taken place and could have been perpetrated by members of the forces of occupation if proper discipline had been exercised by the commanding officer and other officers of the detachment. It is considered that the commanding officer of a detachment should be held directly responsible for such state of discipline in his detachment which permitted the perpetration of these acts of violence. It is understood that a board of investigation, held in this case, attached no culpability to the officers on duty with this detachment, and, if this be the case, it is directed that a further investigation be ordered to determine as to whether proper discipline and supervision over the troops under their command had been enforced by these officers.

THOMAS SNOWDEN.

FEBRUARY 24 1921

From: Military governor of Santo Domingo.

To: Commanding general Second Brigade, United States Marines.

Subject: The running amuck of the Seventieth Marine Company at Guayabo Dulce, Dominican Republic, on the evening of December 28, 1920.

Reference: (a) Report of board of investigation, dated December 29, 1920.

1. This is the worst example of absence of all discipline and of permissiveness that I have ever seen in a military force. Apparently, there was no control exercised by officers or noncommissioned officers over the Seventieth Company. The men could get all the intoxicating liquor they desired, could bring it into camp and drink it in the mess hall or in their tents without hindrance.

2. This running amuck by the Seventieth Company will do more harm to worthy Dominicans than all the good work done by the military forces in Santo Domingo.

3. It is apparent that the company commander failed to instill any discipline or esprit de corps into his men, or to demand a proper soldierly attitude, noncommissioned officers or men, or any idea of duty or obligation to the service.

4. It is the opinion of the military governor that the company commander of the Seventieth Company on this date should be brought to trial by a court-martial for grave neglect of duty, and as responsible for the conduct which permitted such a breach of discipline and outrage on the local scene to occur.

5. It is also desired to know whether inspections had been made by higher officers of the regiment in order to bring this serious condition of command to the attention of the higher officers, and whether this dangerous state of discipline was known to the senior officers.

THOMAS S. RICHARDSON

[Clipping from Las Noticias, Jan. 7, 1921 (English translation).]

## THE CRIME AT GUAYABO DULCE.

Two days ago Messrs. Luis M. Bautista, Felix Astacio, and Thomas S. Richardson, residents of the Guayabo Dulce section, jurisdiction of Hato Mayor, were in our office and gave us a complete account of the depredations committed by a group of American soldiers stationed at said place on the property of honest laborers, including the informants.

Mr. Bautista informs us that while out with his wife soldiers arrived at his home, where there is a store, and, after drinking their fill of liquor, destroyed many things, sprinkled kerosene about, and set fire to the building, and, to prevent anyone from extinguishing it, they fired many shots.

He said also, corroborated by Messrs. Astacio and Richardson, that the same thing occurred at the homes of Israel Guzman, Felix Astacio, Francisco Hernandez, and Thomas S. Richardson. Those of Messrs. Manuel Mota, Domingo Sasso, and Sasso Santana were merely pillaged.

"We believe," said Mr. Richardson, "that this act was due to a predominant sentiment of revenge, as, in accordance with regulations of the military authorities, we refused to sell liquor to the soldiers. We do not know whether the crime will be punished as it should be, though superior officers went to inspect, but we do ask that justice be done us by those in authority or that we be paid an indemnity for the damage to the fruit of our labor as the only means of subsistence."

We ask not only that the sufferers be paid for damages sustained but that the culprits be severely punished as a guaranty to society.

SANTO DOMINGO  
December 14, 1920

STATEMENT SUBMITTED BY LIEUT. COMMANDER ARTHUR H. MAYO, (SC), U. S. NAVY.

The figures submitted by Senor Pon and incorporated into the report were taken from chapter I of executive order 357, dated November 28, 1920, budget for 1920, and from the résumé of receipts and disbursements on page 84 of the executive order. Chapter I deals with the estimated balance December 31, 1919, unappropriated; the estimated receipts; the estimated deductions for debt and other customs charges; certain sums reserved for

orks in project; and a reserve fund. The resume gives the totals of the budget appropriations for the year 1920, and shows, as indicated in Senor Pou's statement, an estimated surplus of \$41,830.36. All these are estimates made in 1919, published and in general circulation.

There follows below a statement of the actual receipts and disbursements for 1920. Budget appropriations were increased during the year until the total authorized appropriations for 1920 for budgetary purposes (general administration expenses) amounted to \$5,343,701.11. In addition, special appropriations for the prosecution of public works were enacted.

#### *Receipts*

Customs less revenues-----	\$6, 298, 798. 67
Internal less revenues-----	4, 244, 526. 56
Other income -----	732, 152, 87
	<hr/>
	11, 275, 478. 10
Funds on hand in hands of disbursing officers Dec. 31, 1919-----	4, 381, 167. 75
	<hr/>
	15, 656, 645. 85
Less interest and amortization of public debt-----	4, 500, 351. 53
	<hr/>
	11, 156, 294. 32

#### *Expenses.*

Legislative administration-----	\$4, 018. 94
Executive administration-----	27, 818. 57
Judicial administration-----	632, 868. 66
Department of interior and police-----	526, 775. 97
Department of Sanitation and beneficence-----	162, 929. 89
Department of foreign affairs-----	68, 277. 05
Department of agriculture and immigration-----	110, 863. 75
Department of finance and commerce-----	624, 600. 80
Department of fomento and communications-----	411, 495. 27
Department of justice and public instruction-----	1, 102, 912. 84
	<hr/>
1920 budget-----	3, 672, 561. 74
Expense prior budget-----	1, 288, 513. 81
Expense receiver of customs-----	346, 183. 82
Miscellaneous expenses-----	25, 076. 47
Payments to communes-----	827, 887. 66
Payments for supplies, miscellaneous expense, and special appropriations public works-----	1, 350, 482. 88
Reimbursements and foodstuffs-----	228, 687. 97
	<hr/>
	7, 739, 394. 35
Funds on hand and in hands of disbursing officers, Dec. 31, 1920-----	3, 427, 772. 38
	<hr/>
	11, 167, 166. 73
Cancellations refunds and adjustments in journal not shown by cash statements-----	10, 872. 41
	<hr/>
	11, 156, 294. 32

It will be noted that the figures given by Senor Pou for actual receipts from customs and other sources are incorrect, the receipts having amounted to the figures given in the above statement which are even larger than those submitted by Senor Pou.

In arriving at the actual surplus for the year 1920, Senor Pou has merely deducted the estimated receipts from the figures given by him as actual receipts and has assumed that the difference should increase the surplus from \$41,830.36 to \$3,274,949.73. Senor Pou has entirely neglected the fact that 80% of all customs receipts over the amount estimated (over collections of \$3,000,000, in fact) is, under the existing loan contracts, required to be devoted to additional amortization. He has also neglected the special appropriations made during 1920 for public works and the expenditures therefrom.

The statement made that the Military Government's bank accounts with the International Banking Corporation was overdrawn in the amount of \$70,451.27 on December 31, 1920, is not correct. The balance in the current account,

# 1158 INQUIRY INTO OCCUPATION OF HAITI AND SANTO DOMIN

which it is assumed Senor Pou refers to, on December 31, 1920, amount: \$157,102.81.

The total balance in the International Banking Corporation on December 31, 1920, as per general ledger was \$550,727.22, divided as follows:

Dominican Republic current account	\$157,102.81
Fidelity fund	6,577.12
Survey fund	30,544.00
Amortization fund, 1918 loan	230,729.00
Amortization fund, coupon account	85,026.00
Liquidation Lottery Padre Billini	20,000.00
Total	\$550,727.22

There was in addition the following sums on deposit to the credit of the Republic in the banks indicated, both also designated depositaries:

Banco Territorial e Agricultura de Puerto Rico	\$50,000.00
American Foreign Banking Corporation	54,000.00

Under authority of the State Department dated January 28, 1921, the issuance of certificates of indebtedness to a total of \$1,200,000 was authorized. These were to be repaid from bond issue if such bond issue had been floated prior to their maturity. A total of \$800,000 of certificates were negotiated through the International Banking Corporation and paid on June 30, 1921, for the proceeds of the \$2,500,000 loan of June 1, 1921.

The statement that there existed on December 31, 1920, a debit balance of Messrs. W. R. Grace & Co., of New York, purchasing agents of the Government is correct. This debit balance amounted to \$689,554.25 and covered supplies and equipment for the prosecution of public works and other activities of the Government.

Executive order No. 88, creating the fidelity fund, provided that the money could be invested in such loans as the executive authority might approve. With the authority of the military governor the sum of \$85,000 from this fund was loaned to the Dominican Central Railroad at an interest rate of 4 per cent which has since been repaid with interest.

The \$2,500,000 loan was sold to the Equitable Trust Co. of New York by Speyer & Co. at a discount of 3 1/4 per cent. A statement of the proceeds is as follows:

Face of loan	\$2,500,000.00
Discount	72,500.00
Total	\$2,427,500.00

The proceeds, \$2,427,500, were paid to the International Banking Corporation in New York by the bond purchasers for the account of the Dominican Republic. Acting under the instructions of Lieut. Commander Arthur H. Mayo of the United States Navy, the officer then administering the affairs of the Department of state of finance and commerce, the International Banking Corporation disposed of this sum as follows:

Paid to International Banking Corporation to liquidate \$800,000 face value certificates of indebtedness plus accrued interest	\$816,333.00
Paid to W. R. Grace & Co. in liquidation of account	724,992.00
Transferred to treasurer of the Republic in Santo Domingo	886,173.00
Total	\$2,427,500.00

The sums disbursed for expenditure for public works from the date the loan was requested, November 28, 1920, to the present time have amounted to \$2,237,796.97.

No change has been made in method of administration of the railroad management of which is in the hands of a general manager under contract with the military government. Regular reports of operations have been furnished by the railroad to the department of state of fomento and communications and accounts have been duly submitted to the auditor of the Republic each month. No income has been realized by the railroad since July, 1920, due to the fact that large sums have been devoted to upkeep and betterment and to the further fact that present economic conditions have reduced the freight carried by the railroad.

Abraham Khoury was shot and wounded in the left arm on November 19, 1919, in San Pedro de Macoris, during a disorder between marines and men.

the Guardia Nacional Dominicana. The investigation indicated that the shot had been fired by an enlisted man of the Guardia Nacional Dominicana tended for a marine. Settlement was made by the payment of \$1,500, which was charged to the appropriation under article 8 for unprovided expenses of the executive power.

There is attached hereto a signed statement of the International Banking Corporation, dated January 15, 1921, giving the treasurer the status of the deposit accounts of the Dominican Government with that bank as of December 31, 1920. A statement showing the reconciliation between the bank's statement and the books of the Government is also attached hereto. In explanation, it may be stated that the books of the Government and those of the bank are hardly likely to agree upon any particular date, due to the fact that checks drawn may be outstanding or sums may be in transit for deposit. It should be noted that the Government, for statistical purposes and for its immediate information, divides its current funds into a number of subheads. For the purpose of furnishing early information to the officials of the treasury department, a daily statement is prepared showing this division into subheads, and it is apparently from such a statement that Señor Pou took his information, it was insufficiently acquainted with the accounts of the Government to properly interpret the said statement. There is given below the status of the account as of December 31, 1920, as taken from the general ledger:

Dominican Republic current account. International Banking Corporation	\$157, 102. 81
Deposit with Banco Territorial de Puerto Rico	50, 000. 00
Deposit with American Foreign Banking Corporation	54, 000. 00
Fidelity fund	6, 571. 83
Survey fund, deposit account	39, 544. 75
Survey fund, invoice account	72, 481. 00
Loans to municipalities	74, 925. 00
Mortization fund, 1918 bonds	239, 799. 89
Mortization fund, coupon account, 1918 bonds	87, 698. 91
Liquidation Lottery Padre Billini	20, 009. 89
Dominican Central Railroad loan	85, 000. 00
General suspense account	2, 194, 892. 58
Guardia Nacional Dominicana	345, 746. 58
<b>Total</b>	<b>3, 427, 772. 38</b>

The figures given in the schedule attached to Señor Pou's statement as to customs and internal-revenue collections are incorrect. The actual customs receipts were \$6,298,798.87. Receipts from other sources amounted to \$4,244,526.56.

Respectfully submitted.

ARTHUR H. MAYO.  
*Lieutenant Commander (SC), United States Navy.*

The figures given in the above statement are correct and in accordance with the books of the treasury department.

JOHN LOOMIS,  
*Treasurer.*  
W. H. OLIVER,  
*Chief, Section of Accounts.*

INTERNATIONAL BANKING CORPORATION,  
*Santo Domingo, January 15, 1921.*

Mr. JOHN LOOMIS,  
*Treasurer Dominican Republic, Santo Domingo.*

DEAR SIR: We inclose herewith the following statements of account for the month of December, 1920:

República Dominicana, balance in favor of the account	\$100, 881. 80
Dominican Government disbursement account, balance in favor of the account	183, 180. 82
República Dominicana, Pago Adjudicaciones Orden Ejecutiva No. 193, balance in favor of account	529. 33
Dominican Republic 5 per cent bond issue, 1918, balance in favor of account	278, 348. 92
Apeo Dominicana, balance in favor of account	37, 044. 75

# 1160 INQUIRY INTO OCCUPATION OF HAITI AND SANTO DOMINGO

Fondo de Fidelidad, balance in favor of account..... \$11.20  
Cuenta Fianza, balance in favor of account..... 9.74

which please have examined and advise if any corrections are noted.

The canceled checks, coupons, and bonds pertaining to the above statement are returned under separate cover.

We also inclose voucher covering commission earned during the month of December, amounting to \$3,120.

Yours, very truly,

W. A. S. GORDON, *Accountant*

## *Tesoreria Nacional, Seccion de Contabilidad—Reconciliation Rcp. Dom. C. Acct. Dec. 31, 1920.*

Balance per bank statement.....		\$100.88
Deduct. Cr. by books not by bank		
Trf. 116/118 Pago adj.....	\$2,544.08	
" Fondo Fidelidad.....	2.50	
		2.50
S. de Fondos 12/31.....	9,758.73	
		98.33
Deduct. debits by banks not by books.....		9.74
		88.59
Int. July, 1920, letter 7/8/20.....	7.08	
Trf. from. Fond. Fid. 7/21/20.....	58.00	
Int. R. I. S. P. Mac., Nov., 1920.....	6.28	
" N. L. Orme, Sept., 1920.....	3.56	
Trf. from O. P. 10/14/20.....	11,000.00	
Dep. per letter 11/25/20, no record.....	200.00	
Deposit Fond. Fid. error.....	140.67	
		11.41
		77.18
Add. debits by books not by bank		
Int. Cta. Fianza 6/30/20.....	147.62	
Trf. from Fon. Fid. neto 1919.....	9,173.32	
		9.30
		86.48
Deduct. Cr. by books not by bank		
Int. Fondo Fid. trf. to F. F.....	724.95	
Trf. to Fondo Apeo.....	2,500.00	
		3.24
		83.24
Add. debits by books not by bank		
Deposit #13688—Receptoría ch. 12/30/20.....	75.00	
Error in deposit 12/31/20.....	7,000.00	
		165.92
Deduct. Dr. by bank (not by books)		
Transfer to Fondo Fidelidad.....	3.61	
		162.30
Balance per books 12/31.....		157.00
		3.24
Add. errors in deposits by bank.....		
Di. favor of Government.....		3.24

W. H. OLIVER

*Jefe Seccion de Contabilidad*

The CHAIRMAN. We will stand adjourned until 9 o'clock to-morrow morning (Whereupon, at 3.35 p. m., the committee adjourned until 9 a. m., Thursday, December 15, 1921.)

# INQUIRY INTO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

THURSDAY, DECEMBER 15, 1921.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Santo Domingo City.*

The committee met pursuant to adjournment.

Present: Senators McCormick and Oddie. Also present: Messrs. Howe, Knowles, and Angell.

Senator McCormick. Mr. Knowles, in order that we may dispose of our time to the best advantage, let me say that I am advised that the committee has an engagement to receive certain business men at 10 o'clock; that at 11 o'clock it has an engagement with the archbishop. It will probably rise this afternoon, or a little after noon, not to sit again. Let me ask you if your remaining witnesses fall into categories—classifications?

Mr. Knowles. They do.

Senator McCormick. What classifications—general in their terms?

Mr. Knowles. The witnesses that we have on this list include Fabio Fiallo, newspaper man—

Senator McCormick. Let us dispense with the names.

Mr. Knowles. As to subjects?

Senator McCormick. Yes.

Mr. Knowles. Relate to the manner in which the censorship was enforced in the country as the reason why natives did not make complaints to military leaders. Instructions from military officers to the native bookkeepers to pass certain accounts of military officers without demanding proof or vouchers of account, which is contrary to the constitution and law of the country.

Imprisonment of members of the Dominican Congress, and efforts made by the representatives of the United States Government to effect the election of a certain man for President.

Attempts made by the representatives of the United States Government to prevent revolution in the country.

Denial by a man specifically charged with certain acts alleged as the basis of the cause of the American intervention and occupation.

Acts of cruelties and atrocities committed in other sections than those already testified to.

Proof of discrimination between Americans and Dominicans in the matter of salary for the same class of work and positions.

Violation of the civil-service law recognized by the military government, and the refusal of the military governor to receive complaint as to such violation.

The testimony of the President de jure of the Dominican Republic, Dr. Enriquez y Carvajal, as to pressure brought upon him as President of the country to accept a certain plan of the United States that had been rejected by the previous Dominican administration, and the consequent orders that came and resulted in the overthrow of the Dominican Government.

I might say, Mr. Chairman, at this point, since I have been asked what testimony we have to produce, that we have testimony to produce of the violation of certain laws of the country in respect to the exportation of the money of the country; certain information and demands for information respecting the purchase of sugar by the military government.

Senator McCormick. Well, now, Mr. Knowles, there are 12 items. How many days, in your judgment, would it take to hear, not all the witnesses it

is possible to do that in that as far as in your judgment it would be better to do that than to do that.

MR. KNOWLES. I should say that if the committee should sit as I have said the committee would sit in the capital, much of that testimony would be produced.

SENATOR McCORMICK. That is not a direct answer to my question. I am asking you to do it to-day or to-morrow.

MR. KNOWLES. But it was announced that it was leaving on the 19th inst. in the future here.

SENATOR McCORMICK. That is to say if it would sit two more days would it not sit in the future in two days?

MR. KNOWLES. We could produce testimony on every one of those.

SENATOR McCORMICK. Well, I mean would you be satisfied, would you say that had been covered in two days' session?

MR. KNOWLES. I would not like to say, Mr. Chairman, that we were able to produce testimony, that as the committee is to sit in judgment upon the testimony produced—if we have five witnesses on a certain point have time to produce only one, that we ought to be asked to be satisfied that.

SENATOR McCORMICK. I have not asked you to be satisfied with anything.

MR. KNOWLES. Oh, I thought you did.

SENATOR McCORMICK. No. I have not asked you to do anything. I am asking to discover what might be done to meet your views.

MR. KNOWLES. Well, I can not tell you how much I would appreciate additional two days.

SENATOR McCORMICK. Well, Mr. Knowles, of course, the committee was adjourned one day at the beginning, at your request.

MR. KNOWLES. You can charge that day to my account.

SENATOR McCORMICK. Subsequent days have been occupied with two very largely with one; the circumstances environing the landing of troops prevalent to the issuance of the proclamation.

MR. KNOWLES. And I am sure the chairman will admit it is a most important topic.

SENATOR McCORMICK. Well, the chairman neither alleges nor admits anything. If it is important, that is for you to determine. Wherein lies its importance at the expense of these other subjects?

MR. KNOWLES. Because, Mr. Chairman, if it proves to be a fact that the occupation was unwarranted—and we can not prove that fact by the atrocities, we could not prove that fact by proving violations of the laws of the occupation occurred—we could not prove that fact by any of the hundred witnesses as to the outrages, the homes that were burned, and those things, because they don't bear upon the question as to the right function of the original occupation that brought those here in this territory who subsequently committed or are alleged to have committed these things; that the great question involved, as I understand, in this investigation of the rights of this matter is as to whether the United States had by law, or by anything else that it can put forward in justification of it, the right to send troops upon this territory and occupy this land.

I might say that I would be almost willing to stand upon that alone—the testimony that might be produced would go exclusively at this stage to the United States Senate to determine that one vital point. When I say I am termining—and if it is determined affirmatively for the United States Senate might be the United States can doubt or question the right of the nation to produce any kind of testimony as to what has been committed or the actions under that occupation, but if—

SENATOR McCORMICK. You mean to be determined by a committee of the United States Senate?

MR. KNOWLES. Yes; as to its action. As to what resolution it will be bearing upon the subject. Because I think that it is not only the purpose of this committee to receive and hear and judge of such testimony will make that testimony the basis of some kind of report and recommendation to the United States Senate.

SENATOR McCORMICK. Now, let me suggest, Mr. Knowles, that outside the record, the subject which appears to preoccupy many minds is the terminating the occupation, quite as much as that of the original landing and issuance of a proclamation. Personally—I don't want to argue at this time and until I have considered the whole problem—the initial landing

the issuance of the proclamation, and the question to which you advert, there are two sides to occupancy of this character. I do not want to attribute to the counsel a purpose which he has not declared, and I make that very clear, that if it were his purpose to raise the issue of trespass and damage, for example—if there were a claim lying against the United States by reason of the occupation, there would also occur to anyone considering the matter the study of precedents in such cases, under which the occupied country has paid not only for the civil administration under the military occupation, but the entire cost of the military occupation, as counsel probably knows. But I had in mind that the preoccupation which I find as I go about is with the termination of the occupation.

So far as I have followed the hearings, none of the witnesses—and I say in no critical spirit—has spontaneously proposed a plan and the successive steps necessary to be taken, in the light of the administrative problem or the fiscal problem or the financial problem. And if this ground is to be covered at the rate at which we have gone, I should say not two days but two weeks would be necessary to hear the witnesses.

Does counsel care to make at this time the suggestion as to which he and I made some reference personally a little while ago, regarding the hearing of witnesses at a later date, or in another manner?

MR. KNOWLES. I would be very glad indeed to conform my plans to any that will be agreeable to the committee that will give the witnesses an opportunity to appear before the commission, or any representative, to be heard—I won't say committee.

Senator McCORMICK. As the counsel knows, it is not a matter of what is agreeable to the committee. The committee or the members of the committee have other responsibilities, and at some sacrifice to each individual member of the committee and some sacrifice of other responsibilities, has come voluntarily to assume the burden, voluntarily to hold hearings on the spot. I do not want any misconception to be put upon the committee's efforts in this matter.

Upon the assumption that the committee will not sit after midday or later today, what suggestion has counsel to make, in view of the fact that between 10, 10 or a little after, and 11.30 the committee will have to suspend these hearings?

MR. KNOWLES. I will see if I can suggest some practical plan, but as I see that the chairman has stated is going into the record, I want to touch on two points. First, as to why nothing has been yet suggested referring to the plan of evacuation. Unless I am mistaken as to the purport of the resolution of the United States Senate—which I regret that I have not at my hand—that resolution authorizing the appointment of this committee, with its instructions as to the investigation, related to two subjects, the first—and as it would appear the Senate seemed to consider most important—was the occupation of Dominican territory by the United States.

Senator McCORMICK. Well. I want to distinguish between occupancy (which I consider both coterminous and contemporaneous with administration) and the entrance of armed forces within the territory of the Republic.

MR. KNOWLES. But as I am addressing myself, Mr. Senator, to the resolution as it was passed, I can only take the wording of that resolution and say that the Senate evidently intended that there was a distinction between occupation and administration; otherwise it would not be the usual way of the United States Senate of expressing itself by vote of the Senate on a resolution.

As to the second point for the investigation, it was administration. Now, I suggest that neither of those two words by the greatest stretch of the meaning of either can include suggestions as to in what way there shall be an evacuation.

As to the other point the distinguished chairman made, that precedent exists that should it be found after careful and serious consideration of this question by the United States Government and people that there has been—and it is established that in effect the United States Government is a trespasser in this country—that there are precedents in far away China and in dark Africa that placed the cost of the unjust occupation upon the natives, I believe the time has come and will be so declared by the United States when that precedent shall no longer prevail where there has been wrongful occupation.

Senator McCORMICK. At this stage of the game I venture that we have not decided that the occupation is unjust.

Mr. KNOWLES. No; I say "if" and I presume the Senator had "if" in mind in the comment that he made, so I am addressing myself only to the if of the proposition, that if it is proven and if the United States does decide—as I believe it will—that this occupation was unjust and illegal, never can I believe nor do I believe the Senator will favor that any act of wrong committed in this country without the consent of the Dominican people will be charged on single dollar against the natives of this country.

Senator McCORMICK. That is a statement of one side of the question.

Mr. KNOWLES. How far I understood the Senator correctly—

Senator McCORMICK. The Senator has not suggested that in those instances or in any particular instance where the revenues of the occupied territory defrayed the cost of the occupation an injustice was done the inhabitants of the countries.

Mr. KNOWLES. Well, that I may know if I understand the Senator's point aright—

Senator McCORMICK. The Senator made no suggestions and passed no judgment as to the justice or injustice done in the cases to which he alluded as precedents. Counsel did otherwise, if he will permit me to say so.

Mr. KNOWLES. Yes; I am speaking as to the justice of the application of the precedent—I think you used the words—

Senator McCORMICK. I thought that counsel spoke not as to the justice of the application of the precedent, but to the justice of the course of the occupation power in the cases. I misunderstood you.

Mr. KNOWLES. No; Mr. Chairman, I addressed myself solely to the justice of these precedents mentioned by the Senator.

Senator McCORMICK. Mr. Knowles, before the committee arises, and in view of the number of topics and the probable number of witnesses, after consulting with my colleagues, I wonder if you would not take time now to estimate as carefully as may be the number of witnesses actually necessary to cover the ground—the number of persons?

Mr. KNOWLES. I will, Senator.

Senator McCORMICK. And the number of days.

(The Chambers of Commerce of the city of Santo Domingo and St. Pedro Macoris appeared before the committee, represented by the following gentlemen: Mr. P. A. Ricart, Mr. Jesus Cobian, Mr. C. M. Gueira, Mr. J. Ismael Perez, and Mr. A. R. Nanita.)

The CHAIRMAN. Will you sit down, gentlemen? You are very welcome. I am some member of the chamber to act as its spokesman?

Mr. RICART. The Chamber of Commerce of Industry and Agriculture of Santo Domingo, before treating of the business which has brought about the present interview, desires to take advantage of this opportunity to bring forth before the honorable Senators of the United States the following declarations:

The chambers of commerce unite in this protest of the Dominican people in respect to the occupation of the territory of the Republic by North American troops, and it is sincerely and honestly felt by all the members and by all the Dominican people that there should be expressed to the honorable committee of Senators the strong hope that soon there will be returned to the Dominican people the enjoyment of their attributes and rights of a free republic, absolutely independent and absolutely sovereign.

Our mission to the Senators is to try to obtain for our country the same advantages which others enjoy with the great American Nation. It is practically proved that our import duties are a protector of American industry and American products, and it appears to be just that this country obtain as compensation, some reciprocity, tending to help our producers, who at the present abnormal time, brought about by the temporary crisis which is world wide, we have not been able to justify. We would not be justified unless we made some effort that our impoverished farmers obtain some help that would help to stimulate those who are dedicating the best part of their lives to making the land produce the fruits which nourish and sustain us.

Every government of the world protects agriculture with wise laws, its commerce, its industries, and everyone who struggles to obtain not only his own personal welfare but also the aggrandizement of his country. There is no occasion more propitious than the present one to suggest to you the necessary on the part of the American people to have our tobacco and sugar enjoy the same advantages as those enjoyed by our neighbor, Cuba. We permit ourselves to place in your hands an exposition carefully drawn up concerning what I have just stated, which we respectfully commend to you.

is an opportunity to reiterate that all you can possibly do for the restoration of our sovereignty, to which we have an indisputable right and of which we have been unjustly despoiled, for the welfare of our beloved Republic, and will be a debt of gratitude which the Dominican people will ever owe to the American Nation and its worthy representatives.

Mr. President, Mr. McCormick. Mr. President, it is within the confines of the chairman's committee at this time to answer you only informally and personally, and, of course, the committee as a whole has not had time to consider your proposition, and because, furthermore, the negotiation of commercial treaties is upon the initiative of the President. But I am at liberty to voice my personal opinion and that of my colleague who is with me here. We believe the principle that what you propose regarding the admission of Dominican products to the American market is absolutely just. As the chamber of commerce knows, all of the countries which border upon the Caribbean Sea are suffering greatly by reason of the diminution of their exports and of the fall in price of those exports. In a relative sense I believe that Cuba has suffered deeper and more drastic crisis than that which you have suffered in Santo Domingo. She is seeking financial assistance in New York to-day. Doubtless, members of the chamber have heard, in the neighboring country of Haiti, that it has almost been consumed under very advantageous terms. Scarcely a day passes when to New York or to Washington there do not come the entreaties of some European or South American country, either officials or bankers, seeking assistance.

I am sure that my colleagues, like myself, will charge themselves with an interest in the encouragement of your agriculture and the relief of the financial crisis in the Dominican Republic, in so far as it may be relieved, in so far as they are able by their advice and influence to relieve it.

I thank you very cordially for coming to-day, and in the same spirit and in the in which we offer our cooperation we bespeak yours in the solution of every difficult and complex financial problem.

Mr. RICHART. The chamber of commerce joins me in thanking you cordially. The data referred to is here printed in full, as follows:)

SANTO DOMINGO, December 8, 1921.

*Members of the United State Senate in charge of the investigation of Dominican-American affairs, Santo Domingo city.*

HONORABLE SIRS: The executive of the Dominican Confederation of Labor, which institution we have the honor to be members, respectfully has the honor to report: That from the moment Santo Domingo was occupied by the United States forces this federation has protested, and continues to protest, against this act of force, our understanding being that there is no legal authority which has been obtained by usurpation.

It is the firm belief of the Dominican laborer that under such conditions of oppression as those to which he has now been reduced against his will, with no possibility of putting into effect methods for the betterment of his situation, no government of the people nor for the people which would encourage the passage of beneficial laws, existence is impossible, and the American military occupation constitutes the death of our desires, progress, the welfare of our citizens, and their protection.

The Dominican laborer, through regular representatives, has made declarations to the same military government under whose control we now are, to the government at Washington, and, finally, to the third congress of the Mexican Federation of Labor, which took place not long ago in Mexico City, and there were gathered together labor representatives from all of the countries of the South American Continent, but without result.

It has been demonstrated and duly proved that the Dominican Republic has failed to comply with the obligations which were imposed upon it by article 3 of the third clause of the Dominican-American treaty, nor has it in any isolated any other clause; that therefore there does not exist any real, or apparent, reason for military occupation, and for a government which is absolutely no benefit to the citizens, and which shows no respect for the rights of the small countries which form part of the American Continent; also taking into consideration that the State Department at Washington declared that the military occupation did not take place because the Dominican government violated clause 3 of the Dominican-American treaty, but because of the political necessity which existed at the time, due to the great war, the Dominican Confederation of Labor therefore hopes that you will be able to find the real national sentiment of the Dominican people who have been invaded

and unjustly governed by American military forces, and that you will inform the honorable Senate of your country, which is the most powerful of the Americas, and of which you have the honor to be citizens, that the claims and demands of the Dominican Republic are just, and that the American military forces should be removed at once, and that the Republic should be restored to the free enjoyment of her liberty, which will be a service on your part in the cause of liberty and justice.

Very respectfully,

\_\_\_\_\_, *Presidente*

SANTO DOMINGO, R. D., Diciembre 8 de 1921.

*Señores Miembros del Senado de los Estados Unidos del Norte Americano y la Comision investigadora del Caso Dominicano, Americano, Ciudad.*

**DISTINGUISHED CABALLEROS:** El Comité Ejecutivo de la Confederación Dominicana del Trabajo que tenemos la honra de integrar, tiene la ocasión de exponerles, muy respetuosamente, que desde el instante mismo que se realizó la Intervención Militar en Santo Domingo por tropas del Ejército de los Estados Unidos de Norte América ha protestado i sigue protestando de todo acto emanado de esa autoridad que por la fuerza nos oprime, por que entiende que esa autoridad usurpada es ilegítima.

Es criterio firme del Obrero Dominicano que dentro de una atmosfera de esclavitud como a la que lo tienen sometido contra su voluntad, sin las garantías suficientes para poner libremente, en practica los anhelos de mejoramiento que tiene derecho a aspirar, sin un Gobierno del Pueblo i para el Pueblo, propenda a la creación de Leyes beneficiosas, no puede vivir, que la Intervención ha sido i es funesta para la consecución de esos legítimos fines, para el progreso del País, para la vida de los ciudadanos, i para el Tesoro de sus Arcas.

El Obrero Dominicano por medio de sus Representantes naturales ha presentado exposición al propio Gobierno Militar que lo sojuzga, al Gobierno de Washington, i por último, al tercer Congreso de la American Federation of Labor, tuvo verificativo en la ciudad de Mexico ultimamente, donde concurrieron representantes obreros de las Repúblicas Sur Americanas que pueblan el Continente, sin que el clamor de la Justicia que demandó fuese satisfecho.

Nuestros Obreros piden día a día en un ardiente grito de su amor a la independencia, el abandono inmediato de su territorio por las tropas del Estadunidense, su libre determinación sin perjuicio de cualquiera otra reclamación a que tiene derecho, por los daños morales i materiales que le han sido causados por orden del Gobierno de Washington.

Está demostrado i probado evidentemente que la República Dominicana jamás ha faltado a los compromisos contraídos en la cláusula tercera del Convenio Dominicano-Americano, ni ha violado ninguna otra cláusula, que habiendo motivos ni aparentes ni reales para ser ocupada militarmente, ni que permanezcan aún en toda su magnitud gobernándola sin provecho alguno para el respeto a la libertad a los Pueblos debiles que forman el Continente Americano, i despues de haber sido declarado por el Departamento de Estado de Washington, posteriormente que la ocupacion militar se verificaba no por voluntad de parte del Gobierno Dominicano a la precitada cláusula, sino por necesidad política del momento, toda vez que iban a tomar parte en la guerra mundial que se desarrollaba en aquel entonces, mucho menos.

Por tanto, la Confederación Dominicana del Trabajo espera que ustedes seréis intérprete fieles del sentimiento nacional del Pueblo Dominicano, mas i gobernado injustamente por tropas del Ejército de los Estados Unidos de Norte América, é informareis al Honorable Senado de la Nación mas poderosa de América de la cual sois dignos ciudadanos, que la República Dominicana tiene razon en sus quejas i demanda i que debe de ser desalojada inmediatamente por las tropas del Ejército Americano i devuelta al goce de su libre determinación, por lo que hareis un servicio a la libertad i a la justicia.

Muy respetuosamente,

**L. M. PONCERRATE,**  
*Presidente*

**JOSÉ CABADO R.,**  
*Secretario.*

**ARISTIDES ROJAS,**  
*Tesorero.*

**JULIO CÉSAR BALLESTER,**  
**MOISES RUIZ,**  
**ALEJ. RAUL AMIANA F.,**

ederico Oscar Polanco, notario publico de los del numero de esta Comun de to Domingo, certifica: que los Señores Luis Maria Poncerrate, José Casado Aristides Rojas, Julio Cesar Ballester, Moisés Ruiz, y Alejandro Raul ama F., á quie nes dá fe conocer, han firmado en su presencia la exposición precede.

into Domingo, Dicbre. 13 de 1921.

SEAL.]

OSCAR POLANCO.

SANTO DOMINGO, Diciembre 15 de 1921.

l Honorable Comisión de Senadores de los Estados Unidos de América en into Domingo, Palacio.

HONORABLES SEÑORES: La Cámara de Comercio de Santo Domingo y la de

Pedro de Macoris desean aprovechar la oportunidad que les ofrece la ta oficial a este país de la Comisión investigadora nombrada por el Senado os Estados Unidos, para someterle, respetuosamente, el presente Memorán- i. relativo a las mutuos ventajas que derivarian los Estados Unidos y la ública Dominicana, si llegaran a celebrar un tratado de Reciprocidad ercial.

os lazos comerciales entre los Estados Unidos y la República Dominicana tan íntimos, en razón de su situación geográfica y de las relaciones polítics desde hace muchos años existen entre ambos países, que no parece necesario licar, prolijamente, en que se fundan dichas ventajas.

relativamente, la pequeña República Dominicana es el mejor cliente de los ndos Unidos y los Estados Unidos el mejor cliente de nuestro país. La lencia natural de la corriente del comercio en ambas naciones ha ido mándose y acentuándose en ese recíproco intercambio de productos, con lusión de casi toda otra nación, de tal modo, que puede decirse que la tidad de artículos que actualmente nosotros compramos o vendemos a otro s que no sea los Estados Unidos, es relativamente insignificante en comación con nuestro volumen de negocio con Norte América. Los siguientes os estadísticos, tomados de fuente oficial, lo prueban elocuentemente:

*Comercio de la Republica Dominicana.*

[No incluye ni importación ni exportación de dinero.]

Año.	Import, total.	Import, E. U.	Export, total.	Export, E. U.
.....	\$6,257,691	\$3,739,025	\$10,849,623	\$7,661,303
.....	6,949,662	4,120,483	11,004,906	5,760,824
.....	8,217,898	5,100,001	12,385,248	7,274,606
.....	9,272,278	5,769,061	10,469,947	5,600,768
.....	6,729,007	4,452,347	10,587,787	8,573,562
.....	9,118,514	7,361,259	15,209,061	12,044,271
.....	11,664,430	10,152,698	21,527,873	17,412,088
.....	17,581,814	14,450,351	22,444,580	17,946,787
.....	20,168,952	17,042,041	22,376,574	18,174,521
.....	20,101,627	18,195,804	39,716,692	24,104,859
.....	46,768,258	36,091,173	58,767,041	51,149,790

Sin embargo, es preciso admitir que la Guerra Mundial, obligando a las ciones de Europa a desatender su comercio antillano o imposibilitando las concurrir a nuestro mercado, ha favorecido grandemente esa tendencia tural determinada por la proximidad geográfica.

No sería pues, extraño, que la vuelta a la normalidad de aquellas naciones npobrecidas o aniquiladas por la guerra, las indujera nuevamente a buscar parte de nuestro comercio que anteriormente le correspondía y aun a tratar e obtener una parte mayor. No obstante que reconocemos la conveniencia e en el sentido de abaratar el costo de los artículos importados, trae consigo na concurrencia de otros competidores, es nuestra firme creencia que si la épública Dominicana i los Estados Unidos pudi eran celebrar un tratado en irtud del cual se aseguraran permanentemente o por largo período, las recí- rocas ventajas de poder consumir a menor precio los productos de cada uno, mbos países saldrían gananciosos.

De nuestros principales productos de exportación, solo el cacao y el café ntran libres en los Estados Unidos por estar exonerados de derechos; pero

el azúcar, que actualmente paga el derecho prohibitivo de 2 cts. por tiene que concurrir en condiciones muy desfavorable a ese mercado. tabaco dominicano no pueda ser exportado a los Estados Unidos, a causa los derechos exorbitantes con que está gravada su introducción.

Es preciso hacer resaltar la condición desventajosa en que se encuentra el azúcar dominicano. Las antillas inglesas, por virtud de arreglos hechos con el Canada, gozan alif de una Tarifa preferencial que las asegura la exclusividad de aquel mercado; el azúcar cubano tiene, en virtud del Tratado de Reciprocidad Comercial celebrado con los Estados Unidos un descuento un 20% sobre los derechos de aduana, y desde luego, los productos de Puerto Rico, por ser parte del territorio americano, entran a los Estados Unidos de toda exención aduanera. Esta situación, decididamente desfavorable, venido a empeorarse con la promulgación de la reforma de la Tarifa aduanera estadounidense conocida bajo el nombre de Emergency Tariff Act. Cuyas disposiciones esenciales se trata de establecer de modo permanente con la proyectada Tarifa Fordney, aprobada por la Cámara de Representantes americana.

Es indudable que la Tarifa de Emergencia y la proyectada Tarifa Fordney por el Representante Fordney, actualmente ante el Senado americano, gravan con un derecho de importación de 2 cts. el azúcar, conlleva la completa ruina de esa industria en nuestro país y el empobrecimiento de toda la región del Este de la República.

Los grandes capitales, en su mayor parte americanos, invertidos en la explotación del azúcar de caña, dependen esencialmente de la exportación a los Estados Unidos para dar salida a su producto, como lo comprueban los siguientes datos oficiales:

Total exportado.	Año.	Valor.	Exportación
92,908 toneladas.....	1910	\$5,590,539	
85,630 toneladas.....	1911	4,159,733	
88,775 toneladas.....	1912	5,841,357	
78,849 toneladas.....	1913	3,850,555	
101,428 toneladas.....	1914	4,943,452	
102,800 toneladas.....	1915	7,671,393	
122,624 toneladas.....	1916	12,028,297	
131,498 toneladas.....	1917	13,388,466	
120,032 toneladas.....	1918	11,981,399	
162,321 toneladas.....	1919	20,697,761	
158,803 toneladas.....	1920	45,705,630	

Ahora bien, es nuestra creencia que está en interés del Gobierno y de los americanos que se conserve intacto y que aumente cada día nuestra capacidad adquisitiva y nuestra capacidad de producción. Si, desgraciadamente, la Tarifa Fordney se llegara a convertir en ley, sin que al mismo tiempo los Estados Unidos concedieran a la República Dominicana rebajas especiales, virtud de un Tratado de Reciprocidad Comercial, similar al que celebraron la República de Cuba en 1902, y que tanta influencia ha ejercido en el desarrollo de la riqueza y del progreso de aquella isla, el poder adquisitivo de la República Dominicana disminuirá grandemente y no podrá ser en los años, tan buen cliente de los Estados Unidos como hasta la fecha ha sido.

Creemos que una de las razones que deberían influir en el ánimo de los Senadores para inclinarse en favor del Tratado que sufrimos, es el hecho de que la República Dominicana, quien por virtud de los términos del Tratado de 1907, perdió su derecho de legislar soberanamente sobre las tarifas aduaneras, puesto que toda reforma a la tarifa de importación y exportación debe ser previamente aprobada por el Presidente de los Estados Unidos, que pueda ponerse en vigor, se encuentra incapacitada para celebrar un Tratado de reciprocidad comercial, que le aseguren un mercado a sus productos en otra nación que no sea los Estados Unidos. Esto quiere decir que si los Estados Unidos rehusaran concedernos las franquicias y facilidades de comercio que consideramos necesarias para mejorar el comercio entre los dos países, que a título de reciprocidad, les pedimos, la República Dominicana encontrará prácticamente inpotente, aislada y desvalida, desde el punto de vista comercial, en uno de los períodos mas críticos y desfavorables de su historia.—

Es nuestra creencia que en vista de las responsabilidades morales y políticas y voluntariamente han asumido en nuestro país los Estados Unidos, teniendo cuenta la proximidad geográfica de ambos países y las cordiales relaciones políticas que deben siempre existir entre dos naciones soberanas que tienen intereses comerciales comunes y recíprocos, y de la situación excepcional en que se mantiene, en lo que se refiere a legislación aduanera, la Convención—Dominico-Americana, el Ejecutivo y el Senado de los Estados Unidos debieran ojer favorablemente la celebración de un Tratado con la República Dominicana que pusiera los productos de nuestro suelo y nuestra industria en las mismas condiciones que los de Cuba.—

La actual Ley sobre Aranceles de Importación y Exportación, puesta en vigor el 1.º de Enero de 1920, admite libres de derechos innumerables artículos que son producto del suelo y de la industria estadounidense, lo cual, aunque sin establecer un derecho expreso de preferencia, prácticamente, pone a los Estados Unidos en una condición muy ventajosa en nuestro mercado, en razón de las facilidades comerciales de que ella goza por la proximidad geográfica y la mayor frecuencia de la comunicación con nuestra isla. Así tenemos que muchas de las ventajas adquiridas por los Estados Unidos en su Tratado con la República de Cuba, obteniendo la reducción de derechos aduaneros sobre artículos producidos y fabricados en los Estados Unidos, tales como hierro, hierro fundido, hierro forjado, hierro fundido maleable, acero y manufacturas, maquinarias, barcos, vehículos, cemento romano, carbón de piedra, aceites minerales, alfileres, herramientas e instrumentos para la agricultura y arte y oficios, están sus aleaciones, quinina en cualquier forma, euquinina, preparados de aceites de higados de bacalao, sueros terapéuticos, pulpas de papel y algunas de sus manufacturas, pipas, toneles, correas de transmisión, balanzas romanas, pieles, animales y legumbres frescos, leche condensada análogas, caucho y algunas de sus manufacturas, pizarras, piedras de amolar, esmeril, abastos, filtros, creocota y otros artículos mas, ya las tiene obtenidas aquí, después de la reforma cancelaria realizada bajo la dirección del Gobierno Militar, puesto que esos artículos entran absolutamente libres en este país desde 1920.—

En nuestra opinión un Tratado de Reciprocidad Comercial entre los Estados Unidos y la República Dominicana debiera comprender, de parte de la República Dominicana:

- (a) Abolición de los derechos de puertos.
- (b) Reducción de un 10 a un 20% sobre los derechos de importación de artículos que sean productos del suelo o de la industria de los Estados Unidos.
- (c) Que los productos del suelo y de la industria de los Estados Unidos que actualmente entran libres de derechos en la República Dominicana, continúen siendo admitidos libres de derechos.
- (d) Abolición de los derechos de exportación sobre productos dominicanos.

#### DE PARTE DE LOS ESTADOS UNIDOS.

(a) Admisión del azúcar, tabaco, cigarros, cigarrillos, miel de abejas, cera, semillas de Higuera y otros artículos de exportación que sean productos del suelo y de la industria de la República Dominicana, en términos iguales a los acordados a la República de Cuba.

(b) Que los productos dominicanos que actualmente entran libres de derecho en los Estados Unidos, sigan gozando de esa misma exención.

Los lazos de fraternidad histórica y las íntimas y cordiales relaciones existentes entre la República Dominicana y la hermana República de Cuba, nos hacen presumir que este país amigo, lejos de poner obstáculo en el camino de un Tratado como el que sugerimos a la Hon. Comisión del Senado de los Estados Unidos, lo verá con beneplácito, y que si, según ella misma ha solicitado al Gobierno americano, se modifica el Tratado de Reciprocidad celebrado con ellos en 1902, creemos que no pondrán inconveniente en que la cláusula VII de ese tratado sea redactada de manera que permita el cumplimiento de las aspiraciones de la República Dominicana.

La situación económica que actualmente atraviesa la República Dominicana a causa de la crisis mundial es tan grave y desesperada, que la aceptación por parte de los Estados Unidos de un Tratado de Reciprocidad Comercial como el que sugerimos, o en su defecto, la adopción de ciertas medidas que permitan la introducción de nuestros productos al mercado de los Estados Unidos en las

condiciones señaladas, sería tan oportuno en estos momentos conflictivos, no dudamos que tal acción sería recibida con beneplácito y gratitud por el pueblo dominicano.

De Vds. con la mayor consideración y respecto, nos suscribimos,

P. A. RICART,

*Presidente.*

A. R. NANITA

*Secretario General*

ISMAEL PÉREZ,

*Comisionado de la Cámara de Comercio de S. P. de Maracaibo.*

CARLOS GUERRA,

*Comisionado de la Cámara de Comercio de S. P. de Maracaibo.*

#### DECLARATION.

La Cámara de Comercio, Industria y Agricultura de Santo Domingo antes de tratar el asunto que ha motivado la presente entrevista, desea aprovechar esta oportunidad para hacer constar por el órgano ante la Comisión de Honorables Senadores de los Estados Unidos, la declaración siguiente:

La Cámara une su protesta, a la protesta del pueblo dominicano respecto a la ocupación del territorio de la República por las tropas Norte Americanas, e interpretando fielmente el sentir unánime constante de sus miembros y de todo el pueblo dominicano, expresa a la Honorable Comisión de Senadores su vehemente esperanza de que pronto sea devuelto, el pueblo dominicano, al goce de sus atribuidos derechos como República libre, absolutamente independiente y absolutamente soberana.

P. A. RICART, *Presidente.*

A. R. NANITA, *Secretario General.*

(The committee then withdrew.)

Senator McCORMICK. Mr. Knowles, if you have had an opportunity for conference during this interval, perhaps you may be able to advise the committee as to the number of witnesses whom you wish to present and the time which would be consumed in their testimony. If the committee finds it necessary to hear them, not in Santo Domingo, but in Washington, as I think probably will be the case.

Mr. KNOWLES. I have, Mr. Senator, gone over the list of the witnesses which have been submitted to me up to the present time, and I believe that the matters that are either pending or have not yet been taken up, can be covered by not exceeding 15 of these witnesses. As to the time, I hardly think it will be necessary to suggest any particular time. If these hearings are taken up, the commission can rely on my pushing them along just as fast as possible. I should say within 10 days, possibly within 18 days, all of these 15 witnesses could be heard, if the committee could sit, as you suggested, practically continuously until we had reached the end of them.

Senator McCORMICK. I will try before we leave to-night to suggest the date of the resumption of the hearing in Washington.

Mr. KNOWLES. I will endeavor to conform to whatever plan may be agreed upon to have the witnesses there at the earliest possible moment, even as early as the next steamer that leaves the Republic for the States, which exact time I will let you know a few minutes later.

Senator McCORMICK. Then, Mr. Knowles, in view of the fact that the members of the committee here and the others have an engagement, made through the good offices of the archbishop to meet at the Cathedral at 11 o'clock, with your permission we will proceed to the Cathedral and return here as soon as possible to resume the hearings at, say 11.30.

(Whereupon the committee took a recess until 11.30 a. m.)

AFTER RECESS.

The committee met pursuant to recess at 12 noon.  
 Present: Senator McCormick, Oddie, and Pomerene. Also present: Mr. Knowles, Mr. Howe, and Mr. Angell.

**STATEMENT OF MR. DOROTEO R. REGOLADO, SALCEDO.**

MR. KNOWLES. What is your name?  
 MR. REGOLADO. Doroteo R. Regolado.  
 MR. KNOWLES. Where do you reside?  
 MR. REGOLADO. In Salcedo.  
 MR. KNOWLES. Where were you born?  
 MR. REGOLADO. In Salcedo.  
 MR. KNOWLES. Have you always lived in that city or this country?  
 MR. REGOLADO. Yes.  
 MR. KNOWLES. Will you state, for the information of the commission, any offense or any happenings to you during the military occupation, stating only which actually occurred to you or that you saw?  
 MR. REGOLADO. What happened to me and what I witnessed: The Confederation of Labor appointed me to give some lectures to workmen, to let the work-classes know the national purposes and to avoid at the present time strikes which might bring about disunion between the workmen and the capitalists, especially as the Republic is occupied at the present time, and disunion between workmen and the capitalists must bring about diversions in the union, which is needed between all Dominicans to protest against the North American military occupation. I made a tour of the Republic with that propaganda of national unification until I reached the town of Barona, where I gave my lecture. The following day I was denounced by employees of the military government for inciting the masses against the military government. The provost marshal of that town—  
 Senator McCormick (interposing). The date?  
 MR. REGOLADO. The 3d of November, 1920.  
 Senator McCormick. What were the names of those who denounced you?  
 MR. REGOLADO. Mr. Manuel del Toro Peralte and a man whose surname is Hernandez, both Porto Ricans. The provost marshal summoned me before him and gave me 48 hours to leave the town. I asked him in writing to expel me from the city, which he refused to do in writing. When the 48 hours were up I was in prison. I was kept in camp three days and was brought in a marine chaser to this city. I was placed in the prison here on the 9th of November, 1920. A month after I was tried on the charge of having incited the masses to rebellion. In spite of the fact that high assistants or persons present at the lecture came and denied the accusation or denied the charges brought against me, the provost court sentenced me a month after to one year's imprisonment at hard labor and \$500 fine.  
 Senator McCormick. Mr. Knowles, the record shows all this. Is it true that under the military law he was not convicted upon the evidence adduced?  
 MR. KNOWLES. No, Senator; it is to show and to adduce facts to the commission that he didn't have a fair trial and the manner in which he was treated as a prisoner; the results to his person, which he will carry all through his life.  
 Senator McCormick. Let him continue, then.  
 MR. REGOLADO. The day after the sentence had been published—  
 Senator McCormick (interposing). When was the sentence published? When was he sentenced—what date?  
 MR. REGOLADO. The 10th of January, this year.  
 MR. KNOWLES. I think he stated, Senator, that after he was brought here to Barona he was kept in prison one month without a trial, and then after trial another month before he was sentenced.  
 MR. REGOLADO. The day after the sentence was published I was taken out of work.  
 MR. KNOWLES. Where?  
 MR. REGOLADO. In the Placer del Estados and to work on the wharfs. The lines who were sentries over me made me carry very heavy loads, which I was unable to raise. Then they obliged me to do so, using the butts of their

rifles. Afterwards I was taken to weed at the Hippodrome; until worn out in the sun, I had a sunstroke. I was then taken—I was thrown—a truck and taken to the military hospital.

Senator McCORMICK. About when was that?

Mr. REGOLADO. The 11th of February this year. Which sickness lasted days. I was perfectly well, but knowing that I would be taken out to again, and knowing how hard I had been used, I decided to go on a strike, which lasted 30 days, and to make them responsible for everything that happened.

Senator McCORMICK. Make who responsible?

Mr. REGOLADO. Each day my condition was noted.

Senator McCORMICK. Whom did he wish to make responsible—the author of the hospital?

Mr. REGOLADO. The military government. Thirty days after I was in a sad state and expected death at any moment. And due to the scandal through the press, the press having reached the ears of the military government, they were not asking for pity for me, but they wanted the governor to know the state in which I was; it was due to that fact, not the Government sent an American doctor to examine me, and I was released on parole on severe restrictions. The city was my prison. I should report myself on the 9th day of each month before the provost marshal, and leaving for any other town I must have a permit from the military government, and if in case of sickness I was unable to present myself to the provost marshal I should report to him in writing, and as a consequence of that I am completely useless, suffering from some kind of paralysis.

Senator McCORMICK. By illness he means incident to his hunger strike.

Mr. REGOLADO. Yes.

Mr. KNOWLES. For the purpose of protesting, was it?

Mr. REGOLADO. Yes.

Senator McCORMICK. I have no further questions to ask.

Mr. KNOWLES. Is this the manner in which you were garbed in prison [introducing witness a photograph]?

Mr. REGOLADO. Yes.

Mr. KNOWLES. I offer this in evidence.

(The photograph is on file with the committee.)

Mr. KNOWLES. At the trial was any witness present to state any part of the language that you had used in this lecture to the workmen?

Mr. REGOLADO. Yes.

Mr. KNOWLES. What did they say that you had said?

Mr. REGOLADO. That I had stated that the time had come for the shedding of blood for our liberty.

Mr. KNOWLES. Did you on that occasion or any other occasion make any statement?

Mr. REGOLADO. No, sir.

Mr. KNOWLES. Did you have witnesses who were present at that lecture testified that you said no such thing?

Mr. REGOLADO. Yes.

Senator McCORMICK. Were there witnesses who testified that you said such things?

Mr. REGOLADO. Two employees of the military government.

Mr. KNOWLES. Were they present, each of them, at that lecture?

Mr. REGOLADO. Yes.

Senator McCORMICK. Were there any others that testified in the same manner that these men, these two so-called employees, of the Government testified?

Mr. REGOLADO. No, sir.

Mr. KNOWLES. Who were these two employees of the Government?

Mr. REGOLADO. Two Porto Ricans. One employed in the department of instruction and the other a sanitary officer.

Mr. KNOWLES. Do you know how they happened to be at the lecture?

Mr. REGOLADO. They came to hear.

Mr. KNOWLES. Had you said anything in this lecture that you had said in many lectures before?

Mr. REGOLADO. The same thing throughout the country.

Mr. KNOWLES. How many times had you repeated that lecture in different parts of the country?

Mr. REGOLADO. Several times.

Mr. KNOWLES. In what city?

Mr. REGALADO. Throughout the Republic.

Mr. KNOWLES. What was the state of mind produced upon you and others, you know, in the city where you reside, and others in which you were frequently, as to the effect of this arrest and imprisonment?

Mr. REGALADO. We are very indignant, due to the pressure brought to bear on the newspaper men in general.

Mr. KNOWLES. What do you mean by pressure brought to bear upon the newspaper men?

Mr. REGALADO. The newspaper men were condemned or sentenced to six months' imprisonment or \$300 fine.

Senator McCORMICK. Mr. Knowles, I merely want to note that apparently a committee is about to afford the witness some latitude beyond the rules, and it is upon warning now. He is about to discuss impressions and not facts, hink.

Mr. KNOWLES. Yes; he was going to recite cases that he personally knows of. Senator McCORMICK. I only suggest that when you are discussing impressions, the student of psychology, even experts, might differ as to impressions.

Mr. KNOWLES. Yes, you are right, Senator. Do you know of any cases of your own knowledge of newspaper men who have been so fined and imprisoned?

Mr. REGALADO. Yes, sir.

Senator McCORMICK. Will you leave a list of their names and their cases in writing?

Mr. REGALADO. Yes.

Senator McCORMICK. We will spare the witness, the counsel, and the committee the time involved in a verbal recital.

Mr. KNOWLES. I assume that the committee does not want to know anything further about his personal condition.

Senator McCORMICK. Well, that remains to be seen. He has testified that he was imprisoned, subject to labor under such conditions that he suffered a stroke; that he went on a hunger strike, and that he is now paralyzed. Counsel may be the judge, if he wants to, of the fact whether he wishes to press the matter.

Mr. KNOWLES. There is one question I forgot to ask. During this 30 days that you were making your protest in the way you have stated to the committee—

Senator McCORMICK. No; no. During this period you were on a hunger strike by way of protest were you attended at all by the American doctors until you had arrived at the last hours of the condition you describe?

Mr. REGALADO. No.

Senator McCORMICK. Were you attended by any physicians at all during that time?

Mr. REGALADO. Yes.

Senator McCORMICK. At what time and what doctor?

Mr. REGALADO. From the time I feel ill the doctor was Alejandro Martinez, under the orders of Dr. Hater, an American.

Mr. KNOWLES. Was he, if you know, connected with the military government?

Mr. REGALADO. Who?

Mr. KNOWLES. This Dr. Hager?

Mr. REGALADO. Yes.

Mr. KNOWLES. Just how did this illness affect you? You state that you were paralyzed.

Mr. REGALADO. Thirty days after I was released I came out on the streets for the first time, and it was then I noted that my legs would hardly bear me up due to weakness.

Mr. KNOWLES. What has been your condition since?

Mr. REGALADO. Always ill.

Mr. KNOWLES. Are you able to pursue any occupation of any kind?

Mr. REGALADO. Up to the present I have not been able. I have been in a clinic.

Mr. KNOWLES. That is all with the witness.

Senator McCORMICK. Counsel will be given an opportunity to see the record of the trial. I learn that witnesses—four, I think, in number—appeared in behalf of the witness present before the committee, and that his counsel in the case appears to have been allowed a very wide latitude in his arguments. If counsel wishes the records in the hospital, they will be supplied to him, too, if he asks for them.

(The records referred to will be filed with the clerk to the committee.)

MILITARY GOVERNMENT OF SANTO DOMINGO,  
OFFICE OF THE MILITARY GOVERNOR.  
*Santo Domingo City, D. R., January 17, 1921.*

In reviewing the record of the proceedings of the superior provincial court, the case of Doroteo A. Regalado, an inhabitant of the Dominican Republic, is noted that (p. 12) the court adjourned over from Tuesday, December 7, Thursday, December 9, 1920; and, again (p. 15) from Thursday, December 10 to the following Friday, December 15, 1920, to await the arrival of certain witnesses requested for the defense in both cases without previously asking and receiving the sanction of the convening authority. Article 45, Article 46, the government of the Navy, requires the court (general) to "sit from day to day, Sundays excepted, until sentence is given, unless temporarily adjourned by the authority which convened it"; and section 432, Naval Courts and Boards, 1917, provides that "proceedings in a case (summary) may be suspended for cause—after its first meeting, a summary court-martial shall meet at the time specified at adjournment—unless the convening authority directs otherwise."

While these provisions apply specifically to naval courts, and while there is no such restriction specifically affecting exceptional military tribunals, as their procedure is governed by analogy by the procedure laid down as prescribed by the department for other courts "so far as the exigencies of the service may permit" (sec. 14, N. C. & B.), the same requirement should have been observed, viz, the district commander, eastern district, should have been notified of the request of counsel for the desired delay, and his authority therefor first obtained. However, in the absence of any statute or ruling, the department rendering necessary this formality, as in the case of regular and ordinary courts, the omission noted is not considered sufficient to invalidate the proceedings.

It is further noted that, in the summing-up argument by the counsel for the accused, he transcended the latitude allowed in such argument by heaping abuse upon witnesses for the prosecution, referring to them as "malevolent conspirators," "imported scum," etc. In permitting the employment of such abuse the court erred. Section 314, Naval courts and boards, 1917, states: "But the court should not permit such argument to be made the vehicle of abuse not resting upon the merits of the case and not supported by matters contained in the record"; and Naval Digest (p. 32), "Arguments. 1: The court should not permit counsel to resort to a general malediction of a third party." All witnesses appearing before naval courts are entitled to be treated with respect and consideration, and are not to be allowed to be insulted, browbeaten, or defamed by either party to the trial nor by their counsel. The court is the sole judge of the degree of credence or credibility to be imposed upon their testimony, unless their characters for credibility or competency have been impeached in the regular way, recognized and sanctioned by legal practice, their testimony to be weighed by the court and given that degree of probity to which the court believes it to be entitled. In any event, they should be protected from abuse. (See C. M. O. No. 317, 1919, p. 2, case of Lieut. Commander Christopher Wenden, U. S. Navy, quote-marked passage, p. 2.)

The resort by counsel to the employment as a weapon of invective and personal abuse of the prosecution's witnesses, civil employees of the military government, furnishes additional reason, if any is needed, for believing in the existence on the part of the defense of a feeling of defiance toward and opposition to the de facto government, which the accused in this case is charged with and has been convicted of, maligning.

The recorder may equally have animadverted upon the evasiveness, apathy, collusion, willingness to testify favorably to the benefit of the accused, manifest partisanship and bias on the part of all witnesses called for the defense. (Moore on Facts, sec. 828, p. 934.) "The witness in an excited condition often becomes the mere partisan of the litigant whose cause he represents. His solicitude in the cause and his anxiety to win the verdict are often more than his friend and summoner, whose life or liberty may depend upon the verdict."

Subject to the foregoing remarks, the proceedings are approved.

After very carefully considering the evidence adduced in this case, the military governor is convinced that the specification has been proved beyond reasonable doubt, and that the accused was justly convicted of the offense alleged.

It is pointed out that action in this case was not initiated by American members of the forces of occupation, but upon complaint brought by Spanish

eking officials of the Dominican Government and peaceable citizens (the governor of Barahona Province, Senor Brandilio Feliz, among them), who were present on the occasion when the accused made the speech with which he was charged, and who describe the terms thereof as so violent, incendiary, and revolutionary as to have excited or inflamed the people to the extent of causing them to make threats in the form of anonymous placards, posters, or letters against a peaceable citizen occupying a civil office of trust and dignity.

It was further stated that these remarks, made by the accused, were couched in terms so violent, untruthful, and defiant of the existing Government as to have produced a marked effect upon his auditors, indicated by their applause of approval, and to have shocked the sense of propriety of these persons loyal to the Dominican Government present and listening to them. The report was made by Dominican citizens to the military authorities, and action requested by them to preserve public order and safety and to prevent disturbance of the peace.

The evidence for the prosecution was direct, positive, and circumstantial; that for the defense doubtful, uncertain, and of a negative character, consisting in the greater part of such answers as, "I don't remember him saying that"; "I did not hear that, if he said it," etc. The witnesses for the defense were avowedly partisan, and as such, undoubtedly biased (see Moore on Facts, 828, p. 984, and sec. 1112, pp. 1250-1252). "In every litigation the tendency of a voluntary witness is to become a partisan on the side for which he testifies. It is a lamentable fact that the disposition to help the side calling the witness is shown by many. Due allowance should always be made for the bias of witnesses who manifest a zeal in behalf of the party for whom they testify."

In addition thereto their testimony, by reason of its negative character, can be given the same degree of weight that positive, direct testimony (unless the latter is successfully impeached) commands. The witnesses for the prosecution were neither impeached nor their testimony shaken on cross-examination. It is, therefore, entitled to full weight, as it appears to have received in conformity with prescribed principles. There is an old Roman maxim which, translated, says, "One testifying affirmatively is worth a thousand negatives." Testimony of a purely negative character acquires no weight by reason of the number of witnesses who give it." (Moore on Facts, sec. 1189). "Ordinarily a witness's nonrecollection of a fact has no weight whatever against the testimony of a credible witness that, to his personal knowledge, it occurred" (same authority, sec. 1190, p. 1334).

The testimony of such witnesses, as was said by an eminent English jurist, "makes no great influence on my mind." (*Browning v. Reane*, 1 Eng. Ecc., 1, 199.)

It is not believed that under the sanction and ruling of existing authorities it was necessary for the prosecution to prove that actual revolt or disorder followed, and was occasioned by the revolutionary utterances of the accused. It is equally an offense to incite, or attempt to incite, strife as it is to produce and it need not be averred even that revolt or disorder followed. (See Cyc., 1, XXXIV, p. 1783, par. 3.)

The apprehension and punishment of revolutionaries and conspirators whose acts in assassinating the Archduke Ferdinand of Austria was the ostensible not the direct cause of the World War, in June, 1914, before the commission that overt act might well have prevented the universal conflagration which followed.

The contention was made by the defense that no punishment could be meted out because, on December 6, 1920, Executive order No. 385, the prohibitory terms of which had, on November 1, 1920, been violated, was revoked and superseded by Executive order No. 572. An act which is a crime when committed continues to be a crime, notwithstanding a subsequent law, passed at a later date, changing the nature of the law violated, and may be still punished as such; otherwise the later law would be ex post facto and would have the effect, equally, of changing the nature of the punishment previously prescribed, which is forbidden by the Constitution of the United States. The contention as without merit.

In view of the facts in this case, i. e., that Doroteo A. Regalado did, knowingly and willfully make, in the course of a public speech, delivered at the Union Theater, in the city of Barahona, Dominican Republic, on November 1, 1920, certain accusations of a manifestly untruthful character against the officers of the military government, and of existing conditions in the Dominican Republic, and did make use of words and phrases toward the Government of

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the United States and of the military government of Santo Domingo, the policies and officers, and so severely critical of them as to incite the people thereof to unrest, disorder, and revolt, and so held up to scorn and obloquy the conduct of the Governments aforesaid in such manner as to tend to create disorder and revolt in the Republic in direct contempt, defiance, and in violation of Executive order No. 385, forbidding such utterances, the finding and the sentence adjudged by the court are approved.

*Rear Admiral, United States Navy.  
Military Governor of Santo Domingo.*

11254-1-F.

[Ninth indorsement.]

HEADQUARTERS SECOND BRIGADE, UNITED STATES MARINES.  
*Santo Domingo City, D. R., 24 January, 1921.*

From: Commanding General.  
To: Military Governor.  
Subject: Trial of Doroteo A. Regalado.

1. Forwarded.

CHAS. G. LONG.

1-58-21-(1)-CMP-AMc.

[Tenth indorsement.]

MILITARY GOVERNMENT OF SANTO DOMINGO,  
*Santo Domingo City, D. R., January 26, 1921.*

From: Military Governor of Santo Domingo.  
To: The Secretary of the Navy (Judge Advocate General).

1. Forwarded.

THOMAS SNOWDEN.

11254-C.

[Third indorsement.]

HEADQUARTERS SECOND BRIGADE, UNITED STATES MARINES.  
*Santo Domingo City, D. R., 14 January, 1921*

From: Commanding General.  
To: Military Governor of Santo Domingo.  
Subject: Trial of Doroteo A. Regalado.  
Inclosure: Record of trial.

1. Forwarded.

CHAS. G. LONG.

[Fourth indorsement.]

MILITARY GOVERNOR OF SANTO DOMINGO,  
*Santo Domingo City, D. R., 17 January, 1921.*

From: Military Governor of Santo Domingo.  
To: The District Commander, Southern District.  
Via: Commanding General, Second Brigade, United States Marines.

1. Returned for information, notation, and return to this office.
2. Attention directed to action taken, appearing hereon.

11254-3-G

[Fifth indorsement.]

HEADQUARTERS SECOND BRIGADE, UNITED STATES MARINES.  
*Santo Domingo City, D. R., 19 January, 1921.*

From: Commanding General.  
To: District Commander, Southern District.

1. Forwarded for information and return.  
By command of Brig. Gen. Long.

MACKER BABB, *Chief of Staff.*

OF DOROTEO A. REGALADO, AN INHABITANT OF SALCEDO, DOMINICAN REPUBLIC, DECEMBER 6, 1920.

OF PROCEEDINGS OF A SUPERIOR PROVOST COURT, CONVENED BY ORDER OF DISTRICT COMMANDER, SOUTHERN DISTRICT, DOMINICAN REPUBLIC.

HEADQUARTERS SOUTHERN DISTRICT, DOMINICAN REPUBLIC,  
SANTO DOMINGO CITY, DOMINICAN REPUBLIC,

November 19, 1920.

District Commander, Southern District.

aj. Charles S. McReynolds, United States Marine Corps.

t: Convening superior provost court.

in accordance with authority delegated to me by the Military Governor to Domingo in letter dated November 16, 1920, a superior provost court hereby ordered to convene at headquarters, Southern District, Santo Domingo City, Dominican Republic, on November 19, 1920, or as soon thereafter practicable, for the trial of such of the inhabitants or sojourners therein—including members of the military services of the United States—as may be guilty of offenses not deemed to warrant punishment exceeding confinement for more than hard labor nor fines of more than \$3,000.

The court shall be constituted as follows: Maj. Charles S. McReynolds, United States Marine Corps, member; Capt. Willett Elmore, United States Marine Corps, member; First Lieut. Walter S. Hallenberg, United States Marine Corps, member; Second Lieut. Fred Lueders, United States Marine Corps, member.

Records of cases tried shall be submitted to the convening authority.

HENRY C. DAVIS,

*Lieutenant Colonel, United States Marine Corps,  
Commanding Southern District.*

INDICATION OF AN OFFENSE PREFERRED AGAINST DOROTEO A. REGALADO, AN INHABITANT OF SALCEDO, DOMINICAN REPUBLIC.

Specification: In that Doroteo A. Regalado, an inhabitant of Salcedo Dominican Republic, did, on or about November 1, 1920, in the city of Barahona, Dominican Republic, make a speech in public, of and concerning the policy of government of the United States in the Dominican Republic, and of the policy of government of Santo Domingo, in words and phrases substantially as follows:

Marinos y el Gobierno Militar son culpables de habernos atropellado. La bandera de la Republica Dominicana esta sufriendo grande verguenza, y la Republica esta sufriendo grande ignominia por la invasion de las tropas extranjeras; quoenes cual los cosacos del Kaiser, estan atropellando a los dominicanos con los cascos de los caballos, y cometiendo crímenes. Ha llegado el momento en que no debemos de seguir permitiendo tales atropellos. Los Estados Unidos no es mas que una nacion que roba a los pueblos pequenos como lo ha hecho aqui. Debemos derramar nuestra sangre por la soberania. Nuestra Patria no debe morir, para que un dia se lleque al sacrificio por la libertad de nuestra tierra amada. No debemos seguir permitiendo a estos extranjeros que nos quieren quitar nuestra independencia, or words to that effect. The said Doroteo A. Regalado well knowing that the words and phrases said were so hostile toward the Government of the United States, and the military government of Santo Domingo, their policies and officers, and so highly critical of them, as to incite the people to unrest, disorder and revolt; and held up to scorn, obliquy, and ridicule the conduct of the governments said, and in such a manner, as to tend to create disorder and revolt in the Dominican Republic; and so described present conditions in Santo Domingo in a grossly unfair and untruthful manner, in such terms as to incite the people to disorder; this in violation of Executive Order No. 385 of the military government of Santo Domingo.

Approved: November 29, 1920.

to be tried before the superior provost court of which Maj. Charles S. McReynolds, United States Marine Corps is senior member.

HENRY C. DAVIS,

*Lieutenant Colonel, United States Marine Corps,  
District Commander, Southern District, Dominican Republic.*

## FIRST DAY.

HEADQUARTERS SOUTHERN DISTRICT, DOMINICAN REPUBLIC,  
SANTO DOMINGO CITY, DOMINICAN REPUBLIC.  
*Monday, December 6, 1920.*

The court met at 9 a. m.

Present: Maj. Charles S. McReynolds, United States Marine Corps; Willett Elmore, United States Marine Corps; and First Lieut. Walter S. H. berg, United States Marine Corps, members; and Second Lieut. Fred L. United States Marine Corps, recorder.

The recorder introduced Pedro Leon as interpreter, stating the act whereby he was appointed as such.

The accused entered and requested that Luis C. Castillo act as his counsel. Luis C. Castillo entered.

The recorder read the precept, original prefixed to the record in the case of Jimmy Parsons, a sojourner in the Dominican Republic, copy hereto, marked "A."

The accused stated that he did not object to any member.

Each member, the recorder, and the interpreter were duly sworn.

The accused stated that he had received a copy of the specification preferred against him on November 29, 1920.

The recorder asked the accused if he had any objection to make to the specification. The accused replied in the negative.

The court was cleared.

The court was opened. All parties to the trial entered, and the senior member announced that the court found the specification in due form technically correct.

The accused (counsel) requested a delay until such time as Virgilio F. Dr. L. Hernandez, Dr. Alcibiades Alburquerque, Eugenio Matos, and Manuel Jesus Fiallo, witnesses for the defense, can be called from Barahona, Dominican Republic.

The recorder replied that the accused requested, on November 29, that the following witnesses only be called: Eladio Ramirez, Virgilio F. Dr. L. Hernandez, of which Eladio Ramirez only is present. Telegrams have been sent to Barahona, Dominican Republic, asking for the three witnesses, but only one has arrived.

The counsel for the accused stated that when the accused submitted list of witnesses he had not yet consulted counsel; that the additional witnesses now requested were present at the meeting and are men of ability and whom it is desired to testify as to what was said.

The court was cleared. The court was opened. All parties to the trial entered and the senior member announced that the court decided to proceed with the case and further consider a delay to await the arrival of witnesses at the conclusion of the prosecution.

The accused stated that he was ready for trial.

No witnesses not otherwise connected with the trial were present.

The recorder read the specification, original prefixed marked "B," and arraigned the accused as follows:

Q. Doroteo A. Regalado, you have heard the specification preferred against you. How say you to the specification, guilty or not guilty?—A. Not guilty.

The prosecution began.

A witness for the prosecution entered and was duly sworn.

Examined by the recorder:

Q. State your name, residence, and occupation.—A. Manuel de Toro Perdomo, Barahona, inspector of public instructions.

Q. If you recognize the accused, state as whom.—A. Mr. Regalado.

Q. Did the accused come under your observation on or about November 1920? If so, state the circumstances.—A. I met Mr. Regalado at my office in Barahona, where he was introduced to me by a man named Carlos M. The accused told me that he came to Barahona in order to hold some meeting of labor character. He was requesting my help for him to introduce the meeting that the accused was going to hold at the Union Theater. I asked him if the labor meeting was in opposition to the Capitol or not. He answered me, "No"; that the propaganda was in a pacific way, just to educate the laboring people. I let him know that if it was that thing I

him to cooperate with him, as my duty was to help all that was pertaining to the location. That was my first interview I had with the accused.

Did the accused hold the meeting?—A. Yes, sir.

Did you attend the meeting?—A. Yes, sir.

What did the accused say at the meeting?—A. The first thing the accused was pull out some paper and read to the public some concepts of a labor acter. After he read some paragraphs from the paper that he carried him he told some phrases that contained a direct attack on the military government. Afterwards he continued reading from this paper concepts or of a labor character. Afterwards he folded up paper and started again, and phrases against the military government, the marines, and the United States. In like manner he continued the meeting for about 45 minutes until he could obtain applause from the public.

In what manner did the accused deliver his speech?—A. In a manner, said before, sometimes reading and sometimes improvising.

Was the accused excited or did he deliver his speech in an even manner?—A. When he was improvising he was excited.

What effect did the speech have on the public?—A. Extraordinary effect. Was much applauded and congratulated.

What effect did the accused's speech have on the public as to attitude toward the military government?—A. It was much applauded.

Can you remember the exact words the accused used in his speech?—A. Some of them.

What were they?—A. For instance, when he was talking about the lines he compared them to "los cosacos del Kaiser" (the Cossacks of the Emperor). They were going to all parts "con los cascos de los caballos atrojando y cometiendo crímenes" (with the shoes of their horses damaging and committing crimes). In other words, the accused talked against the military government. He said that "era un ignominia por la Republica Dominicana que era necesario que terminare, que el pueblo debe prepararse para recuperar su soberania" (it was an ignominy to have a Dominican Republic under a military government, that it was necessary to stop that, and that the people ought to get ready to recover their sovereignty). Some other phrases it "Los Estados Unidos estaba abusando los pueblos debiles, como habia sido robado de su independencia" (the United States, that was abusing weak countries, as they have done with the Dominican Republic, who have been robbed of their independence). I can remember when the accused was talking about the Dominican flag he said that it was an ignominy to have this when it does not represent what it is worth. I do not remember the other words he used. I don't remember any more.

Did the accused make a statement so as to incite the people to revolt?—A. Those phrases and many others.

Can you remember any phrases the accused used recommending violence?—A. The accused did not tell any.

Did the accused use the phrase "Debemos derramar nuestra sangre por la soberania" (We must pour out our blood for our sovereignty)?—A. Yes, sir.

Did the accused use phrases similar to this one?—A. Yes, sir.

Can you remember some?—A. Yes, sir; the same.

Did this speech of the accused cause much comment in Barahona?—A. Yes, sir.

Were the people excited over it?—A. Not excited, but they applauded.

Did any violence occur immediately afterwards?—A. No, sir.

Did any occur on the next day?—A. I can not tell, because I went out to Miriquillo.

Were there any threats of violence?—A. No, sir.

Did the civil authorities take any action after the accused made his speech?—A. I do not know.

Cross-examined by the accused (counsel):

1. Were the words used by the accused written or improvised?—A. What words do you refer to?

2. The words on which he was accused?—A. I don't know what the words

3. I am referring to the words you just mentioned a while ago in regard to the accused.—A. I believe the words were improvised, because at the time of announcing them the accused folded his paper.

Q. Are you a stenographer?—A. No, sir.

Q. Did you take the words pronounced by the accused in shorthand or any other manner?—A. No, sir.

Q. Did you feel yourself with the impulse of revolt when you heard the words of the accused?—A. No, sir.

Q. Do you know if after the speech was made was there any person who wanted disorder or revolt?—A. I do not know.

Q. Are you an employee?—A. Yes, sir.

Q. What is your nationality?—A. Porto Rican.

Reexamined by the recorder:

Q. Did the people of Barahona threaten you after the meeting?—A. Some days after the meeting some writing was found on the pavement in the park and on the stairway of the civil governor's building, threatening me with death and insult against my wife and my daughter.

Q. Was that threat an incident due to the accused's speech?—A. Yes, sir.

Q. What were the words written on the pavement and stairway?—A. I advise you that I did not see those words because I was not there, but the officers of the Guardia Nacional and the provost marshal of Barahona, almost all the people saw them on the pavement in the park and on the stairway. The words were: "Toro Peralta es un malhechor, debe irse de Barahona, si no se va lo haremos volar" (Toro Peralta is an evildoer, he must leave Barahona, if he does not go we will make him flee).

Recross-examined by the accused (counsel):

Q. What connection have you with the accused in order to be threatened in that manner?—A. It was told that I had sued the accused before the provost marshal.

Q. Did you report the accused to the provost marshal?—A. The provost marshal called me to his office to make a statement in regard to all that happened at the Union Theater, at Barahona, the night of the meeting of the accused.

Neither the recorder, the accused (counsel), nor the court desired further to examine this witness.

The witness was duly warned and withdrew.

The court then, at 12 noon, took a recess until 1.30 p. m., at which time reconvened.

Present: All the members, the recorder, the interpreter, the accused, and his counsel.

No witnesses not otherwise connected with the trial were present.

A witness for the prosecution entered and was duly sworn.

Examined by the recorder:

Q. State your name, residence, and occupation.—A. Ramon Hernandez, Barahona, Dominican Republic, sanitary officer.

Q. If you recognize the accused, state as whom.—A. I know him by the name of Reglado.

Q. Were you at the Union Theater on November 1, 1920?—A. Yes, sir.

Q. What happened there?—A. A conference was being held there by the accused. The accused was reading some paper about labor. After that he finished the paper and started talking about politics, stating that, "Los Estados Unidos estan cometiendo abusos con los pueblos debiles, como estan haciendo en Santo Domingo. El gobierno militar esta atropellando la dignidad de la Republica. Los Marineros Americanos se parecen a los cosacos del Kaiser, que cometen crmenes de sus caballos atropellan al pueblo y cometian crmenes por todos los paises y que no debiera permitirse mas eso" (the United States is abusing the countries as she is doing in Santo Domingo. The military government is damaging the dignity of the Republic, and the American Marines were like the cossacks of the Kaiser, that with the shoes of their horses were damaging and committing crimes everywhere, that, that must not be allowed). That is all I can remember.

Q. Did the accused use phrases to incite the people to violence?—A. Yes, phrases I have just told.

Q. Did the accused insinuate in his speech that the people should take arms and shed their blood for their country?—A. I believe I heard that. "El pueblo debe derramar su sangre por su soberania" (The people must pour out their blood for their sovereignty).

Q. In what manner did the accused deliver his speech?—A. The accused delivered his speech violently with energy.

1. What effect did the accused's speech have on the people?—A. They applauded his speech with enthusiasm.

(Cross-examined by the accused (counsel) :

1. Are you a stenographer?—A. No, sir.

2. Did you take in shorthand or in any other manner the words of the accused?—A. I did not take them in shorthand, neither in longhand; it is only that I remember them.

3. Did you feel yourself impelled to disorder or revolt by the words of the accused?—A. It was strange to me that the accused after he was talking about war, he talked about politics.

4. Did you feel yourself with the desire of attacking the military government after you heard the conference of the accused?—A. What I did feel myself was with the desire of making a protest against the accused, on account of the words stated by him against the military government.

5. Are you a Dominican?—A. I am a Porto Rican.

6. Are you an employee?—A. Yes, sir.

7. Do you know if after the speech was held, any person wanted to cause, hear of any person who wanted to cause disorder or revolt?—A. I do not know.

The recorder did not desire to reexamine this witness.

Examined by the court :

1. Did you hear the term "despotas" (despots) applied to the military government by the accused?—A. I don't remember.

2. Do you know in what town the accused lives?—A. I do not know.

Neither the recorder, the accused (counsel), nor the court desired further to examine this witness.

The witness was duly warned and withdrew.

The accused admitted that his name is Doroteo A. Regalado, and that he is inhabitant of Sascedo, Dominican Republic.

The recorder was called as a witness for the prosecution and was duly sworn.

Examined by the recorder :

1. State your name, rank, and present station.—A. Fred Lueders, second lieutenant United States Marine Corps, Marine Barracks, Santo Domingo City, Dominican Republic.

2. If you recognize the accused, state as whom.—A. I recognize him as Doroteo A. Regalado.

3. Have you a copy of Executive Order No. 385, of the military government Santo Domingo?—A. Yes, I have. It is in Spanish, in the "Gaceta Oficial," January 21, 1920.

4. Produce it.

The document just described was produced by the witness and submitted to the court and the accused, and by the recorder offered in evidence. There being no objection it was so received, and hereto appended, marked "No. 1."

The witness resumed his seat as recorder.

The prosecution rested.

The court then, at 4 p. m., adjourned until 1.30 p. m. to-morrow, Tuesday.

#### SECOND DAY.

TUESDAY, DECEMBER 7, 1920.

The court met at 1.30 p. m.

Present: All the members, the recorder, the interpreter, the accused, and his counsel.

No witnesses not otherwise connected with the trial were present.

The record of proceedings of yesterday was read and approved.

The defense began.

A witness for the defense entered and was duly sworn.

Examined by the recorder.

Q. State your name, residence, and occupation.—A. Eladio Ramirez, Santo Domingo City, student.

Q. If you recognize the accused, state as whom.—A. Doroteo A. Regalado.

Examined by the accused (counsel) :

Q. Did you hear the speech pronounced by the accused at Barahona, on November 1, 1920?—A. Yes, sir; I heard it.

Q. Did you hear in that speech the expression "Los marinos y el gobierno militar son culpables de habernos atropellado" (the marines and the military government having done harm to us)?—A. I don't remember all he said; I did not hear him say it.

Q. Did you hear the expression, "Los tropas Americanos cual los cosacos Kaiser, estan atropellando los Dominicanos y cometiendo crímenes" (American troops, like the Cossacks of the Kaiser, are doing harm to the Dominicans and committing crimes)?—A. I did not hear him talk about crimes or harm. If you want me to, I will make a statement of what I heard.

Q. Did you hear the other expression, "Ha llagado la hora en que no debemos seguir permitiendo tales atropellos" (the time has come of which we must allow all this harm)?—A. I did not hear him talk about harm.

Q. Did you hear the expression, "Los Estados Unidos no es una nacion que roba a los pueblos pequenos" (the United States is nothing but a Nation that robs small countries)?—A. I don't remember all he said; but I did not hear him say about the United States robbing small countries.

Q. Did you hear this expression: "Debemos derramar nuestro sangre por nuestra soberania" (we must pour out our blood for our sovereignty)?—A. No, sir.

Q. This other expression: "No debemos seguir permitiendo a estos despotas que nos quieren quitar nuestra independencia" (we must not go on permitting these despots that want to take our independence away from us)?—A. I did not hear him talking about the United States and about the independence of our country; but I did not hear him say that the Americans were despots.

Q. What expressions do you remember of the speech?—A. When the speaker started he began to read a paper and began talking about labor; about the conditions of the laborers in Santo Domingo City, and the manner the people look at them. Then he folded the paper and, improvising some words, he said: "Que era necesario que los obreros se unieran para trabajos por el interés de ellos mismos y el interés de la patria" (it is necessary for the laborers to unite themselves for their own interest and for the interest of the fatherland). Then he unfolded the paper again and went on talking about laborers in Cibao; that they had met and formed an association, and that down in the plain the laborers should do the same thing so as not to suffer the calamity that had been suffering. Then he went on talking about labor. I don't know what he said. Afterwards he folded the paper again and, improvising some words, he said: "La falta de union de los obreros habia traído en Santo Domingo guerras civiles, y por estos guerras civiles el gobierno de los Estados Unidos habia traído la intervencion" (the lack of union among laborers has brought to Santo Domingo the civil wars; and on account of the civil wars the Government of the United States has brought up intervention). With the paper he went on, saying: "Que los Dominicanos no estaban conformes con la intervencion de los Estados Unidos, porque ellos no tenían derecho a intervenir en Santo Domingo" (the Dominicans do not accept the intervention of the United States, as they had no right to intervene in Santo Domingo). He further said: "Una de las juntas obreras del Cibao la habia enviado a un sur de la Republica, a predicar la defensa de la patria por medio de la prensa y las asociaciones" (one of the labor boards from Cibao has sent him to the south of the Republic to preach the defense of the fatherland, by means of the press and the association). Then he unfolded the paper and went on reading.

Next day after the meeting I heard the people say that Toro Peralta was sent to report to the military government, because he had deceived him, as he told him that the meeting was wholly labor, and he had mixed things with the fatherland. He, the accused, was doing it as a prejudice to him because he is employed by the military government. Then on the 3d I expected to go to Santo Domingo, and I met the accused and asked him if he was not going to sail on the steamship. He told me "No," as the day before the military marshal had called him.

The recorder moved to strike out the paragraph beginning "Next day after" on the ground as being irrelevant and not responsive to the question, and partially hearsay.

The court was cleared. The court was opened. All parties to the trial were present, and the senior member announced that the court sustained the motion.

The court directed that the paragraph beginning "Next day after" be stricken out.

Do you believe that the people of Barahona felt themselves impelled to disorder or revolt on account of the speech of the accused?—A. No, sir; they did not call on the people to revolt.

Did you feel yourself impelled to disorder or revolt after you heard the speech of the accused?—A. No, sir.

Was there disorder or revolt after the speech of the accused at Barahona?—A. No, sir.

Cross-examined by the recorder:

Were you at the Union Theater during the entire meeting?—A. Yes, sir.

How far away from the accused were you when he made his speech?—A. About 3 meters.

You stated that you did not hear all of the accused's speech, although you were only 3 meters away. How is that?—A. I said I heard all of the speech, but I can not remember all he said.

In his speech at the Union Theater at Barahona on November 1, 1920, the accused used the expression "los cosacos del Kaiser" (the Cossacks of the Kaiser)?—A. I did not hear him.

What did he say about the marines?—A. No; he talked about the United States.

What did he say about the United States?—A. That the United States intervened in Santo Domingo without any right.

Did you hear the expressions "casco de los caballos" (shoes of the horses) and "despotas" (despots)?—A. No, sir.

Whether the recorder, the accused (counsel), nor the court desired further to examine this witness.

The witness was duly warned and withdrew.

A witness for the defense entered and was duly sworn.

Examined by the recorder:

State your name, residence, and occupation.—A. Virgilio Felix, Barahona; Merchant.

If you recognize the accused, state as whom.—A. I recognize him as the accused.

Examined by the accused (counsel):

Did you hear a speech pronounced by the accused in Barahona on November 1, 1920?—A. Yes, sir; I had the pleasure of attending.

Do you remember if in that speech the accused used offensive words against the United States?—A. No, sir; I did not hear any.

Do you remember if in that speech there were used offensive words against military government and its officers?—A. None.

Do you believe that the people of Barahona felt themselves impelled to disorder or revolt?—A. No.

Did you feel yourself impelled to disorder or revolt?—A. No.

Was there disorder or revolt at Barahona after the speech of the accused?—A. No.

Cross-examined by the recorder:

Were you at the Union Theater during the entire meeting?—A. Yes.

How far away from the accused were you when he delivered his speech?—A. About 10 meters.

Did you hear these expressions used by the accused "los cosacos del Kaiser," "casco de los caballos," "despotas" (the Cossacks of the Kaiser, shoes of the horses, despots)?—A. No, sir.

What did the accused say?—A. The speech was quite long and in regard to laborers and the organization of them. Among other things he said "Todos Dominicanos debemos estar unidos para la restauracion de la Republica" (all Dominicans must be united for the restoration of the Republic).

Did you hear the accused say that the United States intervened in Santo Domingo without any right?—A. No, sir.

Did you hear the military government, the United States, and the marines mentioned at all by the accused?—A. No, sir.

The accused (counsel) did not desire to reexamine this witness.

Examined by the court:

In what sense did the accused use these words: "Debemos derramar nuestro sangre" (we must pour out our blood)?—A. I did not hear them.

Q. In what sense did the accused use these words: "Crímenes y criminales" (crimes and criminals)?—A. I did not hear them.

Q. What did the accused say about the American troops?—A. I did not hear anything.

Q. During what hour was this speech made?—A. From 9 to 10 p. m.

Q. Was this speech prepared or improvised?—A. Prepared.

Neither the recorded, the accused (counsel), nor the court desired further to examine this witness.

The witness was duly warned and withdrew.

Two witnesses for the defense not having arrived from Barahona, Dominican Republic, the court then, at 3.50 p. m., adjourned until 2 p. m. Thursday, December 9, 1920.

### THIRD DAY.

THURSDAY, DECEMBER 9, 1920

The court met at 2 p. m.

Present: All the members, the recorder, the interpreter, the accused, and his counsel.

No witnesses not otherwise connected with the trial were present.

The record of proceedings of Tuesday (the second day of the trial) was read and approved.

A witness for the defense entered and was duly sworn.

Examined by the recorder:

Q. State your name, residence, and occupation.—A. Francisco Luciano Hernandez; Barahona, Dominican Republic; dentist.

Q. If you recognize the accused, state as whom.—A. Doroteo A. Regalado.

Examined by the accused (counsel):

Q. Did you hear a speech pronounced by the accused at Barahona on November 1, 1920?—A. Yes, sir.

Q. Did you hear him pronounce this expression: "Los Marinos y el gobierno Militar son culpables de habernos atropellar" (the marines and the military government are blamed of having harmed us)?—A. No sir.

Q. And this other expression: "Los tropas Americanos cual los cosacos del Kaiser, estan atropellando los Dominicanos y comitiendo crímenes" (the American troops, like the Cossacks of the Kaiser, are harming the Dominicans as they are committing crimes)?—A. No, sir; I did not hear the expression.

Q. And this other expression: "Los Estados Unidos no es mas que uno que roba a los pueblos pequenos" (the United States is nothing but a Nation that is robbing small countries)?—A. I did not hear it.

Q. And this other expression: "Debemos derramar nuestro sangre por nuestra soberania" (we must pour out our blood for our sovereignty)?—A. No, sir; I did not hear it.

Q. This other expression: "No debemos seguir permitiendo estos despotas que nos quitan nuestra independencia" (we must not go on permitting these despots to take our independence away from us)?—A. No, sir.

Q. What was the finality of the speech of the accused?—A. The accused talked about national fraternity of labor. He talked for a long time in that respect, saying that we must unite, all of us, to cooperate with national life and work for the interest of the country. He further talked about the necessity of our freedom; that this was the best time to work for our liberty, as the laborers had had the help of the national fraternity of the United States. Nothing more.

Q. Was it a pacific speech or warlike?—A. No, sir; he was asking that we must work for the freedom in a pacific manner.

Q. Did the people of Barahona feel themselves impelled to disorder or revolt when they heard the speech of the accused?—A. No, sir.

Q. Was there disorder or revolt at Barahona after the speech of the accused?—A. No, sir.

Cross-examined by the recorder:

Q. Did you hear all of the accused's speech?—A. Yes, sir.

Q. Did you hear the accused say the United States intervened in Santo Domingo without any right?—A. No, sir.

Q. What did the accused say concerning the marines, the military government, and the United States?—A. He only talked about the independence, he did not refer to the forces of occupation.

Then he did not even mention the marines, the military government, or the United States?—A. He mentioned the United States, but not in an injurious sense. In what sense did the accused use the words "Crímenes y criminales" but I did not hear him refer to the forces of occupation.

(as and criminals)?—A. I did not hear him talk about that.

Are you positive the accused did not use the terms, "cosacos del Kaiser," "cosacos de los caballos" (cossacks of the Kaiser, shoes of the horses)?—A. No, I did not hear them.

Was the accused's speech prepared or improvised?—A. He had the speech written, and sometimes he pronounced some words with the paper folded.

How do you know the speech was written?—A. Because I saw him read from the paper.

Have you a copy of the written speech?—A. No, sir.

The accused (counsel) did not desire to reexamine this witness.

Examined by the court:

At what hour did you hear the accused's speech?—A. From 10 to 10.30

What day of the week was this?—A. I don't remember.

What day of the month was this?—A. I don't remember neither. But as I said here, it was on November 1, 1920. I can't tell.

Where was this speech made?—A. At the Union Theater at Barahona.

Have you heard the accused speak there more than one time?—A. No, sir.

Are you certain that the accused did not at that time urge the people to violence?—A. Yes, sir; I am sure of it.

Would you consider the statement, "Debemos derramar nuestro sangre" (we must pour out our blood), an exhortation to resort to violence, or to be prepared to resort to violent measures, had it been made by the accused in his speech?—A. Yes, sir.

Did the recorder, the accused (counsel), nor the court desired further to examine this witness.

The witness was duly warned and withdrew.

The counsel for the accused requested a delay until the arrival of Dr. Alcibiades Alburquerque, a witness for the defense, from Barahona, Dominican Republic. The request was granted. The court then, at 3.10 p. m., adjourned until the arrival of Dr. Alcibiades Alburquerque.

#### FOURTH DAY.

WEDNESDAY, DECEMBER 15, 1920.

The court met at 1.45 p. m.

Present: All the members, the recorder, the interpreter, the accused, and his counsel.

The witnesses not otherwise connected with the trial were present.

The record of proceedings of the third day of the trial was read and approved.

The witness for the defense entered and was duly sworn.

Examined by the recorder:

State your name, residence, and occupation.—A. Alcibiades Alburquerque, Barahona, Dominican Republic; lawyer.

If you recognize the accused, state as whom.—A. I know him as Rega-

Examined by the accused (counsel):

Did you hear a speech pronounced by the accused at Barahona on November 1, 1920?—A. Yes, sir; I heard it.

Do you remember any ideas pronounced out in that speech?—A. The speech was made on organization of labor, of which he was a delegate, and the press I could see that he really was having meetings all through our country about that labor organization.

Did that speech have revolutionary finalities or pacific?—A. Of course I think that it had not revolutionary finality, because that was not the place to discuss revolutionary ideas where all the authorities could see it.

When he referred to the national patriotism, what connection did it have with the labor matter?—A. He was trying to have laborers organized to help

out the other people in the country, newspaper men and other organizations that were working for the disoccupation of the Republic by the forces of the United States.

Q. Do you remember any offensive words against the military government made in that speech?—A. I don't remember.

Q. And against the office of the military government?—A. Neither.

Q. And to the Government of the United States?—A. Neither.

Q. Did you feel yourself impelled to disorder or revolt after you heard the speech of the accused?—A. No, sir.

Q. Do you believe that the people of Barahona felt themselves impelled to disorder or revolt after hearing the speech of the accused?—A. No, sir.

Q. Was there disorder or revolt in Barahona after the speech of the accused?—A. No, sir.

Q. In connection with your profession of counsel of law, would you be that that speech would violate the law?

The recorder objected to the question on the ground that it calls for a decision.

The court was cleared.

The court was opened. All parties to the trial entered, and the senior judge announced that the court sustained the objection.

Q. In connection with your profession of counselor at law, do you have any foreign interests in Barahona?—A. I am attorney for the Barahona Co. Barahona.

Cross-examination by the recorder:

Q. Were you at the Union Theater during the entire meeting?—A. Yes, the entire meeting.

Q. At what time did you hear the speech of the accused?—A. From 9:30 p. m.

Q. What did the accused say concerning the marines, the United States, the military government?—A. I don't remember him telling anything in that respect.

Q. Did you hear the accused say the United States intervened in Santo Domingo without any right?—A. I did not hear anything in that respect.

Q. On what day of the month did you hear this speech of the accused?—A. I have not the day on mind.

Q. Was that speech prepared or improvised?—A. He had the speech written but sometimes improvised.

Q. In what sense did the accused use the term "los cosacos del Kaiser" (the cossacks of the Kaiser)?—A. I don't remember that term.

Q. In what sense did the accused use the term "casco de los caballos" (shoes of the horses)?—A. I don't remember neither; I did not hear that.

Q. What did the accused mean when he said "Debemos derramar nuestro sangre por nuestra soberanía" (we must pour out our blood for our sovereignty)?—A. If he told that I did not hear it. I don't remember.

Q. How much of the speech of the accused do you remember?—A. I can remember many things about that, but I don't know what you refer to. I can substantiate tell you what he said.

Q. Then you did not hear the accused mention the United States, the military government, or the marines?—A. The United States; yes.

Q. What did the accused say concerning the United States?—A. What he talked about organization of labor to contribute to the work that was to be done by some other institution in the United States in regard to disoccupation of Santo Domingo. He also talked about some high men as Washington, Lincoln, etc.

Q. What did the accused say concerning the disoccupation of Santo Domingo?—A. The last answer that I just made would correspond to that same question.

Q. Why did some people of Barahona threaten Toro Peralta?—A. I don't know that.

Q. After the speech of the accused did you stay in Barahona?—A. Yes, sir.

Q. In what sense did the accused use the words "crimenes" (crimes) or "criminales" (criminals)?—A. If he told them I don't remember having heard them.

The accused (counsel) did not desire to reexamine this witness.

Examined by the court:

What method of terminating the occupation of Santo Domingo did the accused propose?—A. Pacific means. The work that is being done by the best men in the Republic and in the United States in that respect has been the most convenient for the Dominicans.

Did the accused say that?—A. That is the idea that I have formed out of his idea.

Your idea then is that he simply urged or recommended to his hearers to convert these people?—A. Yes, sir; that is my idea.

What method did he recommend, then, to use? State as near as possible the words the accused used.—A. I can't remember his words, but I can say nothing to my own idea. By the organization the laborers thought it would be easier to help them out and to tell by means of the press and their representatives to the United States what their feelings were in regard to disaffection.

You said earlier in your testimony that it was not the place to give out revolutionary ideas, because the authorities could see it. Were there any Government officials at the meeting?—A. I only remember having seen one Dominican soldier who applauded when the accused spoke of Washington and Lincoln—and Toro Peralta, inspector of schools, are the only ones I can remember.

Have you since the speech of the accused heard of any threat made by him against Toro Peralta?—A. Absolutely, I have not heard it.

Either the recorder, the accused (counsel), nor the court desired further to examine this witness.

The witness was duly warned and withdrew.

The defense rested.

The accused (counsel) requested a delay until 1.30 p. m., Friday, to prepare written argument. The request was granted, and the court then, at 3.30 p. m., adjourned until 1.30 p. m. Friday next.

#### FIFTH DAY.

FRIDAY, DECEMBER 17, 1920.

The court met at 1.30 p. m.

Present: All the members, the recorder, the interpreter, the accused, and counsel.

The witnesses not otherwise connected with the trial were present.

The record of proceedings of Wednesday, the fourth day of the trial, was read and approved.

The recorder desired to make no opening argument.

The counsel for the accused read his written argument, appended, marked "2."

The recorder read his closing argument, appended, marked "No. 3."

The trial was finished.

The court was cleared.

The recorder was recalled and directed to record the following findings:

The specification proved in part; proved except the words, 'no debemos permitir a estos despotas que nos quieran quitar nuestra independencia,' which words are not proved."

The recorder stated that he had no record of previous convictions.

The court was cleared.

The recorder was recalled and directed to record the sentence of the court, as follows:

The court, therefore, sentences him, Doroteo A. Regalado, an inhabitant of Salcedo, Dominican Republic, to be confined in such place as the convening authority may designate for a period of one year, and to perform hard labor during such confinement, and to pay a fine of \$500. In the event that the fine in any part thereof is not paid, to be confined at hard labor for one day for each \$2 of the fine so unpaid."

*El honorable Corte prebostal superior de la cual es presidente el Mayor Carlos J. McReynolds.*

Para el mes de Julio del presente año de 1920 una acusación militar me fue hecha en el caso de defenderme ante esta Corte. Fue una ineludible necesidad la última defensa la que me impulsó a la jurisdicción obligada ante la cual fui

conducido. La aceptación de mandato para asis tir al Sr. Doroteo A. Beza tiene un origen análogo; ha sido objeto de análoga acusación; ha sido obligado a comparecer ante la misma jurisdicción extraña i ha solicitado mis servicios sin que yo pueda negar selos dejándolo abandonado a su propia suerte, falta de tal modo a deberes de fraternidad para con un conciudadano. Fort esta advertencia para sostener que asisto al Sr. Doroteo A. Regalado como un amigo en trance desgraciado, jamás en mi calidad de abogado dominicano que no puedo postular ante otros Tribunales que no sean los de la República i que no debo admitir la existencia de otros Tribunales que no sean los establecidos por la Constitución Dominicana ó creados por el legislador dominicano.

2. Sin ocurrir a argumentaciones que no tengan conexión con la situación sufrida por el Pueblo Dominicano, procede advertir que en exacto rigor de principios la acusación formulada contra el Sr. Doroteo A. Regalado, relativamente haber violado la Orden Ejecutiva No. 385, no tiene eficiencia legal alguna desde el 6 de Diciembre de este año de 1920, en que la Orden Ejecutiva No. 372 titulada "Lei sobre Sedición" declaró en su artículo 6°, revocados los párrafos 2, 3, 4, i 5 de la Orden Ejecutiva No. 385, lo que equivalió en efecto a revocar totalmente la expresada Orden, puesto que sólo dejó subsistente el número cuya economía se limita a declarar "abolida la Censura en Santo Domingo" como la Orden intitulada "Censura" que aparece en la Gaceta Oficial N° 27 i todas las demás leyes, decretos i órdenes que establecen la censura quedan en el mismo derogadas." Hablando, pues, sido derogada la Orden Ejecutiva N° 385 desde este mes de Diciembre en todo lo que atañe a la acusación imputada a Doroteo A. Regalado i no habiendo sido modificadas las especificaciones formuladas contra él en 29 de Noviembre de 1920, esta Corte está descalificada para imponer una pena respecto de un hecho para el cual no existe actualmente sanción tal como así lo formula la vieja máxima jurídica **MULLA PENA SINE LEGE.** (No hai pena sin lei.)

Importa recordar Sres Jueces, que Doroteo A. Regalado está sometido a vuestro juicio por vilación a la Orden Ejecutiva N° 385 según lo dicen las especificaciones que se le sometieron en fecha 29 de Noviembre de 1920; es el caso que esa Orden Ejecutiva está actualmente derogada i os es imposible dictar una sanción de acuerdo con los preceptos estatutarios en ella, del mismo modo que os es imposible invocar un precepto extraño indicando en las aludidas especificaciones para sancionar la falta que se imputa al expresado individuo.

3. Mas si por extraordinaria concepción de vuestra capacidad para juzgar el hecho imputado al Sr. Doroteo A. Regalado de acuerdo con las previsiones de una Orden Ejecutiva inexistente, insistís en someterlo a sus previsiones legales, debéis deteneros ante el ligero examen que os hago de los testimonios de acusación i descargo por ser éstos los únicos elementos de cuyo análisis necesitáis derivar la prueba del fallo que debéis rendir.

4. Dos testigos, los de la acusación, los Sres. Manuel del Toro Peralta Rafael Manzano, sostienen los cargos formulados en las especificaciones dirigidas al Sr. Doroteo A. Regalado el 29 de Noviembre último; pero al observar imparcialmente esos testimonios, podriéis advertir que parecen ser más bien que la expresión de la verdad, la declaración parcial de dos individuos por riqueños, producto de la emigración que lleva al extranjero siempre la clase social, dos individuos de la clase burocrática empeñados en sostener sus empleos con perjuicio de la vida, de la seguridad i de la propiedad de nacionales de esos países.

Por los datos recojidos en el plenario de esta causa se comprueba que las dos declaraciones que se comentan está llena de rencor terrible i de maldad sin límites para con los dominicanos. Me refiero a la declaración de Sr. Manuel del Toro Peralta. Si la releéis, veréis con qué encero se esfuerza en acusar a un pueblo que la ha dado hospitalario trato. Esa declaración cuando no estuviera viciada por la condición de empleado i de portorriqueño del declarante, de esos que, contrariamente a otros dignos de todo honor vienen a nuestro país a servir un cargo que estaría mejor atendido en mano de un nacional, a los cuales se los discuten, sería anulable por la prevención que trata a los dominicanos especialmente a Doroteo A. Regalado, a quien acusa de haberlo engañado por haber hablado en la conferencia en la que (Manuel del Toro Peralta) tuvo a su cargo la presentación al pueblo, no solamente de cuestiones obreras sino de la santa causa nacional.

La otra declaración de Ramón Hernandez es, aunque menos virulenta, de la misma factura que la primera, la declaración interesada de un portorriqueño empleado público, en servir mejor que a la verdad, un cargo que debiera estar desempeñando por un nativo de este suelo.

o obstante lo dicho, esas mismas declaraciones favorecen al acusado tan se observen en ellas la categórica afirmación de que ni se sintieron los antes incitados al desorden, ni a las revueltas, ni se sintió tampoco incitado orden ó a las revueltas el auditorio del Sr. Regalado, ni hubo en Barahona toda la República desordenes ó revueltas subsiguientemente a la cona del Sr. Regalado, por la pretendida concitación de sus palabras. Dice la parte final del artículo primero de la lei sobre Sedición (véase la Ejecutiva N° 572) que "para los efectos de este artículo el termino ion se interpretara. en arreglo a la indole o caracter del artículo o so, i la aceptación natural de los terminos empleados en los mismos." Juzgamos por analogía el caso de la pretendida violación por el Sr. do de la Orden Ejecutiva N° 385, se colige inmediatamente que está de lugar esa acusación notoriamente parcial é injusta, puesto que el so de Regalado, de finalidad relativa a la organización obrera, ha o ser, por su indole o caracter, jenuinamente pacifista.

ese modo se explica que el Sr. Regalado aconsejara a sus oyentes, al se al vital problema de la ocupación americana que se organizaran de a efectiva para contribuir a la obra de la restauración pacifica del país inada en los Estados Unidos por la Federación del Trabajo.

me parece que necesite insistir en demostrar que esa aspiración de ración nacional expresada por el Sr. Regalado, no pudo violar la ente Orden Ejecutiva N° 385, por haberla producido den tro del tono ido por esa misma Orden que no prohíbe que los dominicanos manifiesten liente deseo de retornar a su condición de pue blo libre i cabalmente no, mientras esas manifestaciones no pugnen con los preceptos establecidos Orden.

En oposición a la declaración de los dos ensañados acusadores del Sr. eo A. Regalado, habeis oído a los Sres Dr. Francisco Lucia no Hernandez, oliviades Albuerquerque, Virjilio Felix i Eladio Ramirez. Sus dea-es concurren, sin la mas leve contradicción a destruir la impostura lada contra el Sr. Doroteo A. Regalado, tan flojica, como carente de l. Con los testigos a cargo, ellos afirman que ni ellos, ni ningun individuo que formaron el auditorio del Sr. Regalado, se sintieron impulsados al len o a la revuelta; pero contrariamente a los gratuitos acusadores jeros, los testigos a descargo, que son personas de arraigo social en el liegan haber oído las frases que los acusadores ponen en voca de Regalado son el motivo de la acusación.

¿qué testigos debe creer esta honorable Corte?

ndo por una apreciación dolorosa para la conciencia de los hombres, la ción de los testigos a descargo fuera considerada reticentemente por ser estigos de nacionalidad dominicana i reputa dos por esa razón parciales roteo A. Regalado, yo me permitiría repetiros que la declaración de los os a cargo no debe ser credál, por produciría individuos que han venido tranjero a disputarles sus puestos a los dominicanos i contra los cuales prevención i desconfianza; tal como lo ha probado el Sr. del Toro Peralta arar que lo habfan ultrajado en carteles puestos en la Gobernación de ona i en el pabimento del Parque Central, desconfianza i prevención que se recuenda que el testigo Eladio Ramirez afirma que en Barahona se nsistentemente al otro día de la conferencia de Regalado, que ésteiba a nunciado por el Sr. del Toro Peralta.

De cualquier modo que fuese lo conferencia del Sr. Regalado, esta Honor-orte no tiene otros medios para juzgarla que la prueba por testigos. Si cialmente juzga el caso, el balance de pruebas que deja la comparación de stigos a cargo i a descargo, es la duda. I la duda, Sres. Jueces, favorece al in dubio pro reo). Todo fallo condenatario dictado con la deleznable base duda es inhumano i subierte el órden social dando prenda de un lastimoso tu de decadencia.

De las razones expuesta se deduce:

• cuanto según las especificaciones entregadas en fecha 29 de Noviembre 20 al Sr. Doroteo A. Regalado i no modificada entiendo habil, se le acusa ber violado la Orden Ejecutiva No. 385;

• cuanto esa Arden Ejecutiva es virtuosamente inexistente por haber sido ada por la Orden Ejecutiva No. 572, intitulada "Lei de Sedición" de 6 de Diciembre de 1920, en sus números 2, 3, 4, i 5 que son los que pudieran • determinado una sanción contra el Sr. Regalado;

• cuanto no está comprobado que el Sr. Doroteo A. Regalado en su cona en Barahona en la noche del primero de Noviembre de 1920 se expresara

en terminos substancialmente análogos a los que se le imputan en las acusaciones que le fueron notificada en fecha 29 de Noviembre de 1920.

Por cuanto, en consecuencia, no es cierto, o cuando menos no está probado, el Sr. Doroteo A. Regalado se expresara en la aludida conferencia con frases ostiles, o tan contrarias o tan difamatorias, deshonoras o ridiculizadoras, acerbamente criticas del Gobierno Militar, del Gobierno de los Estados Unidos de los empleados de estos, que incitaron al pueblo dominicano a la intranquilidad al desorden o a la revuelta;

Por tanto, respetuosamente os pido, en nombre del Sr. Doroteo A. Regalado, Sres. Jueces de esta Corte Marcial, que le descargéis de toda pena, primeramente, por no existir en la actualidad la Lei que determine sanción por el cargo que le fué hecho; demodo subsidiario por insuficiencia de prueba respecto del fundamento de la acusación que le fué entregada el 29 de Noviembre de 1920.

I habreis hecho justicia.

Sto. Domingo, Ibre Syde, 1920.

LUIS C. DEL CASTILLO

*To the honorable superior provost court, of which Maj. Charles S. McRey is the president:*

1. In July, 1920, a military accusation compelled me to make my own defense before this court. It was an unavoidable necessity of true defense that I came to the imposed jurisdiction before which I was taken. The acceptance of the mandate to assist Mr. Doroteo A. Regalado is of a like origin; he has been target of a like accusation; he has been compelled to appear before the foreign jurisdiction; and he has asked my assistance, without my being able to refuse, leaving him to his fate, thus failing to comply with the duty of fraternity toward my country people. I make this known to confirm that I assist Mr. Doroteo A. Regalado in disgrace not as a Dominican lawyer who can not practice law before other courts than those of the Republic, and can not admit the existence of other courts than those established by the Dominican constitution or created by Dominican legislators.

2. Without a recourse to arguments not in connection with the situation suffered by the Dominican people, it is necessary to observe that, according to principles, the accusation made against Mr. Doroteo A. Regalado, for violation of Executive order No. 385 has no legal efficiency since December 6 of this year, when by virtue of article No. 67, Executive order No. 572, entitled "An act on sedition," paragraphs Nos. 2, 3, 4, and 5 of Executive order No. 385 were revoked, which in fact comprises the revocation of the entire order, as it only left in effect its paragraph the text of which declares censorship in Santo Domingo, and the order entitled "Censorship," as published in the Gazette No. 2753, as well as all other laws, decrees, or orders establishing censorship abolished. It being the case that Executive order No. 385 was revoked on December 6 in so far as it refers to the accusation made against Mr. Doroteo A. Regalado, and inasmuch as the specifications preferred against him on November 29, 1920, have not been modified, this court is not qualified to impose a penalty for an act for which no sanction exists, according to the old judicial maxim, "Nulla pena sine lege" (no punishment without law).

It should be remembered, Messrs. Judges, that Doroteo A. Regalado has been brought on a charge of violating Executive order No. 385, according to specifications that were submitted to him under date of November 29, 1920; but having that this Executive order is now derogated, and hence, by virtue of derogation, it is impossible for you to dictate a sanction in accordance with the precepts therein contained, and in a like manner it is impossible for you to invoke an odd precept, other than that given in the mentioned specifications, to sanction the fault alleged to have been committed by the mentioned individual.

3. But if through an extraordinary act of conception on your part to the fault attributed to Mr. Doroteo A. Regalado in accordance with the provisions of an unexisting Executive order, you insist upon submitting him to its derogated provisions, you should stop to consider the superficial examination I make of the testimonies for the prosecution and for the defense, as these are the only means from which you get an analysis to bring forth the sentence you must render.

4. Two witnesses for the prosecution, Messrs. Manuel del Toro Peralta and Ramon Hernandez, confirm the charges contained in the specifications submitted to Doroteo A. Regalado on November 29, 1920; but if you impartially observe

testimonies you will notice that they seem to be, rather than the truth, partial statements of two Porto Rican individuals, the result of emigration always sends to foreign countries the scum of the people; two individuals, a bureaucratic class determined to keep their positions even as against life, the personal security, and the property of Dominicans.

According to data obtained in the plenary of this trial, it is proven that one of the declarations commented upon is full of rancor and unlimited iniquity against Dominicans.

Refer to the statement of Mr. Manuel del Toro Peralta. If you read it over you will see with what malevolence he makes efforts to accuse a country that has given him hospitable treatment. This declaration, if not vitiated on account of the condition of employee and nationality of the declarant, one of whom, contrary to others worthy of praise, come to our country to fill a position that would be better handled by a Dominican, and for which positions they are against Dominicans, should be annulled because of the disposition to treat Dominicans, especially Doroteo A. Regalado, whom Toro Peralta accuses of having deceived him because of Regalado's speech at the conference, to which (Manuel del Toro Peralta) made the introduction to the people, by not only going about labor questions but about the sacred national cause.

Another declaration of Ramon Hernandez, although less malignant, is of a similar nature; it is the selfish declaration of a Porto Rican public employee, indeed in serving a position, which should be filled by a Dominican, rather than serving the truth.

Notwithstanding what has been stated, these declarations favor the accusation as long as it can be observed in itself the categorical assertion that neither of the declarants felt themselves incited to disorder or revolt, neither was there a revolution, nor anywhere else in the Republic, disorders or revolts after the sentence of Mr. Regalado on account of the pretended conception of his part.

The last part of article 1 of the sedition law (see executive order No. 385) reads: "Intent as used in this article may be conclusively presumed from the nature and character of the publication or speech and the natural meaning of the words used therein."

We judge by resemblance the case of the pretended violation by Mr. Regalado of executive order No. 385, it is immediately inferred that the accusation is groundless, because it is notoriously partial and unjust, as the speech of Regalado, relative to labor organization, must have been, by its character or nature, entirely pacific.

In this manner it is explanatory that Mr. Regalado should have suggested obedience, in referring to the vital problem of the American occupation, to organize themselves in an effective manner so as to contribute to the pacification of the country, supported in the United States by the Federation of Labor.

It seems to me that I need not insist upon demonstrating that the desire of national restoration expressed by Mr. Regalado could not violate the nonexistent executive order No. 386, for this desire was expressed within the terms of said order, which does not prohibit Dominicans manifesting their ardent desire to be freed to their condition of a free country with full sovereignty as long as such manifestations are not in conflict with the precepts of the order.

In opposition to the declaration of the two enraged accusers of Mr. Doroteo Regalado, you have heard Messrs. Dr. Francisco Luciano Hernandez, Lawyer Blas Alburquerque, Virgilio Felix, and Eladio Ramirez. Their declarations concur, without the least contradiction, to destroy the false imputation made against Mr. Doroteo A. Regalado, which is as illogical as deceitful. Like the witnesses for the prosecution, they assert that neither themselves nor any other individuals present at the conference of Mr. Regalado, felt incited to disorder or revolt, but contrary to the gratuitous foreign accusers, the witnesses for the defense, who are persons of social prestige in the country, deny to have uttered the expressions that the accusers claim to have been uttered by Regalado, which constitute the basis of the accusation.

Who are the witnesses to be trusted by the honorable court? If, through a powerful appreciation for the conscience of mankind, the reputation of the witnesses for the defense would be considered with reticence for the reason that they being Dominicans and reputedly partial to Doroteo A. Regalado, I should take the liberty to repeat that the declarations of the witnesses for the prosecution should not be relied upon, as they have been made by individuals who have come from abroad to strive against Dominicans for positions, full

of prejudice and distrust for the Dominican people; this has been proven by Mr. Toro Peralta when he declares that he has been outraged by menacing signs posted at the Governor's Palace and the Central Park of Barahona. This prejudice and distrust has become reciprocal if we remember that the witness Eladio Ramirez affirms that it was insistently rumored at Barahona the next day after the conference of Regalado, that Mr. Regalado was to be denounced by Toro Peralta.

9. Whatever the conference of Mr. Regalado may have been, this honorific court has no other means to judge than by the testimonies presented by the witnesses. If the case is to be judged impartially, the balance of proof, obtained by comparing the statements of the witnesses for the prosecution and for the defense, brings forth the doubt. And the doubt, Messrs. Judges, favors the accused, "In dubio pro reo." Any condemnatory decision rendered on a brittle basis of doubt is immoral and subverts social order, giving proof of a doleful spirit of decadence.

10. From the reasons given it is inferred: Whereas according to specifications delivered to Mr. Doroteo A. Regalado under date of November 29, 1920, not modified at the proper time, he is accused of having violated Executive Order No. 385.

Whereas that Executive order is virtually nonexistent, as it was derived by Executive order No. 572, entitled "Sedition law" and dated December 6, 1920, in its articles 2, 3, 4, and 5, according to which a sanction could have been determined for Mr. Regalado.

Whereas it has not been proven that Mr. Doroteo A. Regalado, in his lecture at Barahona on the night of November 1, 1920, expressed himself in terms substantially analogous to those attributed to him in the specification given under date of November 29, 1920.

Whereas in consequence thereof, it is not true, or at least it has not been proven, that Mr. Doroteo A. Regalado expressed himself in said lecture in hostile terms, or so contrary or defamatory, dishonorable, ridiculing, or bitterly criticizing the military government, the Government of the United States, or their employees, that would incite the Dominican people to war, disorder, or revolt.

Therefore, I respectfully ask you, in the name of Mr. Doroteo A. Regalado, Messrs. Judges of this martial court, that you free him from charges and accusations, principally, on account of the nonexistence of a law that would determine a sanction for the charges made against him; in a subsidiary way, the reason to insufficiency of proof to base the accusation that was delivered to him on November 29, 1920.

And you will be rendering justice.

LUIS C. DEL CASTILLO

SANTO DOMINGO CITY, December 17, 1920.

JANUARY 3, 1921

The proceedings, findings, and sentence in the foregoing case of Doroteo A. Regalado, an inhabitant of the Dominican Republic, are approved.

The public prison, Fort Ozama, Santo Domingo, Dominican Republic, designated as the place of confinement in the event of failure to pay the fine or any part thereof.

HENRY C. DAVIS,

*Lieutenant Colonel, United States Marine Corps,  
District Commander, Southern District, Dominican Republic*

CLOSING ARGUMENT OF THE RECORDER IN THE CASE OF DOROTEO A. REGALADO, AN INHABITANT OF SALCEDO, DOMINICAN REPUBLIC.

The two witnesses for the prosecution testified that the accused, in his lecture at Barahona, Dominican Republic, on November 1, 1920, did attack the United States and the military government of Santo Domingo. This in violation of Executive Order No. 385, of the military government of Santo Domingo. The accused asked one of the witnesses for the prosecution to introduce him at the meeting, well knowing that this witness was a Government employee, thereby trying to involve this witness in his propaganda against the military government, and it would appear the accused thought that by being introduced at the meeting by this witness, it would give him certain protection. Both

for the prosecution testified that the accused used words and phrases toward the United States and the military government of Santo Domingo—a Government which has done more for the welfare of the people of Santo Domingo than any other Government of Santo Domingo since its discovery by Columbus. One witness for the defense admitted having heard the speech and said that the people of Santo Domingo do not accept the intervention of the United States, as they had no right to intervene. One witness for the defense stated that he heard the speech of the accused between the hours of 10.30 p. m.; another witness for the defense heard it between the hours of 10 p. m.; and a third witness for the defense between the hours of 9 p. m. The two witnesses for the prosecution and two witnesses for the defense testified that that part of the speech concerning the organization of the Government was written, but the political part was improvised. The main difference between witnesses was as to the words used and the meaning derived from the political portion of the speech of the accused. The testimony of the witnesses for the prosecution was positive, and asserts the use of certain words, the only reasonable interpretation of which is hostile to the military government, and some of them can mean nothing but that the people should resort to violence. For instance, reference to shedding blood can have no other meaning but that the people should be prepared to fight. The fact that the revolt has not resulted from the speech does not prove that the people heard the speech were not moved toward such resort. If people hearing the speech are in sympathy therewith or become converted thereby, the fact that they are restrained by other considerations from acting at once upon the suggestions, does not prove that damage to law and order has not resulted. The assassination of the Austrian Archduke, which act precipitated the World War, was, no doubt, the outcome of months, if not years, of propaganda working on the mind of the assassin. It may take many speeches and actions of a violent nature to finally move the masses to violence; to hold that it is necessary for any particular utterance to bring about immediate revolt is to make impossible the conviction of anyone for even the most radical actions. Even where riot does not result immediately after a speech, the speaker is almost, without exception, moved by many other considerations, perhaps other speeches, and the one immediately preceding the riot is but a finality—the straw, as it were. The reason whatever has appeared during the trial for the witnesses for the prosecution to have testified falsely; in fact, it would appear that their testimony as to what they heard the accused say has caused a certain amount of confusion in their home town, and thus was damaging to them. It appears that they testified solely from a sense of duty and truth. Sympathy between witnesses for the defense and the accused was evident, and it is subordinated that there was, to say the least, a lack of will on their part to remember particular utterances of the accused. That part of the speech was hostile to the Government is clear. The difference between witnesses is mainly as to the extent of that hostility and severity of the criticism.

[First indorsement.]

OFFICE OF THE PROVOST MARSHAL,  
SANTO DOMINGO CITY, DOMINICAN REPUBLIC.  
*January 11, 1921.*

to: Provost marshal.

District commander Southern District.

Returned. The accused informed this date. Confinement takes effect January 5, 1921. Fine not paid.

J. H. FAY.

Senator ODDIE. Was substantial food offered you during the hunger strike?  
Mr. REGOLADO. Yes.

#### STATEMENT OF R. Y. PAU—Resumed.

Mr. KNOWLES. There are just two items in this statement here that I wish a witness to clarify for the information of the committee.

Senator POMERENE. You are showing him the record which was introduced the other day, I take it.

Mr. KNOWLES. Yes, Senator.

Senator McCORMICK. Let me note that Commander Mayo has filed a statement bearing on this subject.

Mr. KNOWLES. Yes; I understand that one has been filed, Senator. I have not had a chance to see it yet.

Mr. HOWE. It was filed yesterday evening.

Mr. KNOWLES. Still I have not had a chance to see it, notwithstanding the fact.

Mr. HOWE. You have not been denied the opportunity.

Mr. KNOWLES. Certainly not. Denied nothing.

Under this statement, Mr. Pau, I read, as follows:

"The fidelity fund was seized upon to cover speculations incurred by Gustav Schaldt and Frederick A. Edwards, American captains of the police. Checks No. so-and-so, for \$1,089.17, and a check to another man for \$1,089.17, respectively, served to fill up the holes opened by this couple."

Will you explain just what is the fidelity fund, and what it was used for?

Mr. PAU. In the National Guardia, which is to-day the Dominican national constabulary, there were some defalcations by American officers, of which I mention the following cases: Capt. Gustav Schaldt, Capt. Frederick A. Edwards, defalcation on the part of the first to the amount of \$1,089.17 and the second \$1,085.99. The numbers of checks which were paid were 125653 and 125654, and it is known that said individuals were not submitted to justice nor have they been seen since that in Santo Domingo. We suspect that they have gone.

Senator McCORMICK. I do not want anything in the record from the mouth of this witness that does not belong there, and I leave it to you to check.

Mr. KNOWLES. Perhaps I will ask him questions. It will be better. We will have the custom—first describe what is the fidelity fund.

Mr. PAU. It is a fund expressly created to cover defalcations.

Senator McCORMICK. What does he mean "to cover defalcations"? Does that mean that it is an insurance fund?

Mr. KNOWLES. Yes.

Senator McCORMICK. Let him say so, then.

Mr. KNOWLES. How is the fund created?

Mr. PAU. The fund was created by the Government with a sum which was voted by law. It is increased by an annual contribution from public employees.

Mr. KNOWLES. How contributed?

Mr. PAU. A certain amount is deducted from the salary of each employee from the salary of the first month of the year.

Senator POMERENE. For how long a period has that been the law?

Mr. PAU. I can not state exactly.

Senator POMERENE. Well, approximately.

Mr. PAU. For about three or four years.

Senator POMERENE. Was that adopted since the American occupation first arrived here?

Mr. PAU. Yes, sir.

Mr. KNOWLES. Will you state, if you know, how many defalcations have been that have been covered by this fund?

Mr. PAU. I remember a few. For example, the collector of internal revenue in La Romana had a deficit of about \$2,000 or \$3,000 in 1917. He was taken before a justice and sentenced. He was a Dominican. This year, or the end of last year, there was a deficit in the postal department of about \$24,000, and no one was submitted to justice, but the director of the internal revenue department constituted himself a judge—

Senator McCORMICK. Wait a minute. Has the witness the right to say whether the director constituted himself a judge?

Mr. KNOWLES. I didn't know he was going to answer that. I will have him stricken out.

Senator McCORMICK. Now, will you be good enough, through the interpreter to advise this witness not to introduce comment as he goes along. The committee is seeking to hear facts with absolute impartiality, and I will say frankly that some of your witnesses don't testify with impartiality as to facts. Now, before he goes on, will he give the names of the American officers?

Mr. KNOWLES. They have been given already.

Senator McCORMICK. Are they in the record?

Mr. KNOWLES. Yes.

iator McCORMICK. Will you give them, please. I want to have them d up.

he names were read by the stenographer as follows: "Capt. Gustav idt, Capt. Frederick A. Edwards.")

iator McCORMICK. Continue.

. PAU. I wish to state that if I have said anything that I ought not to said, I beg to be excused.

. KNOWLES. How many employees in the post office were there that were ved in this robbery transaction?

. PAU. I can not state. I know that three Americans were suspended from after investigation; two Americans and a Porto Rican.

. KNOWLES. Were there any Dominicans?

. PAU. No; no Dominicans were suspended.

iator POMERENE. Now, let me suggest that we not leave this record in shape. If this witness has any charges to make against a man, whether an American, Dominican, or Porto Rican, let him give the names. We trace it down.

. KNOWLES. Do you know the names of the two Americans and the Porto who were suspended?

. PAU. Yes.

. KNOWLES. Will you give them to the committee?

. PAU. Mr. De la Rue, the receiver of postal accounts, Mr. Mayo, an old a civilian.

. KNOWLES. What was his position.

. PAU. I don't remember.

. KNOWLES. And the other one?

. PAU. Mr. Callejas, a Porto Rican.

iator POMERENE. Let him give the first name if he can.

. KNOWLES. He says he can not give the first name.

. PAU. I wish to state furthermore, that I don't state that those three iduals were guilty, but their suspension coincided with the time the in- gation was opened in connection with the alleged defalcation.

iator McCORMICK. Are you certain that they were all suspended?

. PAU. Yes.

iator McCORMICK. That none of them resigned to take places elsewhere?

. PAU. The press commented on the affair and Mr. Callejas wrote an article e Liston Diario stating that he had served faithfully and had been un- y thrown out of office.

iator McCORMICK. Now, before the witness terminates, what was the date, der that I may have it again, of his dismissal?

. PAU. The 30th of June, 1921.

iator McCORMICK. And he has been employed at one or at two different es?

. PAU. I work in two houses as a bookkeeper, an hour in each house.

iator McCORMICK. He has been employed at La Romano.

. PAU. I was before an employe of the department.

iator McCORMICK. Where have you been employed since?

. PAU. The Liston Diario is one.

iator McCORMICK. He is employer at the Liston Diario, and what is the t?

. PAU. Vela & Co.

iator McCORMICK. Has he had any other place of employment since e 30?

. PAU. No.

iator McCORMICK. Was he employed at the bank before or after he was loyed at La Romano?

. PAU. Before.

.r. KNOWLES. This is a letter from the bank when he went to accept a posi- at La Romano.

iator McCORMICK. He doesn't want us to put it in the file, does he?

.r. KNOWLES. No; he merely wants to show the date, and he apparently with the consent of the bank, otherwise they would not have given him t letter.

iator McCORMICK. Let me note that the report shows that Capt. Schaidt s arrested and committed suicide.

.r. PAU. I am glad to know it.

Senator McCORMICK. Well, now that is the end of it. I won't hear any testimony from a witness who says those things. He has been treated—all the other witnesses—with absolute courtesy.

Mr. KNOWLES. Well, let us see what he means by that.

Senator McCORMICK. Well, his demeanor.

Mr. KNOWLES. All right, Senator. Let us treat the witness fairly. Why you make the remark that you were glad to know? Was it that you were glad the man was dead, or glad to know what had happened to the man? What was not tried?

Mr. PAU. I was glad to get that information, because I didn't know what became of this man.

Senator McCORMICK. I will give you the record on Edwards.

Mr. KNOWLES. Will you read this last paragraph?

(The interpreter read something in Spanish.)

Senator McCORMICK. How is that to appear in the record, Mr. Knowles? It has just been read by the interpreter?

Mr. KNOWLES. This is in the record. I am reading from a document that has already been introduced.

Senator McCORMICK. Will you indicate to the stenographer, then, that is it?

Senator POMERENE. Indicate the document from which you are reading. Otherwise there will be some uncertainty about it.

Mr. KNOWLES. This is from a document that was filed, I think, day before yesterday.

Senator POMERENE. Well, it was a written memorandum filed by this witness on a previous day.

Mr. KNOWLES. Yes.

Senator POMERENE. Relative to accounts.

Mr. KNOWLES. Yes.

Senator POMERENE. That will identify it.

Mr. KNOWLES. I refer now to page 3, and the last paragraph. I will read this paragraph: "In a skirmish, arisen at 8 p. m. in the very center of Santo Domingo, between the American marines and a certain number of members of the Dominican national police, a Syrian named Abraham Kharab was severely wounded in the left shoulder. As a result, a claim was put forward by this foreigner through the French diplomatic agent residing at Santo Domingo, and subsequently a check was tendered to this gentleman, Monsieur Henry Ponsignon Barre, No. 143962, for \$1,500, as an indemnification for injury." Do you want to explain in regard to that matter?

Mr. PAU. I was told not to make any comments and I don't wish to make any.

Senator POMERENE. What is the statement there for, then?

Mr. KNOWLES. For what purpose is this statement put in this memorandum?

Mr. PAU. Then I will make comment.

Senator POMERENE. There is no use wasting the time of the committee with statements of that kind. Insinuations come in here without any attempt at explanation. It is not in harmony with any fair-minded investigation that can be made anywhere by anybody.

Mr. KNOWLES. Please state to the witness that he is invited or has been invited by this committee if you know of any facts that will explain or cast any light upon the matter stated in that paragraph you can make such a statement in writing, and it will be received by this committee and given the consideration they may think it deserves.

Mr. PAU. I will be very pleased to do so.

Senator McCORMICK. It is now 1 o'clock, gentlemen. Has this witness anything more to testify to?

Mr. PAU. Nothing more.

Senator McCORMICK. I think we will conclude the hearing, then. Will you let me have, if you can to-day, as many of those names—those 15 names of witnesses to which reference was made earlier and the subject matter to which they propose to testify if called?

Mr. KNOWLES. We will, Senator. Shall we proceed?

Senator McCORMICK. You told me you had one or two witnesses. How many more do you expect to offer to-day?

Mr. KNOWLES. Only until the time the committee wishes to adjourn. I have a number of witnesses here.

ator McCORMICK. It is 1 o'clock, and when we rise I do not expect to be the hearing. We have a number of engagements on our last afternoon.

KNOWLES. How many minutes before the committee will rise?

ator McCORMICK. There are avenues of inquiry the committee has pursued than those which have been offered by counsel here. My own disposition is to adjourn now until we meet in Washington.

KNOWLES, I think, as Senator Pomerene suggests in more detail than I already suggested, that you submit the list of names, which you have stated would number about 15, and what you intend to prove by each, so that we may consider whether we will take testimony from them, if so, how many of them.

KNOWLES. The Senator, I presume, has been informed of your request this morning of the subjects that either had not been or will be covered.

ator McCORMICK. Well, I told him that there were twelve topics that I had. I have not given them to him in detail. I have them somewhere about. They have been noted down.

KNOWLES. I will prepare, Senator, such a list for you and submit it to you this afternoon.

The committee will permit me to say so, and by way of explaining to the members here present, I wish to state that the committee, in my judgment, as these proceedings have gone, has shown in every respect the impartiality they promised the people when they started these hearings. That I finally not only have no complaint to make, but have the pleasure of expressing my thanks to each member of the committee who has sat here.

Moreover, in respect to witnesses who have not been heard and who are here is building, and, indeed, those who have the most important testimony yet received, I submit to the committee that the committee has through its chairman signified to me a desire to provide such opportunity and arrangements, so far as such a matter lies within his power or control, in which in every way all of the testimony or protest will be given a satisfactory chance of opportunity to be presented to the committee.

ator McCORMICK. Let me say by way of conclusion that the committee neither called nor invited witnesses to appear before it at any time since it left the Capital of the United States. It has heard those who have presented themselves. It has received written depositions and memorials presented to it. Those who may care to bring facts or opinions to the attention of the committee but who have not personally come before it, I am asked by my colleague to see that depositions or memorials may be forwarded to the committee in care of the Senate at Washington.

r. KNOWLES. Mr. Chairman, that I may understand thoroughly what that means, do I understand that in the nature of a decision of the committee that will be the only manner in which additional testimony will be taken?

ator McCORMICK. Mr. Knowles, I think there is no such implication. I did not have a chance, as you know, to confer with a majority of the committee on the taking of additional testimony in Washington. That statement was made because, perhaps, there are some individuals who wish independently to state their views or your associates to make their views known who may not care to embark upon a journey. It is in order to fulfill the policy which has actuated the committee from the beginning of throwing open the doors as widely as possible to all who have proven facts or considered and competent opinions to offer. The committee is adjourned.

Whereupon the committee adjourned subject to the call of the chairman.)



## HEARING INTO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

WEDNESDAY, MARCH 8, 1922.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
Washington, D. C.

The committee met, pursuant to the call of the chairman, at 11 o'clock a. m., March 8, 1922, in the committee room in the Capitol, Senator Medill McCormick presiding.

Present: Senators McCormick (chairman), Oddie, and Pomerene.  
Also present: Mr. Ernest Angell, Mr. Walter Bruce Howe, and Maj. Edwin McClellan, United States Marine Corps.

The CHAIRMAN. The committee will hear Mr. Gruening. Mr. Gruening, will you state your name, occupation, and place of residence?

**STATEMENT OF MR. ERNEST H. GRUENING, MANAGING EDITOR  
OF THE NATION, 324 WEST ONE HUNDRED AND THIRD STREET,  
NEW YORK CITY.**

Mr. GRUENING. Ernest H. Gruening, journalist, managing editor of the Nation, 324 West One hundred and third Street, New York City.

The CHAIRMAN. You have made how many visits to Haiti, Mr. Gruening?

Mr. GRUENING. One.

The CHAIRMAN. And how long did that last?

Mr. GRUENING. From November 9 until November 30, 1921—about three weeks and a half.

The CHAIRMAN. Will you tell the committee first what you saw of Haiti, and much you traveled over the country, etc.?

Mr. GRUENING. Aside from seeing the capital and the country immediately surrounding it, I made a trip along the north side of the arm which projects outward as far as through the towns of Leogane, Petit Goave, Grand Goave, Miragoane. I crossed the mountains, visiting various small places in the interior, a place called Ponds des Negres. Moving in a southerly direction, I reached the towns of Aquin, St. Louis de Sud, Cavallion, and other smaller ones on the way. That is the extent of my travels around Haiti.

The CHAIRMAN. Please proceed now, in your own fashion, to give the committee what you think might be useful to it in the way of information and suggestions which you formed.

Mr. ANGELL. May I take that in the form of questions?

The CHAIRMAN. Yes.

Mr. ANGELL. Will you tell the committee how you came to have any personal interest in Haiti and the present problem this committee is considering?

Mr. GRUENING. My interest began and lay in the fact that from what I had learned through certain news items and through very occasional bits of information, what the United States had done in Haiti was contrary to its most fundamental traditions; that it was in violation of the principles we had always espoused; that it was in direct contradiction to the principles for which we engaged in the World War.

Mr. ANGELL. These were your preliminary conclusions as a result of the matters that first came to your attention?

Mr. GRUENING. That was my presumption.

Mr. ANGELL. Then what greater personal familiarity did you acquire the situation in Haiti prior to your visit last November?

Mr. GRUENING. Then when I became managing editor of *The Nation* in 1920, *The Nation* already had published one or two articles which had on the Haitian question, written by individuals who had visited Haiti shortly thereafter two other men visited Haiti, came back to New York, told me the story of their experiences.

Mr. ANGELL. Who were those men?

Mr. GRUENING. The first was Herbert J. Seligman.

Mr. ANGELL. Was he sent to Haiti by *The Nation*, or at your suggestion?

Mr. GRUENING. No; I had never seen him or talked with him before turn and visit at *The Nation*. He had been sent down, he told me, by *Harper's Magazine*. The outline of what he had seen struck me as of great importance. It revealed that many things had been happening in Haiti were totally unknown to the American people, and as we were then in the era of pitiless publicity, I thought it would be a public service to give wider publicity, and accordingly he published an article in *The Nation* appeared, I believe, in July, 1920. This article was sent to the Assistant Secretary of the Navy, Mr. Franklin D. Roosevelt, with a request for editorial criticism. It was sent to the Secretary of the Navy, Mr. Josephus Daniels, was sent to the Commandant of the Marine Corps, Gen. John A. Lejeune. An answer was received from the Secretary or Assistant Secretary, but an answer was received from General Lejeune, which was published in *The Nation* which said that any mistakes which had been made were of a type which inevitably occur in a military occupation.

Senator POMERENE. Have you that letter? Let it be inserted in the record. (The letter referred to by Mr. Gruening will be furnished for the record and printed in the appendix.)

Mr. GRUENING. Shortly after that another man who had been in Haiti whose experience had been somewhat different from Mr. Seligman's came to add that Mr. Seligman had spent his entire time in company with the occupation. He had traveled around in the interior with the marines. He had been the guest of the officers. The second man, Mr. James Weldon Johnson, the same gentleman who testified at these hearings last November, had been associated largely with the Haitians, and he presented another side of the picture which, however, corroborated the impression Mr. Seligman had given. His articles were published, and they attracted the attention of the then presidential candidate, Mr. Warren G. Harding, who gave them further publicity by his endorsement as follows:

"So many things have been done by the present expiring administration that no power on earth could induce me to do that I can not even attempt to do them. I may remark casually, however, that if I should be, as I fully expect to be, elected President of this just and honorable Republic, I will not employ an Assistant Secretary of the Navy to draft a constitution for helpless subjects in the West Indies and jam it down their throats at the point of bayonet by United States marines. We have a higher service for our marines than that. Nor will I misuse the power of the Executive to cover a veil of secrecy repeated acts of unwarranted interference in domestic affairs of the little Republics of the Western Hemisphere, such as in the last few years we have not only made enemies of those who should be our friends but have completely discredited our country as their trusted neighbor."

That was sent on August 28 from the front porch at Marion.

During this period *The Nation*, which had partly begun to interest the American people in Haiti, although there had been an article previously published in the *Yale Review* by Mr. Warfield Storey, of which we were not aware at that time, continued to comment on the developments as they came up.

Following the statement of the President, Secretary Daniels offered a resolution and sent a commission to investigate, which, I think is a matter of record, reported very little wrong.

Then there was the statement of Major General Barnett relating to the extrajudicial killings.

The matter became increasingly one of public interest, and my interest was for the reasons that I have stated, that I felt that it had been a very serious breach of all that we profess as Americans, and that anything that we could do to right the situation was a public and an American service.

When the committee was about to go down there, the chairman recommended that the editor of *The Nation* was invited to accompany it. He was unwilling.

this invitation, much to his regret, because of the conflict with the Armée in Washington, which he felt he had to attend, but suggested that the chairman would extend the invitation to me as managing editor, next in rank on the Nation, which the chairman was kind enough to do. ANGELL. Just before coming to that, will you make brief reference to what mission you individually, or the Nation, had with the three delegates from the Union Patriotique of Haiti last spring, Mr. Pauleus Sannon, Mr. Perceval and Mr. Stenio Vincent? I want to bring out what the fundamental cause to this problem was of the influential members of the Haiti-Santo Domingo Independent Society.

GRUENING. I learned in the spring of 1921 that the Haitians were sending a delegation to lay their protest directly before the new administration in the campaign pledges. I had no previous knowledge of this plan, except prior to their arrival, when a letter was received by Mr. Johnson, I believe, and had contacts in Haiti and who called the matter to my attention. Delegates visited us when they were in New York, and undertook the preparation of a memoir so that their facts would be in writing, and subsequently to Washington, where they attempted to present it to the Department of State.

I believe they were unable to see anyone in authority, but left the matter.

EDITOR POMERENE. Left it where?

GRUENING. At the Department of State, and also sent it to various persons. I don't know just which ones.

ANGELL. That memoir, for the purpose of identification, is the first document appearing in part 1 of the printed hearings before this committee.

GRUENING. One of the members of that delegation remained until the closing of these hearings and appeared at the first hearing, I believe, last night, Mr. Vincent, and formally presented the memoir to this committee.

ANGELL. Now, will you state briefly, Mr. Gruening, what your purpose was in going to Haiti early in November last?

GRUENING. Well, my purposes were several. In the first place I wanted to get as much first-hand information as I could on the situation. I wanted to see things with my own eyes. I wanted to find out what the Haitians thought, what their hopes were, what they expected the United States to do.

I also wanted, on my own account, to do what I could to see that the case which they had was properly presented, and that their case was effectively stated.

CHAIRMAN. I think on that last point this question would be appropriate: mean that you expected to assure testimony as to facts by the witnesses?

GRUENING. Yes, sir.

ANGELL. Now, will you tell us the types and kinds of Haitians and Americans in Haiti with whom you came into personal contact during your stay?

GRUENING. I talked with all kinds and all classes of persons there; persons who were in the so-called Government; persons who were active members of the Haitian Patriotic Union; persons connected with neither one nor the other; persons of means; common people; in fact, every type of Haitian that I could find and talk to within the period that I was there.

ANGELL. You speak French readily, I understand?

GRUENING. I do.

ANGELL. As you lived abroad?

GRUENING. I went to school in France.

ANGELL. Now give us, as nearly accurately as you can, a picture of the sentiments which you found among the native Haitians toward the United States—toward the military occupation.

GRUENING. In general, I should say that I found the sentiment toward the United States one of friendliness combined with astonishment. I found a very general belief among the Haitians that the American people could not be authorized, could not be fully aware of just what had happened in Haiti, and that the educated Haitians, at least, seemed to be conversant with some of the high spots in American history, and they all had the greatest hopes that the situation would change radically, completely. I found specifically that the Haitians hoped a great deal from the senatorial committee. There was mixed with this hope a good deal of doubt and a good deal of cynicism, which was based, according to their statement, on the fact that two previous inquiries had been conducted by the Navy had not brought about the results for which they had hoped; and I was frequently asked whether this committee,

using the French word, was a "serieuse" committee, which means a more than the American word "serious." I think it means: Would be there going; would get to the bottom of things.

As far as the sentiments of the Haitians to the occupation was concerned, I found no one who had not very grave criticism to make of that. I found two persons among those to whom I spoke who wanted the occupation to last for a time. I found no one who wanted the occupation to stay longer than sufficient time to secure adequate stability, policing, and order.

As I have stated in something that I have written, I found in the sentiment varying shades of opinion. I found that the majority of those with whom I spoke wanted the occupation to retire at the earliest possible moment—a matter of days or weeks.

I found a certain other group that when pinned down hedged a little bit to that. They wanted the United States to get out, and yet they wanted the United States to stay in long enough to give the Haitians certain of the benefits which they felt had been their due, which had been promised them by the convention of 1915.

The CHAIRMAN. For example?

Mr. GRUENING. For example, the creation of an effective gendarmerie, officered by Haitian officers; the establishment of the Haitian finances on a more efficient, and modern basis. Those were the main ones.

Senator POMERENE. Would you say that was the prevailing sentiment?

Mr. GRUENING. The second one?

Senator POMERENE. Yes.

Mr. GRUENING. I would say this, Senator Pomerene, that I should say that that sentiment would have been nearly universal provided with it would be the assurance of a definite and complete return of their sovereignty at the end of that period. In other words, the Haitians feared that hand in hand with the benefits they might get should they ask for them would go a complete destruction of their sovereignty. As between those two they wanted their sovereignty without conditions. In other words, when I put the question to them in that way, "Well, supposing that staying in means a more or less indefinite control of your customs for some time; supposing that it means a relation to the United States such as the Platt amendment?" they would raise up their hands and say, "Absolutely not. We want our liberty, our sovereignty returned to us without condition, and if there was any risk of exceeding further with the United States that we would not want that; they would take all the risks and take our sovereignty no matter what may happen."

Senator POMERENE. Were these remarks which you are reflecting those of the leaders and members of this particular group, the Union Patriotique, or did you find these sentiments to be more widespread than that membership?

Mr. GRUENING. This that I have cited is the prevailing, the widest average view. I found that the members of the Union Patriotique wanted conditions whatever. They simply wanted the United States to retire immediately.

The CHAIRMAN. Retire with celerity?

Mr. GRUENING. Yes.

Senator POMERENE. Now, let me ask you another question. Did you find any American who even suggested or hinted at our depriving the Haitians of their sovereignty?

Mr. GRUENING. Did I find any Americans?

Senator POMERENE. Yes; either there or anywhere else. Who suggested?

Mr. GRUENING. There was a condition in Haiti. The Haitians are now deprived of their sovereignty.

Senator POMERENE. Well, we were talking about the matter as a permanent affair. You have spoken now about the prevailing sentiment being to stay there to bring about certain conditions which you have described. I find you speak of depriving them of their sovereignty, etc. My question is: Did you find any Americans, either there or elsewhere, who said that they wanted the United States to deprive them of their sovereignty. I am speaking of a permanent policy, or something of that kind.

Mr. GRUENING. I found that those Americans down there with whom I came who were friendly to the staying in of the occupation seemed to assume that it is not a direct answer, but I am trying to get at your question as nearly as I can—seemed to assume that the occupation would be permanent—that is, say, it would involve a certain destruction of Haitian sovereignty. That it would become more or less an American protectorate.

ator POMERENE. Now, you say "seemed to assume." On what do you base reference?

GRUENING. I base this on statements of this character: "We have got to ere and run this country." "These people will never be fit to govern lives."

CHAIRMAN. These were the opinions expressed by civilians or representatives of the American Government?

GRUENING. These were mostly, I should say, opinions expressed by us.

CHAIRMAN. With a financial interest in the country?

GRUENING. Yes.

CHAIRMAN. American business men?

GRUENING. Yes; American business men.

ator POMERENE. Now, let me ask you another question: Did you find any particular who ever suggested that we were going to permanently deprive either in whole or in part, of their sovereignty?

GRUENING. I have a newspaper clipping here which is presumably an Associated Press dispatch, because it was carried widely, from the Atlanta Georgian. I can not vouch for the accuracy of this, but I take it it is correct. The heading: "Haiti safer than New York at night, says Russell": "Although he described Haiti and San Domingo as 'completely pacified,' Russell said the 17,000 marines stationed on the island would remain 'indefinitely.'"

ator POMERENE. What is the date of that?

GRUENING. March 3, 1922.

ator POMERENE. And who is Russell—Brigadier General Russell?

GRUENING. Brigadier General Russell, who has just been appointed American commissioner.

ator POMERENE. Now, is that the only matter on which you base a statement of that character?

GRUENING. No. No one in Haiti that I talked with knew definitely what policy of the United States would be. The expressions that I heard merely indicated that general attitude which I just expressed, that the United States have to stay in there to run the country. In the cases where it was thus expressed, it seemed to be obvious that the wish was father to the thought; that these persons who had thus spoken had the control or the say of the American policy, that that would have been the policy.

ator POMERENE. That statement of General Russell's is simply to the effect, understand it, that the marines would be there indefinitely?

GRUENING. Indefinitely.

ator POMERENE. That might mean three months or six months, and it is as it says—"indefinitely." I suppose depending upon conditions as they develop.

GRUENING. That would not be my interpretation of it, Senator.

ator POMERENE. Well, that would be mine.

GRUENING. I found two persons among those to whom I spoke who, while using in general terms that they wanted the return of Haitian sovereignty, that the occupation could not withdraw at this time. They were the President of Haiti and his brother, the Minister of the Interior. Both of them stated that if the occupation would withdraw at this time the Government would fall here would be riots.

ator POMERENE. When was that statement made to you, Mr. Gruening?

GRUENING. During the first 10 days I was there.

ator POMERENE. You mean during the time you were down there?

GRUENING. During the time I was down there. I had several interviews with the President and several with his brother.

There was a distinct change in the sentiment of the Haitians toward military following the receipt of the information concerning the method by which the treaty had been imposed in 1915. That was published in the United States at about that time.

ANGELL. Do you refer to the testimony of Admiral Caperton before this committee?

GRUENING. I refer to the testimony of Admiral Caperton, and particularly his dispatch to Captain Durrell saying that the object of the mission was to conclude a treaty, and that he was making progress in that direction means of military pressure.

ator POMERENE. Is that in the record?

Mr. ANGEL. Yes, sir; that is in the record; at the top of page 353 is the message that was inserted in the record by the chairman of the committee.

Mr. GRUENING. And one more message at that time, namely, the message Secretary Daniels pursuing that same thought, that if the Haitian Senate not ratify the treaty the occupation of the island would become permanent.

Mr. ANGELL. Just refer to that message, will you?

Mr. GRUENING. That is on page 394 of the record.

Mr. ANGELL. The date.

Mr. GRUENING. Sent on November 10, 1915.

Up to that time certain of the persons with whom I was in more or less daily contact had not known of the exact methods by which the treaty was concluded. They had been under the general impression that there had been a sort of moral coercion, perhaps, but had no knowledge that it had been imposed directly by these methods. And they then said, people who up to that time had hoped for some degree of cooperation with the United States previous to withdrawal, that in view of these methods they could not see how an honest basis of progress could be made with the United States short of preliminary abrogation of that convention imposed by those methods.

The CHAIRMAN. What do you mean by "preliminary abrogation"?

Mr. GRUENING. They felt that the relations of the United States with Haiti were based on force and on fraud, and were consequently invalid, and should be so held by the United States. They felt, as many of them stated to me, that the United States had deliberately come in and stolen their country by virtue of superior force. They felt that the United States, being great and powerful and that they being then—

The CHAIRMAN. Now, these are the people you mention that spoke French?

Mr. GRUENING. These are Haitians.

The CHAIRMAN. Precisely, but I am distinguishing between those that are Creole and those that speak French.

Mr. GRUENING. Yes. They felt that they were naturally within the orbit of the United States, within our sphere of influence, and that relations with us always have to be of a more or less intimate and friendly nature, but that no progress could be made in that direction unless the United States had abrogated a treaty imposed by such methods, methods which destroyed the entire idea of free consent on the part of the Haitians. I heard that expressed universally. Even the President said to me that while he had signed the convention himself under pressure in 1915, that he had always resented it. That he hoped it would be abrogated. That he had never ceased to protest against the nonfulfillment of its terms.

Senator POMERENE. In what respect?

Mr. GRUENING. He referred particularly to testimony given before the M. C. court of inquiry in 1920, which I believe gives a more or less complete statement of his grievances in regard to the nonexecution of the convention.

Senator POMERENE. Well, recite them here in brief.

The CHAIRMAN. Major McClellan, will you see that we have that passed.

Major MCCLELLAN. Yes, sir. It is already before the committee.

The CHAIRMAN. Well, I wish you would mark it for our information.

Major MCCLELLAN. Yes, sir. I remember the testimony.

Senator POMERENE. Are you referring specially to the financial matter?

Mr. GRUENING. Among others. Financial lack of stability.

The CHAIRMAN. What does he mean by lack of stability?

Mr. GRUENING. The time had not arrived when the occupation could withdraw or abolish martial law. One of his grievances was the continuation of martial law. I want to add there as my own personal observation that I do not believe that what the President said to me at various times necessarily represents his views. He says things at different times depending upon effect. I merely cite that as the things he did say to me.

Senator POMERENE. That is, you mean to say that he as the President would tell you one story when he entertained different views about the matter?

Mr. GRUENING. Yes; I do.

Mr. ANGELL. Or that his mind changed from time to time.

Mr. GRUENING. Or that his mind changed from time to time. I have had on a definite experience that I had when I was in Haiti. When I interviewed the President for the first time I asked him what the Haitian demands were. What it was that the Haitian people desired of the United States, and he told me in a general way the restoration of their sovereignty, their freedom, to abolish all martial law, and I said, "Are you going to tell this to the

"Well," he said, "of course I can not testify before the committee. I have already stated some of my objections before the Mayo court, and more-over I have a crowd of political enemies who are constantly attacking me, so I can not make it impossible for me to speak in the name of the country." I said, "Well, I have spoken to those people, and I find they are pretty nearly in agreement with you on these questions, and I think that the committee ought to hear from you and from all these various groups."

ANGELL. What people were you referring to?

GRUENING. I was referring to his so-called enemies, or members of the patriotic union.

ANGELL. Do you mean enemies of the President?

GRUENING. Enemies of the President, political enemies. He said, 'I like nothing better than to unite with these people and to present to the committee a statement of Haitian aims, but that is impossible. These persons will not cooperate with me.'

ANGELL. I stated this conversation to some of these members, and they stated the result of that, namely, that they were always willing to cooperate with the committee, but that he would never cooperate with them.

ANGELL. Now, who were these people?

GRUENING. These were the officers, executive committee, and members of the patriotic union.

ANGELL. Well, as you have named the President here, etc., I think you should give these names as well.

GRUENING. Stenio Vincent, Perceval Thoby, Pauleus Sannon, M. Morpeau, Louis Lussan, L. Pavin, G. Sylvain, Jeannot, Lespinasse, and others. That is about a dozen.

ANGELL. The next time I saw the President I told him that, and he said, "Well, I like nothing better." "Well," I said, "why don't you get together with these people and present a statement to the committee of your aims and desires and your hopes?" He again protested that they would not do this.

ANGELL. I told the members of this group said that if the President would ask them to go to the palace they would be delighted to present such a joint memorandum to make a statement of their common aims. I took this message to the President, and he said that he would be delighted to receive such a delegation, but that he himself could not invite them; that if they would make a request to be received he would receive them. They made such a request and it was received.

ANGELL. For POMERENE. Now, are they the same men that you spoke of?

GRUENING. The patriotic union made such a request.

ANGELL. For POMERENE. The men whose names you have given here?

GRUENING. Yes. And they selected a committee composed of the following to the President: Morpeau, Nau, Jeannot, Vincent, and Thoby. And I asked to go with them, in order to make the occasion more impressive, and to have other Haitians who were not members of the patriotic union, but who were in sympathy with their aspirations. Among these the former President, Legitime, a man I think in the eighties, who is still living in the country, and the three chief justices of the three courts, namely, the court of first instance, the court of appeals, and the court of first instance.

ANGELL. Do you remember the names of those three chief justices, Mr. Gruening?

GRUENING. Yes; the chief justice of the court of cassation was Bonheur. The member of the second court did not come; he was ill or did not come for any reason. The president of the last court was named Montas.

ANGELL. That is a court of first instance?

GRUENING. That is a court of first instance. So this delegation went to the palace. The President asked me to come with them. These people were anxious to have me come; so I went. When we came to the palace we found not only the President but his five ministers; so there were present, I think some 15 persons. Mr. Morpeau acted as spokesman for the patriotic union, and he voiced the idea that the country was about to receive a committee which was going fundamentally into the Haitian question. That this committee was desirous of getting all the light it could on this question, and that all who were gathered there as Haitians to try and find a common basis—a basis on which all Haitians could agree, those present representing virtually every class and sentiment in Haiti.

ANGELL. The President replied that they were all Haitians; that he could not see how there were any differences that could not be reconciled; and they then

proceeded to draw up a memorandum or a statement which embodied the sentiments.

Mr. ANGELL. You were present all through this meeting?

Mr. GRUENING. I was present. These sentiments were as follows: That we would demand the abrogation of the convention of 1915.

Senator POMERENE. Have you a copy of that here?

Mr. GRUENING. I will introduce into the record copies of newspapers at that time which contained this. Further: The abolition of martial law; the withdrawal of the occupation in a period of not more than six months; three months to be used for a reconstitution of the gendarmie so that it would be a body capable of maintaining order.

There were two points of dissent which came up. First, on the abrogation of the convention. The president stated that he could not himself join in the demand for the abrogation of the convention, and since he himself had said that he shall continue to ask that it be carried out; but that if others should ask for the abrogation of the convention he would not oppose that demand; that if he were personally asked his opinion he would not oppose it. In other words he would be negative on the question of abrogation, but would not oppose it.

Mr. ANGELL. You are referring always to the treaty of 1915?

Mr. GRUENING. The convention of 1915.

The other point on which no agreement was reached was the question of a loan. That question was raised, and the President said that certain negotiations were then in progress with the American Government, and that he did not wish to discuss that question at all.

The meeting lasted about two hours and then adjourned, and there was a short notice in the Haitian papers of that day—this was a Saturday—stating that this visit had taken place, that these persons had met. No mention being given as to what had been discussed.

I found that there was a great deal of rejoicing among the various Haitians that this meeting had taken place; that it was the first union of these people for many years; that those members of the patriotic union who had been expelled had, many of them, not spoken to the President or entered the palace for many years. There was, however, a great deal of skepticism among the members of the patriotic union as to the President's sincerity and as to whether he would adhere to these provisions, and it was decided that no account of what had taken place would be given to the newspapers without first receiving his O. K. a direct account of what had happened.

An account was drawn up the following Monday—their journalism is not like ours—and then two of them came around and asked me to take it to the President. I declined to do that, saying that I did not think that it was my business to tangle myself in Haitian affairs; that I had attended this meeting only at the request of both sides; but they insisted that no one else was willing to take it.

Senator POMERENE. Why were they not willing to?

Mr. GRUENING. Because of their mistrust of the President; their feeling that nothing that he said, unless said in the presence of witnesses, could be depended upon, and not even then. Their feeling that I, being a neutral and a stranger, their methods, the President would probably not—

Senator POMERENE. Was the President advised of your interest and the policy in which you made these visits?

Mr. GRUENING. He knew exactly of my interests. I did not, however, take this message to the President at that time. There was some delay in it. There was some discussion as to the manner in which it was phrased. The next day I went out of town, made this visit into the country, and came back Thursday I found that nothing had yet appeared in the papers, and I was again asked to take this message to the President. I finally said that I would, and I made an appointment to see him Saturday morning. The Saturday before the arrival of the committee.

Senator POMERENE. And this is the next Saturday after the conference?

Mr. GRUENING. This is the Saturday following the conference—two days later.

I went to the President's palace on Saturday, talked with him on these things, and found that the message had been sent to him from another person the day before.

Mr. POMERENE. What message?

Mr. GRUENING. The account of the meeting. I asked him whether it was correct. He said, "Entirely. I have approved it."

ANGELL. He said that to you?

GRUENING. He said that to me. I found that what had happened in the file was this: Other members of the patriotic union, becoming tired of my, had finally persuaded the chief justice of the court of cassation, Mr. y, to take it around. He had gone around on Friday, left it with the chief justice, asking the President to return it to him with any comments or orders. This was sent to him late Friday by the President's orderly, with the President's assent; merely the verbal statement that it was entirely correct. He submitted it back to the central committee of the patriotic union with that assent that he had thus received it from the President, and that therefore he had the right to publish it.

ANGELL. Was this Chief Justice Bon-Amy a member of the Union Patriotic Party?

GRUENING. No; he was not. He was one of the men who attended this meeting. So that there seemed to be a double check on the fact that the President had approved this statement.

After the meeting of the patriotic union central committee had been held, which it was decided that no account of this meeting would be published without the President's approval of an account was first received. This was due to the fact that they did not trust him. This account, with his apparently given it, was published in one paper that Saturday afternoon, but too late for publication in all of them; but the other papers published notices, saying that the full account of what had taken place in the palace would appear in Monday's papers. Again the primitive journalism.

CHAIRMAN. We will now adjourn until 2.30.

Thereupon, at 12.15 o'clock p. m., a recess was taken until 2.30 o'clock p. m. the same day, Wednesday, March 8, 1922.)

#### AFTER RECESS.

The committee reconvened at 2.30 o'clock p. m., pursuant to the taking of

CHAIRMAN. You may proceed, Mr. Gruening.

#### STATEMENT OF MR. ERNEST H. GRUENING.—Resumed.

GRUENING. On Monday morning, about 11 o'clock, I happened to be in the office of L'Essor, which is one of the newspapers of Port au Prince, and the editor, Dorsinville, showed me a communique which had just been received from the palace. This communique stated that the story published in one of the Saturday papers concerning the meeting of various groups was wholly incorrect; that the statement which preceded it that the account had had the assent of the President was false; and it then proceeded to give a totally different account of the meeting, an account which would indicate that there was a very opposite of unity on the questions which had been discussed at the meeting.

Subsequent issues of the paper appeared statements by Judge Bon-Amy stating that he had received the account back from the President without any comment. So that there was in addition to the assurance of President Darville to me that he had approved the account of this gathering, this further confirmation. I merely cite all this in confirmation of my original statement that I did not consider that the President was trustworthy. Here in the presence of 15 witnesses something had happened—

CHAIRMAN. Well, now, do you think it is useful to continue to prove that the President was not trustworthy?

GRUENING. Senator, I was merely doing that in answer to Senator Pomerehne's question. That is as far as I need go.

ANGELL. Now, Doctor Gruening, will you give us your impressions of the people of the country people of Haiti, the peasants, toward the presence of the American and toward its methods of control and government there?

GRUENING. I attempted to get at the opinion of the country people when making my trip through the southern part.

CHAIRMAN. How many days, parenthetically, were you out on that trip?

GRUENING. Two days and one-half. Our automobile would stop at various places, and I would go into the huts of the peasants or speak to them as they came to the road. I should say that the majority of those with whom I spoke

were entirely noncommittal. I found that after I was introduced to them as *bon blanc* they became more talkative.

I specifically remember the opinions of three at different points in the. One of them, who had refused to talk for some time, finally said, in answer to a question as to what he thought of the occupation, that to him a *martr* a man who gave you kicks and blows with his fist—*coup de pied*, *coup de poing*—that he hoped the Americans would go soon. About that same attitude expressed by two others.

One peasant to whom I spoke said that it made no difference to him whether he was in the country, white or black.

I did not accept these judgments, these opinions, as in any way correct, because I do not believe that you can get in that kind of a survey at the opinion of the people. What interested me was that they had opinions at all on this subject.

It is also fair to say that this section of the country had been less troubled than others by disturbances previous to the occupation, and consequently had been less rigorously treated during the occupation.

I talked with several women along the road and asked them about the situation, and in general their opinion seemed to be that they were afraid of the whites. It was impossible to get anything very much more specific.

The CHAIRMAN. Who were your traveling companions?

Mr. GRUENING. My traveling companions were a Haitian by the name of Wiener, and on another occasion Mr. Houdicourt, who testified here. I want to state that, of course, I was not able to put the questions myself in Creole. I was able to understand the questions as put in Creole and the answers. I was particularly trying to find out whether the statement that was frequently made by the members of the occupation that the peasants are friendly to the occupation, and that the only ones who desire the change to go are the politicians, was or was not true.

Mr. ANGELL. What did you find the attitude of the people with whom you talked to be regarding the existence and manner of enforcement of martial law?

Mr. GRUENING. Everyone that I talked with resented that very deeply. Perhaps that was the one point on which they were wholly and undoubtedly agreed. They all felt that that was a sore point. Even the President and his cabinet were very emphatic upon that subject.

The CHAIRMAN. Will you tell us, Mr. Gruening, how the martial law has affected the averaged Haitian?

Mr. GRUENING. I asked that very question of several of them. They said, "You never know what is going to happen. You live in constant fear of being arrested on the charge that you at one time said or wrote something critical of the occupation." I remember specifically asking each time, "If you do not write and if you do not talk, what danger is there then?" and they said, "we live under the constant fear. We don't know." And then, "If our wives or our children happen to be out in the streets shortly after bimonthly pay day and they have any trouble with the marines who are occasionally at those times under the influence of liquor, and we cannot think and fear that that is going to be the cause of subsequent persecution."

The CHAIRMAN. At how many points of the Republic are marines stationed?

Mr. GRUENING. I have no information as to that.

Mr. ANGELL. Was this sentiment of resentment against the martial law common to the various classes of people with whom you talked, or was it only largely to the upper, educated class in Port au Prince?

Mr. GRUENING. Well, it was not merely confined to the educated class, though the educated class, of course, resented very deeply the fact that their speech and their writing could not be free. They frequently said that they could see no reason why they had no right to object to the occupation or call the attention of the authorities to various acts of violence which allegedly had occurred.

In this connection I want to call the attention of the committee to a case which has been called to my attention by a Haitian who has just come from the United States unexpectedly, who says that the director of the *Courrier* had just been arrested and sentenced to six months at hard labor, for the publication of an article calling attention to an act of brutality on the part of a gendarme. I think the committee might be interested in that. I have a copy of it here.

I should say that their fears were largely a state of general apprehension. Of course those who are opposed to the present order, who want to see

tion go naturally feel that their activities are very much curtailed by inability to speak.

CHAIRMAN. You mean, Doctor, that it is apprehension of what may happen to the average man rather than his actual contact with the law that disturbs him?

GRUENING. Yes; of course, Senator, it is extremely difficult to reproduce a state of mind, or even to assure one's self how valid a state of mind is. I was much impressed in the days preceding the arrival of the committee of a state of fear. I do not know how I could demonstrate that that existed. You may recall that at various times before the committee went to Haiti there were some communications sent to Mr. Angell, which I think were turned to you, asking that the committee lift martial law. I do not think they took themselves, when they asked that, just what lifting of martial law for a period of one week would do, but I heard it scores of times if I heard it that the witnesses were afraid to come; that they were afraid to speak. That no matter how directly, openly, and frankly the committee might confront them, that they would not speak the truth. They could not, because they did not know what would happen to them after the committee left. It is difficult to adduce testimony of that kind that can not be substantiated by facts, etc., but I felt very distinctly that state of mind existed.

I would like to cite in this connection a story which I think is germane, although it does not pertain directly to Haiti. After we left Haiti there was a super man there by the name of Frazier Hunt, whom the chairman may know who was formerly with the Chicago Tribune, and he was the man who negotiated the peace treaty to this country. He is an experienced observer. He has been in imperialism in Korea, he has been in the Philippines, he has been in Siberia, and I did not see him in Haiti, but when he came here I came up to see me, and I asked him what his impressions were.

ANGELL. This was just a month or two ago?

GRUENING. This was a month or two ago. He said, "It is the complete picture of imperialism." I said, "Well, what do you mean by that? Did you get it from the Haitians?" He said, "Well, before I got it from the Haitians I got it from the marines." I said, "Well, how did you get it from the marines?" "Well," he said, "when they were sober they were so offensively drunk that I knew there was a story there, and when we went out and got together why they told me the other side of the story." "Well," I said, "did you get it from the Haitians?" "Well," he said, "I got a good story. I didn't speak to the common people at that time. It is very hard to get things out of the common people. When I was in Egypt I went out into the back country trying to find out what the people there thought about the occupation, and I went into a village and into one of the central huts where the men and women were gathered. I went there with an interpreter whom I could understand and asked them what they thought about the occupation. They said it was all right. I asked them whether they had any complaint to make, and they said whatever. I asked them whether everything was perfectly satisfactory, and they said it was. I kept this up for about 15 minutes, and finally one man stood up and exploded and said he couldn't stand it any longer, and then a torrent followed from all of them; they all came forward with a story of abuses, of abuses and abuses which they had simply been afraid to tell before."

That is all that very respectfully to the attention of the committee; because I do not think however sincere and thoroughgoing an investigation of this kind may be in the brief days while the committee is sitting, it is after all only a compromise passing through, persons never seen before by the individuals who come before the committee, individuals with a distinct sense of inferiority, a misunderstanding of what is going on, in the presence of officers whom they have never seen before and whom they know will remain—it is very, very difficult to get to the real sentiments of the people.

CHAIRMAN. Did Hunt express any of this in the article he wrote on this?

GRUENING. I believe he did.

CHAIRMAN. Not very explicitly, if I remember it. I read the article with interest. I have known Hunt before.

GRUENING. I have not seen the article.

ANGELL. I want to refer you, Dr. Gruening, to a message from the Navy Department to Admiral Caperton, of August 7, 1915, appearing on page 313 of the record, this being, I believe, the first official pronouncement by our rep-

all but a dummy and a creature of the occupation, carrying out its will. They say, with great bitterness, who has actually decorated American officers for the killing of fellow Haitians. His council of state, they say, do not count, because any person can be immediately discharged for the sake of disobedience or diversion from the will of the President. In other words, as one man said to me, it is simply as if you walked out on the street, picked up 11 or 21 men and said, "You can be a minister or a member of the council of state at such and such a salary until I fire you out." In other words, they are not in any sense responsive to the public will. There is no I say, no legislature and the courts, which alone are left, are under control by the military.

Mr. ANGELL. I ask you whether it is not true, as a matter of fact, that the policing, maintenance of law and order, is in the hands of the marine occupation; either directly in the hands of the marines themselves or in the hands of the gendarmerie, as officered principally by American Marines?

Mr. GRUENING. Yes.

Mr. ANGELL. Will you please tell us what your understanding is of the way in which the control of the native finances is in the hands of the American representatives, either the Marine Corps, American officers of the gendarmeries, or the American appointed treaty officials?

Mr. GRUENING. I have no first-hand or direct information on that, but the generally repeated statement.

The CHAIRMAN. Isn't that a matter of record, Mr. Counsel?

Mr. ANGELL. I don't think so yet, sir. Admiral Caperton has offered an explanation of the control in the early days.

The CHAIRMAN. Is it not a matter of administrative record for what we can send and secure with more certainty?

Mr. ANGELL. Doctor Gruening has said he has no first-hand knowledge of it; so, I do not think it is of any interest to pursue it further. Did you, Doctor Gruening, ascertain, while you were in Haiti, how Colonel Russell, the American commander, was regarded by native Haitians?

Mr. GRUENING. Well, I regret to say that I found nothing but universal dislike of him among all Haitians, except the President, and I rather hesitated to express this when I first did write it, because Colonel Russell had been particularly friendly to me. I reported simply what I found. I found that he was intensely disliked. Perhaps more so among those with whom I came in contact than any other man who headed the occupation. They felt that he was tyrannical, arbitrary; that he despised the Haitians of the cultured class, that he was wholly unsympathetic. No one, except the President, expressed another view. And I repeatedly asked them whether this same judgment should not be rendered against any chief of the occupation who, after all, was merely carrying out orders and had to maintain order and discipline. They forthwith. They emphatically said no. And they referred to other pro-officers for authority who had had an entirely different point of view of the Haitians.

I want to call the attention of the committee in that respect to an incident that occurred the last day the committee was there; I was not present, but I have heard of it from so many different sources, when Senator Pomerene said in concluding, that the hearings were by no means closed; that the Haitians had any further evidence to offer or statements to make the committee would be glad to have them turn the same over to Colonel Russell. Whereupon there was a groaning throughout the room, and Senator Pomerene whispered something to Senator Pomerene, whereupon Senator Pomerene said, "Or they can send same to the committee in Washington," whereupon the body was happy again.

A similar incident occurred in Santo Domingo. The Santo Domingo committee asked to refer testimony to Senator Robinson, but there was no sign of approval at all. I certainly doubt whether a demonstration of that kind could have been organized. It was the spontaneous expression of their sentiments.

They cite a long list of abuses, but their feeling is very, very intense on the subject.

The CHAIRMAN. You have given the testimony of an archbishop and of Colonel Russell, have you not?

Mr. GRUENING. Yes, sir.

The CHAIRMAN. Do you care to speak of that?

GRUENING. Yes; the archbishop at Port au Prince, Monsignor Conan, bishop of Aux Cayes, Monsignor Pichon—I had a long interview with First, I had an interview alone with Monsignor Conan, who spoke in a way of the occupation; was rather noncommittal; was clearly in doubt what he should say. He said that everyone was trying to do his best; stakes had been made, and not giving me any very clear-cut, clean-cut

sequently Monsignor Pichon came in and stated very emphatically that Russell was a very fine man, and his exact words in French were: *ave homme, un honnête homme, un homme aimé par tous les Haïtiens,* not to be translated literally, is not to be a brave and honest man, but man and an upstanding man, and a man who is beloved by all the s. And the archbishop nodded approval of that.

s all the more curious because of this statement, which was made very uring my stay there, to find out what the Haitians themselves thought, did not find this opinion echoed, although I quoted these statements of op to many Haitians, but met only with their complete dissent. ans, it is only fair to say, pointed out that the relationship of the to the occupation was such that no other opinion could have been. d. I do not know that I feel at all that it is necessary for the bishop out of his way to make this statement, but the feeling was that the could not afford to be on anything but the best terms with the chief of upation.

ANGELL. You have now been studying this Haitian situation for nearly ars, have you not?

GRUENING. Yes, sir.

ANGELL. And intimately and closely for the past six or eight months, and s longer. What are your personal conclusions as an American as to the which the United States should pursue toward Haiti in the immediate

CHAIRMAN. Let me suggest, Doctor, that you describe that course step by id not in general terms, but what first you would propose be done, and propose to be done, and so on.

GRUENING. I want to precede this by saying that in view of the testimony now in the record which proves beyond any controversy that whatever ve been the conditions in Haiti or the motives which actuated the United in going down there, we went in there by force, imposed a convention even in more moderate form the Haitians had previously rejected, im- t by the aid of military pressure, the withholding of funds, and other s of coercion. That we subsequently imposed a constitution not wanted Haitians by similar means. And that I can not conceive of any honorable ation of our relations with the Haitians, of any workable relation with itians which does not take a full cognizance of those facts, which id make tacit admission—not necessarily verbal admission—of the force and by which our policy was thus inaugurated.

in addition to this there was a virtual, if not actual, veil of secrecy ver the entire proceedings during the five years during which the ratic administration was in control. A secrecy which naturally implies ur acts were not those which we cared to reveal to the world.

ould like in that connection, if the chairman has no objection, to quote is own article in *The Nation*, December 1, 1920, the first two sentences: e Haitian scandal is the fruit of the exquisite hypocrisy which has larly characterized the present administration, and of the canting in- cary which has marked the conduct of the Navy Department during the last l years. We subjugated the people of Haiti and of Santo Domingo by of arms."

, starting with that as a premise it seems to me that we can only amends by restoring as soon and as effectively as possible government Haitian people.

CHAIRMAN. Now, will you describe that: "As soon as possible and effec- as possible."

GRUENING. Yes; I will with pleasure.

CHAIRMAN. Let me ask you a question in order to develop your judg- In how brief a time do you believe that all the marines now in Haiti be withdrawn from the territory of the Republic?

Mr. GRUENING. Within six months after a constitutional government has been established.

The CHAIRMAN. Well, now, consider in your own mind first, then, is that you may answer my question, so that you may fix a time, suggest a time to the committee during which a constitutional government may be established and the last marine withdrawn.

Mr. GRUENING. The term of the present President expires on the 15th of May of this year. It is the opinion in Haiti that there is at present no legal mode of electing his successor.

The CHAIRMAN. Doctor, I do not want to appear impatient. We know I want to get, for the benefit of the committee—because this is a question that has been discussed between the members of the committee and between the members before the committee informally and formally—your opinion as to the time in which it would be possible to withdraw the last marine—6 months, 8 months, 10 months, 12 months? In how many months from the issuance of a proclamation by the President of the United States, say, on the 1st of May or the 1st of April, would it be possible to withdraw the last marine?

Mr. GRUENING. I will get at that directly. I would suggest that on the 1st of May, when the term of the President expires, and there is no legally constituted successor, that the President of the United States order the withdrawal of the occupation in Haiti to assume temporarily charge of law and order. It would naturally would otherwise, and to call for the convocation of a constituent assembly by methods which exist in Haiti, the election of these one or two representatives from each commune, this constituent assembly to be called within a period, let us say, of 30 days; that election to be held within another 30 days; and that this constituent assembly be empowered to do two things:

First, to draw up a constitution.

Second, to elect a President.

The period of time of that drawing up of the constitution and the election of a President would be possibly a few weeks, more or less. That as soon as that is done, that the President take office and under that constitutional elections for the legislature, the constituent assembly then dissolving, to perform those two duties. And that at a period not to exceed six months from the President taking office the last marine shall be withdrawn from Haiti.

The only obstacle that I can see to the marines withdrawing immediately after that period of six months—is that there is not at present a duly organized gendarmerie, and no country can exist without an efficient police. You will recall that 15 minutes after the Boston police went on strike the plate-glass window along Tremont Street, the main street in Boston, was shattered and hundreds of thousands of dollars worth of merchandise was looted. You can not expect the Haitian to be more civilized than the Russian and we certainly owe it to them to leave an efficient police force.

I believe that thing can be done in a period of six months if the good will and the good faith existed to do it. If the officer in charge in Haiti were to say that "we shall expect you in six months to organize such a force." They have junior officers there. There is no reason why in six months they not promote those men to be lieutenants and captains in the gendarmerie.

The CHAIRMAN. In brief, you believe that the last marine might be withdrawn in 12 months from that date?

Mr. GRUENING. I do.

The CHAIRMAN. In organizing the gendarmerie would you plan to withdraw the last marine officers of the gendarmerie at that time?

Mr. GRUENING. I would leave that entirely to the Haitian Government.

The CHAIRMAN. What would you do in the matter of finance, to what alluded in connection with the gendarmerie as being a collateral problem—in the opinion of many Haitians would have to be solved with the assistance of the United States? Would you leave financial officers at the end of 12 months?

Mr. GRUENING. I would start with the premise that the entire gendarmerie should withdraw in that period. I would leave it to the Haitians to work out themselves.

The CHAIRMAN. Well, in brief, at the end of 12 months you would not leave upon the Haitians the continuance of American officers in the gendarmerie, customs, or the department of finance?

Mr. GRUENING. Senator, what you could do between two governments is freely and independently is quite another question. It is entirely com-

certain problems would arise in which the Haitian Government might ask the assistance of the United States, but that would be an entirely different matter from imposing our will arbitrarily without giving them any opportunity of dissent or appeal. I should say that if I had to answer yes or no to the question I should speak emphatically for the complete and radical without qualifications.

ANGELL. What sentiment, if any, did you find among the Haitian people in regard to the proposed loan?

GRUENING. Of course originally financial assistance in the larger sense proposed to be one of the benefits that would accrue to the Haitians under the loan. The Haitians now believe, however, that a loan imposed now in which they have no voice is merely a device to perpetuate their present condition of servitude, and they resent the loan and object to it on that ground. They see how the present Haitian Government has any right to negotiate a loan in the name of the Haitian people. They understand full well that the effect of the loans proposed inevitably prolong the period of customs control, and, therefore, of military control for the life of the loan.

CHAIRMAN. Why, by implication, military control?

GRUENING. Why by implication? Because the Haitians do not want this loan so far as they can make any popular expression they are opposed to it. The point is that if you had an election of the legislature and then that legislature decided to vote the loan, why you—

CHAIRMAN. Why, by implication, military control? Why is it essential control of customs?

GRUENING. Because the thing has been imposed upon them. They feel it is a deliberate expression of—

CHAIRMAN. Well, surely there are States in the Americas where a collector or receiver general of the United States collects the customs and where there is no military control.

GRUENING. There has never been a State, however, in which such a collector was imposed by the armed forces of the United States.

CHAIRMAN. Well, I do not think that it follows that because the customs are collected by a foreigner that there should be armed force there.

GRUENING. No; but in the present case that is the history of our customs in Haiti. The point is simply this. Here is this loan which is being negotiated, which has been in process of negotiation for some time. The Haitians reasonably ask: If this loan is not being imposed against our will, why not give us a chance to vote on it? Why not give us our own Government back, even some form of control, and let us decide if we want this loan? Once it is done we are done for for this definite period; we have no more control over ourselves during that period. In other words, it is perpetuation of alien rule for that time, the terms of which they have no part in making. They are a very feeble obstructionist part in their President, who does not, in their name, represent them.

If the Haitians get their sovereignty back and feel hard up, they will be sending commissions to the United States and negotiating loans, and maybe terms which they will secure will be even harsher than those which are now proposed, but that is their own lookout. That is negotiation openly and arrived at.

CHAIRMAN. Continue, Mr. Angell.

ANGELL. Do you have a question, Mr. Howe?

HOWE. I was going to ask if the present opposition to the loan by Haitians is general or whether there are any exceptions to it—that is to say any Haitians favor a loan at the present time?

GRUENING. Well, I suppose that absolute unanimity on any subject is hard to achieve. There are certain Haitians who believe and hope that no material benefits will accrue from this loan. The payment of the interest, which has not been paid for six years, would naturally be welcomed by such Haitians as still retain their bonds. They believe that a certain amount of money will be set in circulation down there. The retail people naturally feel that certain benefits will accrue.

HOWE. Are they advocating the loan, do you know, openly?

GRUENING. No; as I follow the Haitian papers, the sentiment of the press is pretty much united.

HOWE. Do any native Haitians who favor the loan advocate it publicly?

GRUENING. I have never run across any such advocacy. The sentiment is overwhelmingly against the consummation of the loan.

Mr. HOWE. Would not a Haitian who was in favor of the loan hesitate to advocate it publicly, don't you think, on account of the unpopularity?

Mr. GRUENING. Unpopularity with his people, but great popularity with occupation.

Mr. HOWE. Yes. Now, don't you think that that really also plays a part in obtaining the true sentiment of the Haitian down there? When you are in the face of the timidity, don't you think that, granted that a majority of them feel one way on a particular subject, it is very hard to get a public expression of opinion from the minority?

Mr. GRUENING. Undoubtedly. Under a military tyranny no free opinion is obtained.

Mr. HOWE. Well, even under no military tyranny. The point I am alluding to is this: You say that they are afraid of the consequences of a military tyranny in expressing their opinions. Are they not also intimidated by the intimidations of their fellow Haitians; don't you think that is true?

Mr. GRUENING. The second follows conversely from the first. The stronger pressure of the military the stronger conversely would naturally be the sentiment of those Haitians who resent the presence of the military.

The CHAIRMAN. Well, now, if I may interrupt to give other instances which may illuminate this discussion. The political reaction in this case, I am sure, is fraught with serious consequences. The last President before the occupation terminated the lives of some score of political prisoners in the jail immediately before he was dismembered by a mob. There are revulsions of opinion among us. One time in Santo Domingo the opinion was against the funding of the debt and the new loan. Since we were there I gather that the chamber of commerce has decided for a loan.

Mr. GRUENING. I would like to emphasize that, as the chairman suggests, there are revulsions of opinion possible but there may be a far greater influence of opinion than appears on the surface. Nevertheless, it seems to me the only possible, the only logical and fair way to arrive at that opinion is to allow the choice to be as free as possible. In other words, through the election of some form of elected body. Obviously, if people feel that a new government is going to be constituted, a lot of people in Haiti, as in the United States, are going to climb on the band wagon. On the other hand, there are a lot of people who are always professionally "agin" the Government. But here is a thing which is so serious in its implication, that is so fundamental in determining the future of Haiti as an independent or as not an independent country, that it seems to me that as long as we are entering a new era, a new phase of the Haitian situation, that every effort should be made to allow the decision to be made by the people. After all, if the loss of the loan was through failure of the Haitians to elect themselves in favor, if that loss would be Haiti's loss alone, they would be the ones that were deciding it, and not some one else for them. If they are sufferers, that is their own lookout. I fail to see why we should insist on posing philanthropy—if it may be so considered—against their will in the absence of any expression of that will. They have been unable to express themselves as a nation since the dissolution of the legislature in 1917.

Mr. ANGELL. You referred this morning, Doctor Gruening, in stating to me of your conclusion, to what you felt to be a departure from fundamental American principles, and you said in effect that it was that departure from fundamental American principles which interested and aroused you. Those remarks of yours were only in general language. Will you specify what you mean by the American principles from which you think the United States has departed in its actions in Haiti?

Mr. GRUENING. Well, of course American history is full of expressions of sentiment with the Declaration of Independence, of the right of nations to be independent, and self-governing, and in particular our recent history is full of allusions by the men who were at the helm which were directly against what we have done in Haiti.

James Monroe, titular author of the most important and fundamental principle in America's relationship with other nations, declared:

"We could not view any interposition for the purpose of oppressing (i. e., governments who have declared their independence and maintaining and whose independence we have acknowledged) or controlling in any manner their destiny by any European power, in any other light than as a manifestation of an unfriendly disposition toward the United States."

Secretary Seward said:

"The practice of this Government from its beginning is a guarantee to all nations of the respect of the American people for the free sovereignty

in every other State. We received the instruction from Washington. \* The same principle and practice have been uniformly inculcated by our statesmen, interpreted by all our jurists, maintained by all our Congresses, and acquiesced in without practical dissent on all occasions by the Cuban people. It is in reality the chief element of intercourse in our country."

In his message to Congress, December 3, 1906, President Roosevelt said:

"In many parts of South America there has been much misunderstanding of the attitude and purposes of the United States toward the other American Republics; an idea has become prevalent that our assertions of the Monroe Doctrine implied or carried with it an assumption of superiority, and of a right to exercise some kind of protectorate over the countries to whose territory that Doctrine applies. Nothing could be farther from the truth."

Mr. Root said the following:

"The doctrine rests upon the right of self-protection, and that right is recognized by international law. The right is a necessary corollary of independent sovereignty."

"We frequently see statements that the doctrine has been changed or modified; that there is a new or different doctrine since Monroe's time. They are mistaken. \* \* \*

"The Monroe doctrine does not assert or imply or involve any right on the part of the United States to impair or control the independent sovereignty of any American State \* \* \*. The fundamental principle of international law is the principle of independent sovereignty. Upon that all other rules of international law rest. That is the chief and necessary protection of the weak against the power of the strong. Observance of that is the necessary condition of the peace and order of the civilized world. By the declaration of that principle the common judgment of civilization awards to the smallest and weakest State the liberty to control its own affairs without interference from the power, however great."

"The Monroe doctrine neither asserts nor involves any right of control on the part of the United States over any American nation, it imposes upon the United States no duty toward European powers to exercise such a control. It does not call upon the United States to collect debts, or coerce conduct, or redress wrongs, or avenge injuries."

"Nor has the United States ever, in any instance during the period of almost a century which has elapsed, made the Monroe doctrine or the motives which impel us to support it the ground or excuse for overstepping the limits which the rights of equal sovereignty set between equal sovereign States."

"The false conception of what the Monroe doctrine is, of what it demands and of what it justifies, of its scope and of its limits has invaded the public press and affected public opinion within the past few years."

"The random schemes of national expansion invoke the Monroe doctrine. Intrigued motives to compel South or Central American countries to do or refrain from doing something by which individual Americans may profit invoke the Monroe doctrine. Clamors for national glory from minds too shallow to understand at the same time a sense of national duty invoke the Monroe doctrine. Intolerance which demands control over the conduct and the opinions of other people, which is the essence of tyranny, invoke the Monroe doctrine. Thoughtless people who see no difference between lawful right and physical force assume that the Monroe doctrine is a warrant for interference in the domestic affairs of all weaker nations in the New World."

Mr. Root's opening address as president of American Society of International Law, eighth annual meeting, Washington, April 22, 1914.

Speaking at Rio Janeiro at the Third International Pan American Congress, Mr. Root defined the official policy of our Government as follows:

"We wish for no victories but those of peace; for no territory except our own; for no sovereignty except the sovereignty over ourselves. We deem the independence and equal rights of the smallest and weakest member of the family of nations entitled to as much respect as those of the greatest empire."

"We neither claim nor desire any rights, privileges, or powers that we do not freely concede to every American republic."

"The one and only reservation of the United States of America to the convention for the pacific settlement of international disputes adopted at the first conference, 1890:

"Nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not intrud-

ing upon, interfering with, or entangling itself in the political questions or or internal administration of any foreign State."

An understanding upon certain fundamental principles of international law as set forth in the declaration of the rights and duties of nations, adopted by the American Institute of International Law January 6, 1916, which are themselves based upon decisions of English courts and of the Supreme Court of the United States:

"(1) Every nation has the right to exist and the right to perfect and preserve its existence; but this right neither implies the right nor justifies that of the State to protect or to conserve its existence by the commission of unlawful acts against innocent and unoffending States.

"(2) Every nation has the right to independence, in the sense that it is free to the pursuit of happiness and is free to develop itself without interference or control from other States, provided that in so doing it does not interfere with or violate the rights of other States.

"(3) Every nation is in law the equal of every other nation belonging to the society of nations, and all nations have the right to claim and, according to the Declaration of Independence of the United States, 'to assume among the powers of the earth the separate and equal station to which the laws of nature and of nature's God entitle them.'

"(4) Every nation has the right to territory within defined boundaries to exercise exclusive jurisdiction over its territory and all persons, whether native or foreign, found therein.

"(5) Every nation entitled to a right by the law of nations is entitled to have that right respected and protected by all other nations, for rights and duties are correlative, and the right of one is the duty of all to observe.

April 2, 1917, Woodrow Wilson:

"\* \* \* For democracy, for the right of all those who submit to authority to have voice in their own government, for the rights and liberties of all nations."

"First point: Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but all disputes shall proceed always frankly and in the public view."

"Fourteenth point: \* \* \* affording mutual guaranties of political independence and territorial integrity to great and small States alike."

January 22, 1917:

"No peace can last, or ought to last, which does not recognize and accept the principle that Governments derive all their just powers from the consent of the governed, and that no right anywhere exists to hand peoples over from one sovereignty to another. \* \* \* I speak of this not because of any desire to exalt an abstract political principle which has always been held by those who have sought to build up liberty in America but because I wish frankly to uncover realities. Any peace which does not recognize and accept this principle will inevitably be upset. It will not rest upon the convictions of mankind. The ferment of whole populations will fight subtly and constantly against it, and all the world will sympathize with the world can be at peace only if its life is stable, and there can be no stability where the will is in rebellion, where there is not tranquillity of spirit, a sense of justice, of freedom, and of right."

"The Mexican Question," by Woodrow Wilson, in the Ladies' Home Journal, October, 1919 (substitute Haiti for Mexico):

"The suspicion of our southern neighbors, their uneasiness as to our power, their jealousy that we should assume to play big brother to them, their invitation to do so, has constantly stood in the way of the amicable happy relations we wished to establish with them. \* \* \* What is needed for the firm establishment of their faith in us is that we give guaranties of the sort, in words as well as in promise; that we will as scrupulously respect their territorial integrity and their political sovereignty as we insist that other nations should respect them. \* \* \*

"Mexico must no doubt struggle through long processes of blood and sorrow before she finds herself and returns to the paths of peace and order; but nations, older in political experience than she, have staggered and fallen through these dark ways for years together, to find themselves at last brought out into the light, to know the price of liberty, to realize the compulsion of the law and the orderly processes of law.

"It is painful to observe how few of the suggestions as to what the United States ought to do with regard to Mexico are based upon sympathy with

an people, or any effort, even, to understand what they need and desire. say with knowledge that most of the suggestions of action come from those rish to possess her, who wish to use her, who regard her people with con- sion and a touch of contempt; who believe they are fit only to serve and t for liberty of any sort. Such men can not and will not determine the of the United States. They are not of the true American breed or motive."

sident Charles W. Elliot:

olitical freedom means freedom to be feeble, foolish, and sinful in public s as well as freedom to be strong, wise, and good."

iel Webster:

o matter how easy may be the yoke of a foreign power; no matter how y it sits upon the shoulders, if it is not imposed by the voice of his own 1, and of his own country, he will not, he can not, and he means not to be : under its burden."

ator Hoar:

hope I may never live to see the day when the interests of my country laced above its honor."

. GRUENING. My feeling has been entirely that the United States could fford to do this thing. I had no interest whatever in Haitians or Domini- per se. Up to a year ago I had never set eyes on a Haitian or on a Domini- It is true that since visiting those countries I have naturally acquired a in affection for the people there, for whom I feel intensely sorry; for their eness, for a certain charm, and the instinctive feeling of sympathy that s apt to have for the under dog.

t that is all secondary. I feel that if the United States does this thing, we are through as the country that has grown to be great for the reasons we have become great. We have done in Haiti and Santo Domingo what not essentially differ from what the Germans did in Belgium. The fact the Belgians have reached a somewhat higher degree of civilization does alter the fundamental principle one bit. The Haitians and the Dominicans e their independence just as highly as we do ours. We went in there by less military tyranny, making scraps of paper of the documents, of the ties with Haiti and Santo Domingo, international law, and all previous ex- sions of foreign policy of the United States.

want to, if I may, add one word about the appointment of the high commis- er. In the preliminary statement which the committee issued upon its re- is the statement:

The chairman of the committee has ventured to point out the very great ortance of carefully choosing for service in Haiti, in civil or military capacity, ers who are sympathetic with the Haitian people, who will seek to establish ial personal relations with the Haitians. Officers of the Marine Corps going haiti should understand that in order fully to discharge their duty to the ed States and to deserve the commendation of their superiors, they must ider the dual responsibilities of their duty. They should be selected not

because of their capacity to command troops, but to command them in ti, and among the Haitian people. Conversely, the most intelligent and ve elements of the Haitian people must appreciate that since American es are to continue in Ha'ti for the maintenance of peace and that since, er the existing treaty, American officials are to remain to help the Haitian ernment to carry out necessary reforms, the greatest measure of service to ti with the smallest possible degree of friction will require a spirit of accomo- on and cooperation not only on the part of the American officials but also the part of those in Haiti who are active in the life of the capital and other principal centers."

ow, with all due respect, I submit that the appointment of General Russell complete abolition of that recommendation.

he CHAIRMAN. You would have preferred the appointment of General ler?

lr. GRUENING. I would not. If any appointment could have been worse n that of General Russell, it would have been that of General Butler, because General Butler's statement that he had always considered the educated tian a joke, and because of the very questionable statements that he made ut that class—the statement that they wear high hats 3 inches in diameter,

patent-leather shoes, and other things. I never saw any of those articles clothing when I was there in Haiti. They may have existed in previous rs. But the point is this: From the Haitian angle, this appointment is a berate imposition upon them of a man whose unpopularity is a matter of ic notoriety.

The CHAIRMAN. Unpopularity with what element of the population?

Mr. GRUENING. With the great majority.

The CHAIRMAN. Well, let me ask you how you know that it is with the majority?

Mr. GRUENING. Because I found no one among all the various persons to whom I spoke with whom he was popular. If all the persons with whom I spoke were the only ones in Haiti who dislike General Russell, they in themselves would constitute a sufficient disqualification.

In addition to that, of course, there is the background of our going in. They, of course, consider, as I do, without warrant and illegal. To ask them then to cooperate with a man who has, in their view, oppressed them, who jim-crowded them, who has committed all kinds of assaults upon their dignity and their sensibilities—

The CHAIRMAN (interposing). What assaults upon their dignity?

Mr. GRUENING. Well, under General Russell, for the first time in Haiti a white mass was established from which Haitians are excluded. Haitians asked not to attend.

The CHAIRMAN. Upon his initiative?

Mr. GRUENING. Upon his initiative, under his aegis. No one knows exactly from whom the original impulse may have come, but it was under his aegis.

The color line has been increasingly drawn in Haiti. We have the extraordinary phenomenon of having the color line drawn in virtually the only country.

The CHAIRMAN. Well, let me interrupt you to say that Haitians disliked General Russell's house when I was there.

Mr. GRUENING. Yes; a great many things happened while the committee was there that are not matters of common occurrence. It comes down to this, Senator, that what people feel in a case where you require cooperation is, all, what is. Granting that some of these charges, allegations, are not wholly well founded, that they were due to circumstances that are more or less inevitable, the feeling exists and is so deep seated that I think the cooperation will be impossible.

In other relationships between nations, relationships that are in no way as intimate and vital as the relation between the high commissioners and these people, the formality is gone through of asking whether such and such a person would be persona grata. Had the appointment of a high commissioner been inevitable and the Haitians had even the slightest chance to express a negative opinion, how very different that relationship would be, if our list of three they would have had their choice or a kind of a negative expression. But here is a man that is given to them, who to them represents tyranny and oppression in its worst sense, and he is given complete power over them. It is not, surely, a step in the direction of reestablishing constitutional functions.

I want to go on record as saying that that policy is bound to fail.

Mr. ANGELL. I have no more questions, Mr. Chairman.

The CHAIRMAN. Mr. Howe?

Mr. HOWE. I have no more questions.

The CHAIRMAN. That is all, Mr. Gruening.

(Witness excused.)

Mr. ANGELL. At the appropriate moment, Mr. Chairman, I want to make the most urgent and respectful request for the calling of Mr. Bryan and other witnesses whose names I have repeatedly submitted to the committee.

The CHAIRMAN. I remember in your last letter you said you thought Mr. Bryan would be called, and that would cover the State Department. McIlhenny appears to-morrow.

Mr. Knowles, have you a request to make of the committee?

Mr. KNOWLES. Mr. Chairman, as I stated to you in a communication I addressed 10 days or two weeks ago, I have received a cablegram from Santo Domingo asking about the witnesses, when they would be needed here and what arrangements, if any, would be made.

The CHAIRMAN. Have you a list of the witnesses and the subjects of testimony of each?

Mr. KNOWLES. I presented such a list to you, Mr. Chairman, when asked.

The CHAIRMAN. Well, can you give us a list of the witnesses whose testimony you believe to be important, and the subject of each?

Mr. KNOWLES. In a general way I think I can.

CHAIRMAN. Well, I do not want it in a general way. Specifically, Mr.

NOWLES. Well, just as to what they would testify I could not.

CHAIRMAN. No; I want to know if you can give the committee a list of witnesses whose testimony you deem to be of prime importance and the one on which they would testify.

NOWLES. Yes; I think I can.

CHAIRMAN. When is Doctor Paynado to be here?

NOWLES. Doctor Paynado is in New York. I don't know what day he is here.

CHAIRMAN. I would suggest that after a conference with Doctor Paynado submit a list of witnesses whose testimony you believe to be of prime importance. The time is near at hand when the committee has got to conclude hearings and make a report, and I fancy it will not be prepared to hear any witnesses.

NOWLES. Well, we have been waiting, Mr. Chairman, for over two

CHAIRMAN. Well, now, I do not want to rehearse the circumstances of departure from Santo Domingo, but personally I am frank to say that I believe it was justified. You stayed there for specific purposes, and found yourself unable or unwilling to remain to that end to determine witnesses were to come up here. Will you see Doctor Paynado this week?

NOWLES. I will. I will see him this evening. I will return to New York tonight, and such a list will be prepared immediately, Senator, and we will probably be here the first of the week, or send it to you.

CHAIRMAN. Well, send it to me. In the meantime certainly I should like to see Doctor Paynado as soon as he may find it convenient to come over here. I will adjourn until 10.30 o'clock to-morrow morning.

Thereupon, at 4 o'clock p. m., an adjournment was taken until 10.30 o'clock of the following day, Thursday, March 9, 1922.)



## RY INTO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

THURSDAY, MARCH 9, 1922.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Washington, D. C.*

Committee met pursuant to adjournment at 11 o'clock a. m., Senator McCormick presiding.

Present: Senators McCormick (chairman), Oddie, and Pomerene.

Present: Mr. Walter Bruce Howe and Mr. Ernest Angell.

### STATEMENT OF HON. JOHN A. McILHENNY, FINANCIAL ADVISER TO THE GOVERNMENT OF HAITI.

Howe. Mr. McIlhenny, what is your official position in connection with Haitian Government?

McILHENNY. Financial adviser.

Howe. You are one of the treaty officials?

McILHENNY. Yes, sir.

Howe. Nominated by the President of the United States?

McILHENNY. Yes, sir.

Howe. And appointed by the President of Haiti?

McILHENNY. Yes, sir.

Howe. When did you become financial adviser?

McILHENNY. I have not the date of my appointment by the President; I have not the official paper.

Howe. Yes; but when did you become financial adviser?

McILHENNY. I became financial adviser, I think, on the 27th of January, 1919.

Howe. When did you first go to Haiti as financial adviser?

McILHENNY. March 27, 1919.

Howe. Now, Mr. McIlhenny, will you give use a descriptive outline of Haitian finances immediately prior to the American intervention, with reference to the outstanding foreign loans?

McILHENNY. The total revenue for the fiscal year 1912-13 was \$5,073, and the total revenue pledged to debt service, \$2,507,553.07—

for POMERENE. You mean out of this \$5,000,000?

McILHENNY. Yes, sir; leaving available for expenses other than debt \$2,506,138.33. The amount actually expended for other purposes than debt service was \$3,787,426.48, the deficit of \$1,281,288.15 being partly covered by a 3 per cent loan of \$607,902.76, issued at 94, gourdes being accepted in it at the rate of 3.50 to \$1, against a prevailing commercial rate of 4.70 in other words, the gourde par of a \$100 bond was 470 gourdes, but this was sold at 94 to 3.50, or 329 gourdes, an actual rate of issue of 61. The existing deficit was covered by borrowings from the Banque Nationale, under its concession, was required to hold at the disposal of the Government a so-called statutory advance of \$600,000, and also to enter into so-called budgetary conventions to provide necessary funds.

Senator POMERENE. Let us be clear about that. When you say "the government" you mean the Haitian Government? You do not mean the United States Government?

CHAIRMAN. This is in 1912-18.

McILHENNY. At the disposal of the Haitian Government, Senator.

The total revenue for 1913-14 was \$5,018,801.32—

The CHAIRMAN. Are those customs revenues? Were there internal revenues that year?

Mr. McILHENNY. We have no means of ascertaining what the revenues were.

The CHAIRMAN. The total ascertainable revenue?

Mr. McILHENNY. The total ascertainable revenue.

Senator POMERENE. When you speak of the year 1912-13 and 1913-14, that fiscal year correspond with the calendar year or not?

Mr. McILHENNY. No, sir. The fiscal year begins on October 1 and ends September 30.

The total revenue for 1913-14 was \$5,018,801.32, expended for debt—\$4,231,091.31, available balance \$787,710.01, expenditures for other than service \$3,803,244.85, deficit \$3,015,384.84, partly covered by 6½ per cent (internal) for \$500,000, \$300,000, and \$240,000, issued at an ostensible rate of 80. Gourdes were accepted at 3.50, the prevailing commercial rate at the time of flotation being 4.75, 5, and 6, respectively, which means that the rates of issue were about 59, 56, and 47, respectively. The remaining was covered as before by loans from the Banque Nationale and by unauthorized private loans, which now constitute claims of more or less doubtful value.

For 1914-15 the revenue was \$3,311,548.14. The treasury service was away from the bank on February 3, 1915, by a revolutionary government revenue pledges disregarded, and only \$754,892.86 was devoted to debt—leaving \$2,556,655.28 available as against expenses other than debt—\$3,082,700.53, the deficit being met by an issue of gourdes 3,000,000 (no \$600,000) in paper fiat money, which resulted in depreciating gourdes—July, 1915, to 9.90 to the dollar, and by unauthorized private loans, treasury notes, etc.

The borrowing capacity of Haiti at home and abroad was exhausted—paper money was practically worthless. For four years it had been the result of unintermitter revolution.

Senator POMERENE. From what time?

Mr. McILHENNY. I think beginning in 1911 and down to that time.

Mr. HOWE. May I interrupt here to ask if these issues of treasury notes were the deficits which they were issued to meet all occurred before the occupation?

Mr. McILHENNY. Yes, sir.

Mr. HOWE. In that year of 1914-15?

Mr. McILHENNY. In that year, and I think the year immediately previous.

Senator POMERENE. These treasury notes, I take it, were short-time were they? Or were they payable on presentation or what?

Mr. McILHENNY. They were bons du tresor given by the secretary of treasury in lieu of cash to meet current expenses.

Senator POMERENE. Paper money, in other words, were they?

Mr. McILHENNY. They were not printed; they were given to individuals.

The CHAIRMAN. When were they to mature?

Mr. McILHENNY. They were to be paid out of the available money, or treasury when possible.

Senator POMERENE. Were they payable in their paper gourdes?

Mr. McILHENNY. In some instances they were payable in gold, and in some instances payable in gourdes.

Senator POMERENE. And what interest did those bear?

Mr. McILHENNY. I do not think they bore any interest, Senator.

Mr. HOWE. They were issued at a discount, were they?

Mr. McILHENNY. No; these bonds tresors were issued in full for the amount of the recognized indebtedness of the State.

The CHAIRMAN. They were notes of hand, I take it, in payment against the Government for services or goods?

Mr. McILHENNY. Well, they were issued for salaries. They were issued for loans which were made by the State with individuals.

During these years a large part of its running expenses had been left unpaid. Revenue pledges, if observed, left an amount for other expenses than debt—of which was only about 20 per cent of the amount required for that purpose—and the deficit could no longer be covered by loans, whether internal or external, or by issues of fiat money. The closing of foreign markets by war conditions affecting Haiti's export products, and practical cessation of foreign commerce because of lack of maritime transportation, resulted in an enormous decrease in customs revenues, which then constituted fully 95 per cent

venue of the country. Financially and politically Haiti was in a complete collapse.

and undertaken to meet her budgetary needs by the devices which I have

Under her laws the major portion of her income was dedicated to her specific and recognized debts. The contracts under which those were made provided that the affected or pledged revenues should be paid to the treasury of Haiti, which was the Banque Nationale de la Republique and the treasury was obligated to allocate and apply the revenues so in accordance with the laws establishing the contracts. Therefore the revenues collected from taxes pledged to these loans, when paid into the treasury, were no longer available for budgetary expenses.

had already reached, at the time of the American intervention, a position where the major portion of her income being pledged by law, her income no longer served her maintenance and served her debts, and she was driven to the expedients which I have outlined to meet her necessary and immediate revenue needs.

MR. POMERENE. Let me see if I understand you clearly. Do I understand that at the time of which you are now speaking the entire revenues of the country were required for the payment of past debts?

MR. McILHENNY. Not the entire revenues—

CHAIRMAN. Let me interrupt. I think that in the rough you may say, the figures given us by Mr. McIlhenny, that 80 per cent, or thereabouts, of the revenues were required for the service of the foreign debt, and that the remaining 20 per cent was equal to about 20 per cent of the cost of her administration.

MR. POMERENE. In other words, you mean that her entire revenue at that time would have been required to pay her current indebtedness or obligations?

CHAIRMAN. No. Her entire revenue would have been necessary to maintain the Government, and she would have been wholly in default on the service of the foreign debt.

MR. POMERENE. That is what I mean; yes.

MR. McILHENNY. The point I should like to emphasize to the committee there, Chairman, is this: At the time of the occupation it was already established that the income of the country pledged to the debt service was about 80 per cent of the entire revenues. There was a deficiency in the income to meet the needs of the debt service and to maintain the Government's budgetary demands, and that the deficit for the budgetary demands the Haitian Government was to meet was to be met by the expedients of floating internal loans, borrowing from individuals, and through the Banque Nationale, under its charter, to provide such funds as were needed.

MR. HOWE. You intend later on in your testimony to state the arrears in the liquidation of foreign loans at the time of the occupation, do you, Mr. McIl-

MR. McILHENNY. Yes, sir; I have a memorandum of that here.

MR. POMERENE. I take it when you speak of the current expenses, you mean that these were exceptionally large, due to the revolutionary conditions which you referred to, do you not? You have said that only about 20 per cent of the revenues were available for current expenses of government. You also said that there had been a period of almost continuous revolution for four years. When you speak of those current expenses during those several years you include all the expenses, ordinary and extraordinary; that is, ordinary as applied to the usual administration of affairs, and extraordinary, incurred, I assume, for the purpose of restoring peace and order and overcoming revolutionary conditions?

MR. McILHENNY. In answering that, Senator, I should say that what might be termed, since this period, as extraordinary expenses were then ordinary expenses, such as the maintenance of the Haitian Department of War, the payment of the army, the maintenance of that army, the maintenance of its navy, and so on. Since then those expenses have disappeared and the moneys have been directed to other purposes.

MR. HOWE. Mr. McIlhenny, have you in your memoranda any facts as to the amount of the Haitian internal revenue before the intervention? I do not want to repeat it if you have it in a memorandum.

MR. McILHENNY. We have no separate figures as to that.

MR. HOWE. These figures you have been giving are revenue from all sources?

CHAIRMAN. They are identical with the figures of customs revenues.

Mr. McILHENNY. I have no records as to the internal-revenue collection prior to the intervention.

Mr. HOWE. Do you know if there were such records?

Mr. McILHENNY. I do not know. There should be such records, but there are I do not know.

Mr. HOWE. What were the arrears of amortization of the three foreign loans at the time of our occupation, at the end of July or early in August, 1915?

Mr. McILHENNY. The outstanding capital balance of the external loans at the date of American intervention in Haiti, was:

Loan of 1875	19,000,000
Loan of 1896	37,000,000
Loan of 1910	64,000,000

Total 120,000,000

Amortization payments in arrears at that date were as follows:

Loan of 1875	10,000,000
Loan of 1896	1,100,000
Loan of 1910	300,000

Total 12,400,000

Mr. HOWE. That would be about 10 per cent of the par value of those loans outstanding then, in arrears of amortization?

Mr. McILHENNY. Yes, sir.

Mr. HOWE. And that date of occupation you fix at what?

Mr. E. A. COLSON (assistant to Mr. McIlhenny). Any time during that. The amortization payments were July 1 and December 31, so any time between July 1 and December 31 would be correct.

Mr. HOWE. So that would be as of July 1, 1915—before the occupation? Mr. COLSON. As of August 1.

Mr. McILHENNY. The Haitian Government was also indebted to the Banque de l'Union Parisienne in the sum of 601,411.50 francs advanced by that to meet the interest coupon maturing May 15, 1915, on the external loan of 1910.

During Admiral Caperton's administration, about May, 1916, a portion (\$296,715.06) of the revenues pledged to the external debt was transferred to Paris. The amount so transferred extinguished the indebtedness to the Banque de l'Union Parisienne on account of the May 15, 1915, maturity and established to the credit of the Haitian Government in Paris the following sums:

Banque de l'Union Parisienne	394,000
Banque Nationale de la Republique d'Haiti	50,000

Total 444,000

On August 29, 1916, the customs administration was turned over by Admiral Caperton to the general receiver of customs. The cash balance taken was \$1,149,638.46.

Senator POMERENE. Do you mean that was Haitian money in addition to credits in Paris?

Mr. McILHENNY. Yes; these were the collections made by Admiral Caperton of the customs and turned over by him to the general receiver of customs, who then began to function.

At the end of the following fiscal year, September 30, 1917, this balance had been slightly increased to \$1,198,836.94. During the incumbency of Mr. Ruan, financial adviser, while the revenues were not sufficient to permit resumption of the service of the external debt in full, the policy was adopted of allowing excess of revenues over actual running expenses to accumulate in the treasury. The cash balance September 30, 1918, had been again slightly increased to \$1,519,621.05. In the first budget prepared by Mr. Ruan for the fiscal year 1918-19, \$1,000,000 was specifically set aside for the service of the debt, but the amount was not transferred to Paris or actually expended. It was left in the treasury. Mr. Ruan resigned about three months after the beginning of this fiscal year. At the end of the year the cash balance had been very much increased to \$4,171,833.40, and \$3,000,000 (of which about \$2,500,000 had been saved during the year) was placed at the disposal of the financial adviser to be converted into francs, together with the franc amount already to the

aitian Government in Paris as above indicated. The conversion was during the month of November, 1919, and realized 27,511,250 francs.

CHAIRMAN. Do you remember what the value of the franc was at that time in terms of dollars?

McILHENNY. I effected that conversion at 9.17+ francs to the dollar. In effecting this conversion it was the intention to use the credit so established together with the proceeds of the loan then under negotiation, in effecting the French loans. It was found, however, that owing to conditions in the bond market the negotiations could not be brought to a successful conclusion. The French Government learned of the large amount to be converted by the Haitian Government in Paris and pressed for payment of the interest on the bonds held by its nationals upon which nothing had been paid since May, 1915. The amounts in Paris were sufficient to pay all maturities to and including that of December 31, 1919; and it was with the full knowledge and approval of the Haitian minister of finance who was then in Washington, to pay these arrears of interest. This was done in April, 1920, leaving in arrears the maturity of January 1, 1920. The conversion of the propriety of the conversion of the \$3,000,000 into francs or payment of interest on the foreign loans was raised at this time, though there is some complaint because the service of the internal debt was not also resumed. The service of the internal debt was not resumed because at that time it was intended that it should be reviewed by the claims commission.

CHAIRMAN. That is, the claims commission provided for in the treaty?

McILHENNY. In the protocol. The maturities of May 15, June 30, and December 31, 1920, on the external loans were not met on the due dates.

In July, 1920, the charge was first made by the Haitian Government that the \$3,000,000 had been converted into francs without authority, and that the remainder, together with the amounts already in France placed at the disposal of the financial adviser, had been used by him without authority in the payment of arrears of interest. There having been further depreciation in the franc immediately after the conversion, it was further charged that in effecting the conversion when he did the financial adviser had caused the Haitian Government an enormous loss of millions of francs.

The conversion was effected immediately after the money was placed at the disposal of the financial adviser in accordance with instructions from the Haitian Government to effect the conversion for its interests and place the same at interest in Paris, in the course of which instructions the opinion was expressed that due to the depreciation in the franc the present moment was the opportune time to do so. The use of the proceeds at a later date to pay the arrears of interest on the external loans was in accord with the minister of finance, as indicated above.

In September, 1920, a further sum having accumulated in the treasury—in accordance with a provision in the budget setting aside \$1,000,000 for the service of the debt and providing that all excess of revenue over expenditures should be applied for the same purpose—the sum of \$2,200,000 was placed by the Haitian Government at the disposal of the financial adviser, converted into francs and used to pay the arrears of amortization and interest maturities to and including December 30, 1920, on the external loans.

It was felt that it would afford less opportunity for obstruction and criticism of the Haitian Government if the service of the external loans were taken over by the general receiver under Article V of the treaty, the Department of Finance directed that from and after October 1, 1920, the service of the external debt be made by the general receiver of customs. Since then interest and amortization has been paid as and when due, and the final amortization on the loan of July 1, 1922, on the loan of 1875 has been anticipated and was completed on January 1, 1922.

CHAIRMAN. In brief, the arrears due on the service of the debt have been paid. Is that right?

McILHENNY. Yes, sir; both interest and amortization.

CHAIRMAN. And the current service of the debt has been met?

McILHENNY. Yes, sir.

CHAIRMAN. What is the annual charge on the Haitian treasury for interest and amortization?

McILHENNY. At the present time?

CHAIRMAN. Yes. I do not care for it precisely.

McILHENNY. At the present rate of 9.5 cents, the charge for the external debt is \$660,449.23.

The CHAIRMAN. That is the annual charge?

Mr. McILHENNY. That is the annual charge.

The CHAIRMAN. What is the capital value of the debt to-day?

Mr. McILHENNY. 87,433,000 francs.

The CHAIRMAN. What would that be in dollars at the current exchange? you the figures there?

Mr. McILHENNY. Converted at 9.5 cents, that is \$8,306,135.

Mr. HOWE. Mr. McIlhenny, have you prepared two statements as to the condition of the public debt as of February 28, 1919, and as of February 28, 1920.

Mr. McILHENNY. Yes; sir; and I should like to bring them to the attention of the committee, if I may.

Mr. HOWE. Please do so.

Mr. McILHENNY. I have here, Mr. Chairman, a memorandum setting out the condition of the public debt of the Republic of Haiti as of February 28, 1919.

The CHAIRMAN. I do not believe that Mr. McIlhenny need read that in record. He may hand it to the reporter, and it will be inserted.

That is the time he was appointed to office?

Mr. HOWE. Yes, sir.

The CHAIRMAN. Let that be indicated in the heading.

(The memorandum referred to is here printed in full, as follows:)

*Public debt of the Republic of Haiti. Condition as of February 28, 1919.*

Funded debt:

External loans (francs)—

1875, 5 per cent—

Capital .....	19,252,500.00	
Interest arrears .....	3,529,636.00	

22,782.00

1896, 6 per cent—

Capital .....	37,638,500.00	
Interest arrears .....	8,290,470.00	

45,913.00

1910, 5 per cent—

Capital .....	64,021,000.00	
Interest arrears .....	11,641,858.84	

75,662.84

Total .....

144,364.00

Internal loans—

Fouchard, 6 per cent—

Capital .....	\$15,659.85	
Interest arrears .....	2,818.77	

\$18,478.62

1912, 6 per cent—

Capital .....	246,347.00	
Interest arrears .....	44,342.46	

290,689.46

1913, 6½ per cent—

Capital .....	451,572.10	
Interest arrears .....	94,065.03	

545,637.13

1914-A, 6½ per cent—

Capital .....	705,078.00	
Interest arrears .....	100,601.10	

805,679.10

1914-C, 6½ per cent—

Capital .....	528,204.00	
Interest arrears .....	127,063.80	

655,267.80

1914-C, 6½ per cent—

Capital .....	331,905.25	
Interest arrears .....	66,303.05	

398,208.30

2,744.00

debt:		
que Nationale advances <sup>1</sup> .....	1,733,154.87	
Interest accrued, 6 per cent.....	225,310.13	
		1,958,465.00
Haitienne de Construction.....		360,000.00
C. S. railroad interest guaranteed ar-		
rears <sup>1</sup> .....	75,680.00	
National Railroad bonds—		
Interest guaranteed arrears.....	1,062,046.59	
Sinking fund guaranteed arrears.....	124,060.34	
		1,186,106.93
Haitienne du Wharf, subsidy arrears.....		28,836.29
que Nationale, treasury commissions.....		107,260.45
ch cable company, subsidy arrears.....		84,422.04
gation system, Cayes.....	43,109.40	
Interest accrued, 6 per cent.....	7,759.69	
		50,869.09
ket, Cayes.....	39,094.28	
Interest accrued, 6 per cent.....	5,668.68	
		44,762.94
bour commission debt.....	1,111,284.11	
Interest accrued, 6 per cent.....	344,498.07	
		1,455,782.18
uiere commission debt <sup>1</sup> .....		773,630.98
ederal.....		83,690.00
bishopric.....		46,380.68
ty. Jacmel.....		111,040.33
		6,367,026.91
Total interest funded and floating debt.....		9,141,797.32
(estimated amount of allowances).....		750,000.00
al funded debt converted at 18 cents per franc.....		25,985,524.42
Total public debt.....		35,877,321.74
sinking fund reserves, fiscal year 1915-16.....		21,920.98
Net public debt.....		35,855,400.76

McILHENNY. The total public debt as of the date of this memorandum is \$35,855,400.76.

CHAIRMAN. That is of what date?

McILHENNY. That is as of the date of February 28, 1919. That was the date of the external funded debt at the prevailing rate of exchange at that time which was 18.

For purposes of comparison with the condition of the public debt of Haiti as of February 28, 1922, the external debt should be converted to dollars at the rate used in the latter statement (9½ cents per franc), making the final result as follows:

Internal funded and floating debt.....	\$9,141,797.32
(estimated amount of allowances).....	750,000.00
al funded debt converted at 9½ cents per franc.....	13,714,582.33
Total for comparison with same date in 1922.....	23,606,379.65

CHAIRMAN. What is the debt to-day, in 1922?

McILHENNY. The debt as it appears to-day is \$19,085,331.79.

CHAIRMAN. In three years, since your appointment, the capital debt of Haiti has been diminished in the sum of \$4,500,000?

McILHENNY. Yes, sir. Or if you include increase in sinking funds set up to pay the debts and reduction of outstanding fiduciary currency, the total result in the net debt of Haiti is \$5,387,404.72. In addition to the debt as

Amounts of these debts were undetermined on Feb. 28, 1919, but were fixed at amounts shortly thereafter and the first two converted into short-term notes.

shown in the statement, I give the following figures on the outstanding currency February 28, 1919, and the same date on 1922:

Fiduciary currency outstanding February 28, 1919:

Paper money equivalent to-----	\$1, 775, 594. 40
Nickel coin equivalent to-----	1, 400, 000. 00
Copper coin equivalent to-----	49, 000. 00

Less reserve for retirement of paper money (Dec. 31, 1918)-----

\$3, 224. 75  
1, 735. 75

Net debt on account of fiduciary currency-----

1, 438. 75

Fiduciary currency outstanding February 28, 1922:

Nickel coin equivalent to-----	\$1, 400, 000. 00
Copper coin equivalent to-----	49, 000. 00
	\$1, 449, 000. 00

Less reserve for retirement of nickel coin (Jan. 31, 1922):

Nickel coin equivalent to-----	\$184, 448. 37
United States currency-----	49, 467. 80
	233, 916. 67

Present net debt on account of fiduciary currency-----

1, 215. 08

Reduction in net debt on account of fiduciary currency--

273. 08

In addition to the debt as shown in the statement as of February 28 there were outstanding Government notes—paper money—in the amount of gourdes 8,877,972, equivalent to \$1,775,594.40. In April, 1919, an agreement was effected whereby the retirement of these notes was commenced, retirement effected in part from funds in hand from the proceeds of the external loan of 1910 and in part from accruals of pledged revenue prior and subsequent thereto. Retirement was completed on September 6, 1921.

The CHAIRMAN. That is another \$1,700,000 of obligations?

Mr. McILHENNY. But that does not represent savings of the Haitian Government. The drafting of the contract under which this retirement was effected was during my incumbency in office and with my assistance, and the performance of the contract was entirely under my administration.

Mr. Chairman, I have also here a statement, purely statistical, of the debt of the Republic of Haiti as of February 28, 1922. With your permission, I will file it.

(The statement referred to is here printed in full, as follows:)

*Public debt of the Republic of Haiti—Condition as of February 28, 1922.*

**Funded debt:**

**External loans (francs)—**

1896, 6 per cent-----	24, 338. 75
1910, 5 per cent-----	61, 004. 75

Total-----

85, 443. 50

**Internal loans—**

**Short-term notes—**

Cie. Haitienne de Const. 6 per cent-----	\$194. 75
Banque Nationale 6 per cent-----	1, 735. 75

Total-----

1, 930. 50

**Bonds—**

**Fouchard, 6 per cent—**

Capital-----	\$15, 630. 85
Interest arrears-----	5, 490. 95

**1912, 6 per cent—**

Capital-----	246, 347. 00
Interest arrears-----	86, 221. 45

debt—Continued.  
 Internal loans—Continued.  
 Bonds—Continued.

1913, 6½ per cent—		
Capital.....	\$451,572.10	
Interest arrears.....	177,580.74	
		\$629,152.84
1914-A, 6½ per cent—		
Capital.....	705,078.00	
Interest arrears.....	293,782.50	
		998,860.50
1914-B, 6½ per cent—		
Capital.....	528,264.00	
Interest arrears.....	227,467.00	
		755,731.00
1914-C, 6½ per cent—		
Capital.....	331,965.25	
Interest arrears.....	129,097.62	
		461,062.87
Total.....		5,126,051.33
Public debt:		
National Railroad bonds—		
Interest guaranteed arrears.....	1,700,071.29	
Sinking fund guaranteed arrears.....	230,407.77	
		1,930,479.06
Banque Nationale, treasury commissions.....		107,260.45
French Cable Co., subsidy arrears.....		84,422.04
Telegraph system, Cayes.....	43,109.40	
Interest accrued, 6 per cent.....	15,519.31	
		58,628.71
Market, Cayes.....	39,094.26	
Interest accrued, 6 per cent.....	12,705.63	
		51,799.89
Labour commission debt.....	1,111,284.11	
Interest accrued, 6 per cent.....	544,529.21	
		1,655,813.32
Mileage commission debt.....		773,630.98
Federal.....		83,690.00
Bishopric.....		46,380.68
City, Jacmel.....		111,040.33
Total.....		4,903,145.46
Total internal funded and floating debt.....		10,029,196.79
Funds (estimated amount of allowances).....		750,000.00
Internal funded debt converted at 9½ cents per franc.....		8,300,135.00
Total public debt.....		19,085,331.79
Sinking fund reserves:		
Fiscal year 1915-16.....	\$21,920.98	
Fiscal year 1920-21—		
Port au Prince.....	\$127,481.33	
New York.....	143,145.80	
	270,627.13	
Fiscal year 1921-22.....	321,883.85	
		614,431.96
Net public debt.....		18,470,899.83
Interest on the internal bonds has been resumed from January 1, 1915, from which date a further reserve is being set up from current revenues to provide for further accruals of interest and sinking-fund guaranty on national bonds and to amortize the arrears.		
CHAIRMAN. Under what head do you summarize the railroad claims, as internal or external?		
McILHENNY. They are summarized as internal claims.		

# 1232 INQUIRY INTO OCCUPATION OF HAITI AND SANTO DOMINGO

Mr. HOWE. Now, Mr. McIlhenny, you have prepared a comparative statement of Haitian receipts and expenses both before and after the occupation by Mr. McILHENNY. Yes, sir.

Mr. HOWE. And you have that before you, have you not?

Mr. McILHENNY. Yes, sir; and, with the permission of the committee, I would like to file them.

(The statement referred to is here printed in full as follows:)

## Comparative statement of Haitian receipts and expenses.

Year.	Receipts.			Exp.
	Customs	Internal.	Total.	
1911-12.	\$6,324,652.21	( <sup>1</sup> )	\$6,324,652.21	
1912-13.	5,073,691.40		5,073,691.40	
1913-14.	5,018,901.32		5,018,901.32	
1914-15.	3,311,548.14		3,311,548.14	
1915-16.	4,559,002.14	\$109,878.38	4,668,880.52	
1916-17.	3,785,364.88	136,375.46	3,921,740.34	
1917-18.	3,178,022.53	164,245.14	3,342,267.67	
1918-19.	5,747,117.43	216,762.87	5,963,880.30	
1919-20.	6,421,000.41	374,820.28	6,795,820.69	
1920-21.	3,606,173.00	360,102.42	3,966,275.42	

<sup>1</sup> Other than debt service, and including certain expenses properly pertaining to past years as in table below.

<sup>2</sup> No separate record of internal revenue prior to American intervention; amount was perhaps probably included in customs receipts.

<sup>3</sup> There are no data to determine expenditures prior to the first year shown.

Year.	Debt service.		Other expenses.	
	External.	Internal.	Past.	Current.
1912-13.	\$1,391,997.44	\$1,175,555.63		\$3,787,428.46
1913-14.	3,199,310.72	1,031,780.59		3,803,244.55
1914-15.	511,002.35	243,890.51		3,042,700.53
1915-16.	1,321,531.38	215,237.17		2,227,354.36
1916-17.				3,350,471.50
1917-18.				2,922,608.49
1918-19.		\$281,409.25	\$770,056.30	2,748,439.54
1919-20.	\$3,000,000.00	\$49,000.00		4,040,373.25
1920-21.	\$2,896,789.47	\$187,889.29	\$34,560.00	3,785,065.76

<sup>1</sup> Including transfers by Admiral Caperton to France in the amount of \$296,715.06.

<sup>2</sup> Composed of \$181,981.25 interest on indebtedness to Banque Nationale from Jan. 1, 1917, to 1918, and \$99,428 interest and amortization on short-term Compagnie Haitienne de Construction for the current year and from Oct. 1, 1919, to Feb. 29, 1920, of the following fiscal year.

<sup>3</sup> Composed of \$41,120 arrears of P. C. S. Railroad interest guaranty for balance of year 1914-15 of year 1917-18, and \$28,936.30 arrears of wharfage dues pledged to Wharf Co. of Port au Prince for years from 1915-16 to 1917-18.

<sup>4</sup> For arrears of interest to Dec. 31, 1919.

<sup>5</sup> For interest on the short-term Compagnie Haitienne de Construction notes for the balance of current year from Mar. 1 to Sept. 30, 1920.

<sup>6</sup> Composed of \$2,200,000 for arrears of interest and amortization to Sept. 30, 1920, and \$89,789.47 service of current fiscal year.

<sup>7</sup> Composed of \$84,000 interest and amortization on the short-term Compagnie Haitienne de Construction notes for the current year, and \$103,989.29 interest on the note to the Banque Nationale for year 1918-19.

<sup>8</sup> Arrears of P. C. S. Railroad interest guaranty for balance of fiscal year 1917-18.

While the amounts shown in the second of the above tables under the "Current" are the amounts actually paid for current expenses during the year, it is a fact that some items of "current" expense were not paid during the year in which they accrued, and therefore the total of the two columns, "Past" and "Current," affords a more accurate and in any event a more conservative basis of comparison to determine the amounts which were available for debt service after payment of other expenses, as follows:

1913-14.	\$1,281,374.84	1917-18.	\$409,374.84
1914-15.	228,847.61	1918-19.	3,145,374.84
1915-16.	2,441,522.16	1919-20.	2,713,474.84
1916-17.	581,268.76	1920-21.	148,474.84

Following is the average of the last 10, 5, and 3 years of the receipts, and amounts available for debt service:

	Receipts.	Expenses.	Available for debts.
U.S. ....	\$4,838,745.80		
S. ....	4,797,906.88	\$3,398,391.37	\$1,399,606.51
S. ....	5,575,325.47	3,572,828.60	2,002,496.87

Following amounts will be required for debt service under the loan

100 external.....	\$1,110,000
100 internal.....	350,000
Total.....	\$1,460,000

McILHENNY. Since the beginning of the fiscal year 1919-20 the budgetary expenses (excluding debt service) has been \$3,481,064.43. During two years it has been found necessary to grant extraordinary or supplementary credits to provide for emergencies or such permanent increase in expenses as, for example, that resulting from the amendment to the series agreement. Included in the extraordinary expenses of last year are such items as fighting a smallpox epidemic, \$48,000; fires, \$2,000; League of Nations, \$10,000; fire-protection system for Port au Prince, \$10,000; purchase of property, \$10,000; supply purchase fund, \$15,000; water system for Port au Prince, over \$20,000; geodetic survey, \$25,000. For the year just commencing the budgetary authorizations have been curtailed in certain items—

CHAIRMAN. That is, beginning last October?

McILHENNY. Yes, sir. For the year just commenced the budgetary authorizations have been curtailed in certain items to an extent sufficient to take care of the increased gendarmerie allowance and other permanent increases in expenses, and unless some unforeseen emergency occurs the current expenditure will be kept within the figure of \$3,481,064.43 above mentioned.

CHAIRMAN. The expenses be added the amount of \$1,460,000 for service of the consolidated external and internal debt under the loan project, the revenue required to meet current expenses and debt service will be \$4,941,064.43.

CHAIRMAN. As against an estimated revenue of how much?

McILHENNY. An estimated revenue, judging from the past five months, of \$6,000,000.

CHAIRMAN. You expect for the current fiscal year to have about \$6,000,000 revenue?

McILHENNY. Yes, sir; judging by the quarter that has just passed.

CHAIRMAN. I will let you finish your statement before I ask any more questions.

McILHENNY. In the above calculation the amount required for payment of annual interest and sinking fund guaranty on the national railroad bonds included, as it has not heretofore been carried in the budget or paid. How much is to be paid (or at least funds are to be set aside and reserved for the payment) and it should be added to the necessary provision for current expenses, as follows:

Provision for current expenses.....	\$3,481,064.43
Provision for National Railroad bonds.....	248,120.71
Necessary provision for current expenses.....	3,729,185.14
Provision for debt service.....	1,460,000.00
Total revenue requirements.....	5,189,185.14

The amount is well within the average receipts of the last three years, but less than the average receipts of the last five years. As to the five-year period, it should be stated that the first two of these were during the war, when Haitian exports were excluded by war restrictions from European markets and for-

reasing at the annual rate of \$5,000.

oreign commerce was seriously curtailed by lack of maritime transportation that the last year was one of unprecedented world-wide economic depression. The customs receipts for the first four months of the current year are about the same as with the same period of the three years since the war are:

1918-19	-----	\$1,000,000
1919-20	-----	2,500,000
1920-21	-----	1,200,000
1921-22	-----	1,400,000

The internal-revenue receipts for the first three months of the current year show an increase over the same period of the preceding year. There is no doubt that the total receipts for the current year will be sufficient to meet the requirements set forth above, present indications being that the total revenues will amount to about \$6,000,000.

It should be stated also that it has never been intended to rely upon existing sources of revenue to meet current expenses and the debt service on the loan project. All important sources of revenue are now pledged to the service of some debt, and the revenue system can not be changed until the pledges are removed. They will be removed by the substitution, in place of a general pledge of all revenues and the burdensome export tax, of a reduced or removed, increasing cultivation of coffee and stimulating the increased volume of exports will result in increased imports and increased import revenues.

Senator POMERENE. Let me see if I understand your statement. Your position is that if this new loan is completed you can then get rid of the various pledges of the revenues for the payment of certain outstanding debts and then you can meet the terms of the new loan as well as the current expenses out of the present revenues?

Mr. McILHENNY. Yes, sir. I desire to say further, that as long as the external debts exist—and the internal as well—we have our customs affected, so pledged to these debts as to preclude the possibility of reorganizing the customs laws and establishing a more healthy condition of the economy of the country. As it is, the customs, both export and import taxes, are heavily upon the commerce of the country as to seriously retard the development of the country.

Senator POMERENE. Then, in addition, it is your claim, as I gather from your statement, though you have not said so specifically, that if this loan is negotiated, and with the present difference in value between our exchange and the French exchange, it would be a good business proposition from the point of view of the Haitians to make the loan and for our American dollar to pay off the French debt at the prevailing rates of exchange? Is that it?

Mr. McILHENNY. Yes, sir; exactly.

The CHAIRMAN. Let me interrupt you one moment to ask what part of the customs duties accrue from the export tax on coffee; can you tell me now? Is it 30 per cent or 50 per cent?

Mr. McILHENNY. About 32 per cent.

The CHAIRMAN. Well, since the customs constitute 95 per cent of the revenues of the country, you might say that coffee produces, roughly, 32 per cent of all the revenue of the Republic of Haiti.

Mr. McILHENNY. Yes, sir.

The CHAIRMAN. And that is out of the pockets of the poorest class of the population, the Haitian peasant, who picks the coffee berry and takes it to market?

Mr. McILHENNY. It is an export tax. Coffee is one of our principal sources of revenue. Up to practically this period the major portion of the coffee crop was taken by France. I understand that there is a commercial treaty between Haiti and France by which that coffee goes into France at a tariff. France has been a distributor of the Haitian coffee to Germany, Belgium, and Holland. Haitians have gotten a very good price ordinarily for their coffee through the French market; but, by reason of the fall in the price of coffee in France has not been a purchaser of coffee to the same extent, and they have tried to sell it in the United States. But under the present export tax, at the time it leaves Haiti it leaves there with a charge of 3 cents gold per pound of coffee—

Senator POMERENE. And the same export duty to France?

Mr. McILHENNY. Oh, yes; but the import duty into the United States is so high that it makes it almost impossible to meet the Santos and Brazilian coffee in a fair market.

DR POMERENE. Do you recall what our import duty is now?

McILHENNY. No, Senator; I do not, just at this moment.

used in small lots as a grading coffee. It is an exceedingly fine coffee used in the blends in the coffee grading. If we were able by reason of abatement of our Haitian taxes to eliminate all export tax, I feel satisfied the entire Haitian crop would find a ready market in the United States in competition with any coffee.

CHAIRMAN. Why do you think that? Porto Rican coffee has not found a market.

McILHENNY. Because the Haitian coffee is a coffee of unusual excellence, never it has become known it pushes itself at once because of that excellence.

DR POMERENE. What effect would this have on your revenue? How could it reduce your revenue if you took off that 3 cents export duty?

McILHENNY. Senator, it could not be done at all until we have a readjustment of the taxes. What I mean by that is that upon a freeing of the obligations of taxes to these internal and external loans by refunding them to the country, by the enactment of an internal revenue law which would be ample and adequate, we would have the possibility of the gradual elimination of export taxes altogether and the assumption of a part of the burden of the loss by the internal revenue, as has been done in Santo Domingo most successfully, without any loss or diminution in the income of the country.

DR POMERENE. Is it the judgment of the Haitian Government and the people, as you have come in contact with it, that there should be this reduction of the internal revenues?

McILHENNY. The Haitian Government has expressed a willingness to accept the internal revenue schedules, and in part the law, but it has expressed unwillingness to enact an internal revenue law which would place the assessment, collection, and administration under American supervision.

DR ODDIE. Would the elimination of this export tax on coffee result in increased production?

McILHENNY. I think it would, sir, by providing a wider market for the coffee. The coffee is virtually wild now. There are no coffee plantations as we have coffee plantations elsewhere. It is a crop raised entirely by the peasants. There has been no development of the business. The peasant brings in when the prices suit him, and he won't bring it in when they do not suit him. If there is a poor market through conditions in France, as there has been the last two years or a year and a half, the peasant will not bring his crop in; he allows it to rot.

HOWE. Mr. McIlhenny, in connection with Senator Pomerene's question about the internal revenues, I want to call your attention to your figures given on the first page of this memorandum. I see no figures there for internal revenue receipts up to the year 1915-16. For that year there was a little under \$100,000 of internal revenue shown. For the year 1920-21 there was \$360,000 of internal revenue, and the figures for the intervening years show a steady increase from 1915 to 1921. How has that increase come about?

McILHENNY. We have no records of the collection of internal revenue prior to the American intervention in 1915 and 1916. With the appointment of a financial adviser it has been brought to the attention of the Haitian Government that all revenues of every character authorized by law must be collected and placed in the treasury. Since the establishment of the fact that certain classes of taxes were making no return to the State there has been a gradual improvement in the collection of the internal revenue.

DR POMERENE. What do you mean by that statement, that the taxes made no return? You mean the taxes have been made, but there has been no return to the State?

McILHENNY. I mean that by law the authority for a tax is established, and obligation is established on the head of a department to determine what is taxable, and refer what is called the bordereau to the minister of finance for collection, the minister of finance being in the major number the collecting officer. These taxes do not appear in the records of the treasury as having been collected, but they are collectible under the law.

DR POMERENE. Well, have they been collected?

McILHENNY. There is no official evidence of their having been collected.

DR POMERENE. Is there any other evidence that they have been collected?

McILHENNY. In some instances.

Senator POMERENE. Has the American occupancy been charged with collection of those taxes?

Mr. MCILHENNY. No, sir.

Senator POMERENE. Have they had anything to do with it?

Mr. MCILHENNY. No, sir. The assessment and collection of internal revenue is entirely under the control of the Haitian Government. During the agency of my predecessor an agreement was reached with the Haitian Government that the expenditure of the moneys collected from the internal-revenue taxes should be under the supervision of the financial adviser, but as the collection of them is concerned there has been no authority in the treaty officials.

Mr. HOWE. That arrangement by Mr. Ruan, your predecessor, for over the expenditure of the internal revenues coincides with the first of the amounts of internal revenues, does it not?

Mr. MCILHENNY. No, sir; it does not coincide.

Mr. HOWE. How were you able to get your figures for 1915-16?

Mr. MCILHENNY. From the bank reports.

Mr. HOWE. Do you know if the banks had figures for the preceding year?

Mr. MCILHENNY. I do not.

Senator POMERENE. Let me understand. Are there any public or private records? You spoke of bank records down there.

Mr. HOWE. The bank was the depositary for internal revenues when in by the Haitian Government; is that correct?

Mr. MCILHENNY. Yes.

Senator POMERENE. Well, why do you go to the bank for these records instead of to the treasury?

Mr. MCILHENNY. Because a great many of these records are not kept by the State. During my last discussion with the cabinet relative to it—I was making up my budget of ways and means, and under the pressure of necessity I was going very carefully into every available source of revenue. I am giving this incident as an illustration of what you ask. I had received the day before a schedule from the bank showing the amount of internal-revenue taxes received by that bank for the preceding quarter for the rental of Government lands.

I had read the law establishing the taxes and the method of collective assessment, and I was aware of the fact that the law provided that the taxes should be paid by the 15th of January of the year on which they fell due—payable in advance—and that if they were not paid by that time the lands became vacant again and returned to the custody of the State. The law also provided that the minister of the interior shall maintain all records, and through intricate procedure shall lease the lands and shall establish the rentals due the State. I noticed in this quarterly report of the bank that certain of the amounts opposite the name of the man who had paid them in covered a period of from two to three to five years for rentals of lands, and at the cabinet meeting I took up with the minister of the interior this question of the records from the rentals of the public lands. I asked him to make a report, he had a division devoted to the maintenance of the public-land department—to make me a report, by name and person and amount, as to the lands leased for the previous year. He promised to do it and to give it to me the next day.

But the next day came and he did not do it. I postponed considering the ways and means budget then until the next day. That kept up for virtually a week. Finally I said, "Mr. Minister, these records must be in your hands. We have delayed the ways and means budget now for nearly a week without this information from you. It is very necessary for me to have them as soon as possible for me to come to a just conclusion as to the resources of the Government without this information, and it will be necessary for me to ask the chief of office to go into your bureau and to obtain the records there himself."

He seemed startled by that; and then he said, "Why, he could not get the records." I asked him why. I said, "You must have them there, sir." He said, "No; I have not got any records." He said, "About four years ago I found it was so much trouble to keep those records I stopped keeping them. We have no record of leases of the Government lands."

For that reason it is difficult to establish what is due the State in the past and in the present. We know that a large amount of Government lands has been leased; but to whom, for what amount, we have no records upon which to base our assessments. In coming to a conclusion as to what amount might be

rom this source by the State in writing the first ways and means budget, the opinions of the Minister of the Interior and the Minister of Finance. There were no records upon which I could base anything. They made a guess, accepted it.

Import duties should also be revised so as to bear more equitably on the classes of consumers and increase the product of these duties. It is to offset the loss in revenue from export taxes by increased revenue from internal taxation, through increased efficiency of collection under American supervision, which it is believed would produce \$1,000,000 from internal revenue now on the statute books, and through establishing new sources of internal

stop there to make the statement that last year the present Minister of Finance, at the urgent request of the acting financial adviser, put in operation internal revenue law which, I think, has been on the statute books for 10 years at least, but has never been applied.

or POMERENE. What do you mean by that? That no collections have been made under it?

McILHENNY. No collections have been made under it.

or POMERENE. Though it provided for collections?

McILHENNY. No collections were made at all under that law.

LowE. Although it provided for it?

McILHENNY. It provided for it, but so far as any records are concerned, as we have any knowledge, no collections were made. The present Minister of Finance put it in operation.

or POMERENE. You say "so far as the records are concerned." Do you mean that you have other information that revenues were collected?

McILHENNY. No; I have not. I have no information as to it at all. I can say that the law, to the best of my knowledge, has been on the books for 10 years at the very least, and it has never been applied.

or POMERENE. Do you recall what classes of taxes they were, or what classes of taxation were covered by that law?

McILHENNY. No; I could not give you that information, Senator, off-

or POMERENE. Can you give us a memorandum for the record?

McILHENNY. Yes.

or POMERENE. And if you can, I wish you would please state when the law was passed and what taxes were provided for, and if you have anything reliable to base an intelligent estimate as to the amount of taxes which have been collected under that law, I wish you would include that in your statement, too.

McILHENNY. In one schedule of taxes collected, obtained from the Ministry of Finance, for the last year appeared two items which have never appeared in any tax schedule heretofore, which amount to about \$41,000.

or POMERENE. What were the items that you are speaking of?

McILHENNY. An income tax and what they call transfer stamps.

or POMERENE. Do you know how long that law has been in operation?

McILHENNY. My recollection is that the original law was enacted in 1908, and it was supplemented by a law of 1913.

McILHENNY. The experience of the last two years shows how dangerously they rely upon customs duties as practically the only source of revenue. On the other hand, economic depression has had practically no effect upon the amount of receipts from internal taxes. With internal taxes as the principal and more stable source of revenue this danger will be removed and the total receipts will be adequate to meet the debt service and current expenses.

or ODDIE. I would like to ask you what the wharfing privileges amount to on imports and exports. Is there a percentage?

McILHENNY. Yes. For 1920, Senator, it amounted to \$40,760.29 for the wharfage at Port au Prince.

or ODDIE. That includes exports and imports both?

McILHENNY. Yes.

CHAIRMAN. Has that concession been taken over by the Government?

McILHENNY. No, sir. It has been sold, you know. It is in a curious con-

dition. It was one of the old German companies. It was afterwards sold by the Haitian-American Sugar Corporation, which got into difficulties.

CHAIRMAN. It is in the hands of a receiver now, is it not?

McILHENNY. Yes, sir; however, its assets have been sold by the receiver for about \$650,000.

The CHAIRMAN. That is the company which owns the Centrale and road to the Cul de Sac?

Mr. McILHENNY. Yes, sir; but that sale has been stayed by Judge M. the prayer of the minority stockholders. Just what is going to be do not know. But that concession bears very heavily on the part of the Prince, because it provides that every ton that goes in and every ton that must pay a dollar to the Haitian Government for the wharf company; makes no difference whether it goes over the wharf or whether it is in by lighter and lighted from the lower bay.

The CHAIRMAN. They terminated the lighthouse concession?

Mr. McILHENNY. Yes, sir. The term for which the concession was expired.

(Thereupon, at 12.50 o'clock p. m., a recess was taken until 2.30 o'clock.)

#### AFTER RECESS.

The committee resumed its session at 2.30 o'clock p. m., pursuant to the order of recess.

The CHAIRMAN. We are ready, gentlemen, to resume. Dr. Kelsey, please hear you.

#### STATEMENT OF PROF. CARL KELSEY, OF THE FACULTY OF THE UNIVERSITY OF PENNSYLVANIA, PHILADELPHIA, PA.

The CHAIRMAN. Doctor Kelsey, will you give your name and address to the reporter?

Professor KELSEY. My name is Carl Kelsey. My home is at Mendon, Massachusetts. I am on the faculty of the University of Pennsylvania.

The CHAIRMAN. Will you tell the committee when you went to Haiti and the circumstances which led to your going there?

Professor KELSEY. For many years I have been associated with Dr. Rowe, the president of the American Academy of Political and Social Science. We had discussed the advisability of sending some one to Haiti and Santo Domingo to make an impartial survey of the situation—with no thought of going. When I came back to the university a year ago I found, from very small indications that I was very tired, and the doctors advised me to take immediate rest. The result was that Doctor Rowe then asked me if I would go down to Haiti. I went, reaching Haiti on the 2d of February of last year, and remained in Haiti until the 2d of July.

Mr. HOWE. Of 1921?

Professor KELSEY. 1921; and then I went over to Santo Domingo and remained there until, I think, the 22d of October.

The CHAIRMAN. We want to keep the two separate.

Professor KELSEY. Yes.

The CHAIRMAN. You went at the instance of the American Academy of Political and Social Science?

Professor KELSEY. Yes, sir.

The CHAIRMAN. And were in Haiti about six months?

Professor KELSEY. Five months.

The CHAIRMAN. Five months?

Professor KELSEY. Yes, sir.

The CHAIRMAN. Did you have any point of view about Haiti and the American occupation of Haiti when you went there?

Professor KELSEY. I had had no personal contact with Haiti in any way—form, or fashion. I had known nothing about it, except general newspaper reports. The only point of view that I can be said to have had was the common-sense view as to just why we were there such a length of time, and the presumption in favor of an early withdrawal. Practically, however, I had no feeling.

The CHAIRMAN. While you were in Haiti did you travel over the country?

Professor KELSEY. I went first to Port au Prince, and as soon as I was able enough French to carry on small conversations—I had read French for many years but never spoken it—I began going about the country, first to the immediately outlying regions, and then across the country. I went first to the town of Hatien; later I went, by boat, around to Cayes, stopping at Jeremie. I also went on horseback throughout the interior.

HAIRMAN. In the direction of Mirebalais?

SOR KELSEY. I went through Mirebalais to Las Cahobas, and then north the San Michel Valley.

HAIRMAN. Did you stop on the way to spend the night, and so on?

SOR KELSEY. Yes; I spent, as I recall it, something over two weeks on prior trip; I spent several days in Mirebalais and several in Las Cahobas, or three in the San Michel Valley. I also went out from Cape Haitien her of points near there.

HAIRMAN. On horseback?

SOR KELSEY. On horseback, and also on that little railroad that runs Bahon.

HAIRMAN. Were you able to talk to the peasants in Creole, as well as in

SOR KELSEY. Not in Creole at all.

HAIRMAN. Did you ever go alone on those trips?

SOR KELSEY. Yes, and no; I went as opportunity offered. I went with all people; I went with Haitians; I went with Americans and Europeans there.

HAIRMAN. Who, for example, did you go with on that trip through San Valley?

SOR KELSEY. I went alone, stopping at the camps of the marines.

HAIRMAN. Were you accompanied by the military on your journey?

SOR KELSEY. By one or two boys in guiding me across country, who took place to place.

HAIRMAN. You mean the marines?

SOR KELSEY. The marines, but I was left entirely free to go and come used.

HAIRMAN. Well, you had pretty free access to various elements of the on then in all parts of the country?

SOR KELSEY. In so far as I could get along in French with them. I may ator, that when I went there I was extremely careful to avoid being d in any way with the marines in the minds of the people. I did not go merican Club; I did not go with the marines; I went with the natives. nto the native clubs. I was there nearly every day.

HAIRMAN. The native club?

SOR KELSEY. Yes; and the corresponding club in Cape Haitien, for in- While I was there I was taking French lessons all the time with one of ch priests, so that I came in contact with another group.

HAIRMAN. I think if the other members of the committee are willing, Dr. ad better proceed in his own fashion to give his impressions of Haiti, pation and the policy which he thinks ought to be pursued there.

SOR KELSEY. Senator, I am at your disposal. I did not come here with speech of any sort, because all that I want to do is to put any facts I ve at your service, and I should feel a bit freer myself if you asked s.

OWE. I have been having lunch with Doctor Kelsey, and although in the our disposal we did not talk very much, I gathered from him he would ave topics suggested.

HAIRMAN. Would you go on with the examination?

OWE. I can start, I think.

HAIRMAN. Do.

OWE. In Port au Prince, Doctor Kelsey, with what class of the popula- you come in contact?

SSOR KELSEY. Of course, most intimately with the higher grade of busi- l professional men.

OWE. Among the Haitians?

SSOR KELSEY. Among the Haitians; almost wholly so.

OWE. Did you talk with them about the politics of the day and about pation?

SSOR KELSEY. Oh, yes. I may add that of course I was an object of y to the Haitians. They could not understand that an American was ere studying the situation, and every conceivable post was assigned to of the commonest being the advance agent of your committee to discover ts and make a report to you as to what might be learned. There was no y in getting at the people; they were hunting for me as soon as they that I was there.

Mr. HOWE. Do you know what impression the occupation has made on peasant people of the interior individually?

Professor KELSEY. At one of the little interior towns, the French priest—the officer in charge of the gendarmerie called together, I should say, some of the prominent men of the community—this is rural, absolutely rural—the little village there, a few houses—and we had, I think, two or three brief discussion one morning to get their attitude, to get the country group. This was in a district in which there had been trouble for years, in which peasants had suffered greatly from the roaming brigands; they had lost animals; they had frequently had their houses burned and their gardens

The CHAIRMAN. Was this long before our coming, or after our arrival?

Professor KELSEY. It was a long-continued story. Now, the first unanimous expressed opinion on the part of that group was that conditions were such that the peasants were rebuilding; they were planting more ground that had planted in years, and that they felt great confidence in the marines. "Gentlemen, I am an American taxpayer; it costs us a large sum of money to keep these men here. Unless they are needed and are really doing useful work, I am in favor of withdrawing them to save our country the expense. Now, said, "I want to know your attitude." Immediately a protest from every man in the group; the men must not be withdrawn. I said, "Why must they be withdrawn?" "Because we have no confidence in our local administration of the local government."

Senator POMERENE. Now, I suppose it would shed a light on the picture to show us something of the character of the men you are talking about.

Professor KELSEY. Yes; here is the chief of the section, the most important local office; here is the school-teacher; here are one or two of the more prominent farmers; they are men of that type gathered from the environment.

Senator POMERENE. They were fairly representative of the intelligent men of that community?

Professor KELSEY. Yes; I was told by the French priest that they were leaders in that community.

Senator POMERENE. Now, proceed with your story.

Professor KELSEY. I said, "Why not replace the American officers of the gendarmerie with Haitians?" "No," they said immediately. I said, "Why not?" They said, "We have no confidence in them. We have absolute confidence in the Americans." Their unanimity on that point was very strong. I talked then about their financial problem in Haiti; I asked them about taxes; asked them what had been done in the past in the development of schools, and they answered one point after another. Finally I said to them toward the close of the conference, "Gentlemen, I don't want you to do this; I want you to think about it." I said, "You have practically told me that you have no confidence whatever in the ability of the Haitian Government either to maintain law and order or to bring about an orderly development of this country; you are practically saying that in your opinion the Americans should not only remain here and keep peace but should take absolute control of the entire Government." They suddenly sat up and looked man to man. They saw the significance of it. I said, "Now, don't say a word, but this is practically what you have asked us to do in your analysis of the whole situation."

Mr. HOWE. You gathered that that conclusion came to them as somewhat of a shock?

Professor KELSEY. In summarizing it, yes. They met each individual with "Yes"; but they had not thought of tying the whole thing together—what would be left for the local government. They saw the point quite when I suggested it.

Mr. HOWE. Did you get the view of any other class of Haitians down there about the officers of the gendarmerie?

Professor KELSEY. About the Haitian officers for the gendarmerie?

Mr. HOWE. Yes.

Professor KELSEY. The Haitians have the feeling that it is going to be extremely difficult for us to get the highest grade of Haitians to enter the gendarmerie at the present salary. There may be some measure of justice in that complaint; but, on the other hand, if you figure over against the total income of the country the cost of the gendarmerie, and consider what those men get in any other calling, it is extremely doubtful whether they are being paid at the present time. I think it would be a very difficult matter to get competent Haitians to put in the gendarmerie; competent, not in the sense

apacity, but the one complaint I got from Haitians everywhere was the the Haitian gendarmes. The minute power was put in their hands used it.

HAIRMAN. May I ask you a question on that point? Is that attitude instatbulary or gendarmerie toward the native population analogous to ude of the military prior to the occupation?

SSOR KELSEY. It doubtless was. The Haitians have always expected to ited by every man in charge. Always expected it. They believe that an in office is exploiting or grafting in some way. They are perfectly t that they would if they were in that position themselves. And, of this affected their attitude and belief toward our men. They can not of a man that would not do it. I am speaking of the general and an, not the best men.

HAIRMAN. Before you go on, Mr. Howe, I wanted to ask Dr. Kelsey for tions with other people, and if conversations with other people con- or failed to confirm the impression which he had formed from the g of notables which he has just described.

SSOR KELSEY. Well, practically the statements on those points are us, made to me by every class of men with whom I came in contact.

HAIRMAN. Every class?

SSOR KELSEY. Yes; every class, native and foreign.

HAIRMAN. You have talked with every class of men?

SSOR KELSEY. Yes; I have tried to make that very clear in my report.

OR POMERENE. Let me ask you a question. You, a moment ago, said that ected to be exploited by those in authority. Did you get that impres- in your interviews with these people during the period you were there, ou get it from other investigations, as, for instance, their history, etc.?

SSOR KELSEY. Solely, at first, from the individuals with whom I came ct. I also found it confirmed in a number of books written by their en—written in French—books of which we have very little knowledge in ntry. I was very much surprised, Senator, to see the amount of careful at they had made, and the analyses that they had made of their own n, and whether it is Mr. Vincent or some one else, for instance, Marcelin, s Minister of Finance for a long time, and considered one of the ablest he last generation in Haiti. They all said the same thing.

HAIRMAN. Have you brought any of those works home?

SSOR KELSEY. I have two or three, some secured from Paris since my

HAIRMAN. If you cause extracts to be taken from them and sent to the ee it would be very interesting.

SSOR KELSEY. I will do that.

OR POMERENE. You used another expression. You say that their mind h that they were expecting to be exploited. I take it it is a fairly deduct- erence from what you have said that this was not the result of mere tion.

SSOR KELSEY. On my part?

OR POMERENE. No; on their part. I am speaking of their attitude of t was the result of their own experience?

SSOR KELSEY. You can not talk with any Haitian for 10 minutes and n this subject that he does not immediately give you descriptions. You alize that the salaries paid to local officers are anywhere from \$2 or \$3 h up, and that frequently they have been expected to spend a good deal r time in the public work. I was talking one day to a citizen of Cape u. He was speaking about the necessity of paying local officials much oney than they had ever paid them in the past, and he very frankly came th the statement: "You can't expect those men to live on the amounts ey that have been paid them. They are either going to utterly neglect ul business or else seek to recoup themselves by the control of the local nd."

HOWE. Was he referring to the time during the time of occupation, or is to occupation?

SSOR KELSEY. We were talking of the whole general situation, even as- that the Americans withdrew completely. He said it was obvious that hange would have to be introduced.

HOWE. Can you give us what impressions you got as to the work of the Corps down there, and the opinion of the Haitians as to the work of irine Corps?

Professor KELSEY. I am very glad to do what I can. The work of the Marine Corps, of course, has been limited practically to one thing, and that is the maintenance of peace and order. At the very outset, as you will remember, the heads of the Marine Corps took over certain administrative functions for a brief time. Practically, however, there has not been anything else done to keep order, and that is all they are doing at the present time, unless I include the Marine Corps officers who have been transferred to the gendarmerie. Those men won a great deal of my respect as I met them about the country.

The CHAIRMAN. The ones serving with the marines, or the gendarmerie?

Professor KELSEY. I am speaking first of the gendarmerie. They are in isolated regions, so poverty stricken that no American can picture the situation, living in miserable shacks, as we should call them, absolutely devoid of any contact with men or women of their kind; ruling more or less as despots by virtue of their positions.

Now, as I went around the country talking to all sorts of folks as I did, I was impressed by the very friendly attitude of the natives toward them. The educated natives would tell me frankly of individual men whom they did not like, of things which they considered wrong, or of abuses, as they called them.

Senator POMERENE. Speak of them, will you not, in that connection?

Professor KELSEY. In this connection?

Senator POMERENE. Yes; or if you prefer to come back to it later I wanted to hear what you had to say about that.

Professor KELSEY. The Haitian everywhere considers the abuses accidental and insignificant. Very few of them have ever seen any case of abuse of any sort. The wildest sort of rumors spread current throughout the population and are accepted freely with reference to every subject. By unanimous testimony to me from leading Haitians was that the amount of cruelty inflicted by the marines was vastly less than would have been if only the Haitians had the marines not been there. There was no dissent in that statement on the part of any Haitians. In other words, in my judgment the Haitian emphasizes cruelties because of its influence on American opinion and not because he cares a rap what happens to the Haitian.

Senator POMERENE. Now, Doctor, you have spoken of this as being thus expressed to you on all hands. Do you mean by that that you had interviewed enough of the Haitians to draw a conclusion which is satisfactory to your mind that what you have just told the committee here was the prevailing opinion among the Haitians?

Professor KELSEY. That statement has been made to me by men high in the Government of Haiti, by some of the best-informed men in private life, from that on down to the rank and file of the ordinary man in the country. They do not cover the instances or cases of misconduct.

Senator POMERENE. Now, did you attempt, while you were there, where you would hear of these special cases of cruelty, to trace them down?

Professor KELSEY. Never.

Senator POMERENE. To ascertain what the facts were?

Professor KELSEY. Never. I did not look on myself in any sense as an investigator of the conduct of the Marine Corps. But I always asked the Haitians, "Now, admitting that that individual case that you mention may be true, does it compare with the general situation; what is your net impression of the conduct?" I tell you, Senator, when you see Haitians bringing heavy fruit and vegetables 25 or 30 miles and carrying them to a boy who has been an official in their community it does not indicate they are antagonistic in attitude.

The CHAIRMAN. You mean after he had gone?

Professor KELSEY. Oh, yes; after he had gone; transferred to another part of the island. Why, you meet young lieutenants and captains who are sent out of their way to interview the natives on every possible occasion. I was one man two days on board of the boat, who spent a large part of his time, he was not talking to me, in going about and speaking to the Haitians who were on the same boat, and there happened to be a large number, talking about conditions in Haiti. There is very little animosity in Haiti that I know of toward the Marine Corps; there is a great deal of regret with reference to individual instances.

Senator POMERENE. Unless there is something further than you want to say in regard to the Marine Corps, you were going to give a definition of the relation between them and those in charge of the gendarmerie?

SOR KELSEY. Yes; because the average Haitian comes in no contact with the marines. You have them localized. You take the southwest part. There are no marines there except the half dozen who are connected with the gendarmerie. The average native does not see a marine of any sort, unless he happens to be near one of the towns where these officers are located.

CHAIRMAN. Say that I was carrying, all the time, letters of introduction from me to other Haitians in the community. When I was in there I was escorted, always by a gendarme officer, to see these different people, sometimes by the gendarme, often I went alone. I met the foreign residents of the different communities, entirely independently, and no other person present whatever. So that I could make a fair estimate of what the people thought. Of course, I may be deceived.

CHAIRMAN. Will you speak of the gendarmerie?

SOR KELSEY. Yes. Now, I say, I rule that out and you have little contact with the people and the Marine Corps.

MR. POMERENE. Another question: You have spoken of the few marines who are in charge of the native Haitian gendarmerie. What did you learn of the conduct of this Haitian gendarmerie toward the people generally?

SOR KELSEY. The common statement made, both by men in the Marine Corps and by natives and by foreign residents of Haiti, was that at first there were many instances of overbearing misconduct on the part of native gendarmes. That was given to me by the natives themselves, educated natives. One of the chief factors of the antagonism to the corvée system, the one inflicted by the gendarmerie on the men whom they were to escort, the subsequent trouble is charged to the marines, because they had the control. At first there was great reluctance to report any misconduct on the part of the gendarmerie.

MR. POMERENE. Reluctance on the part of whom?

SOR KELSEY. Reluctance on the part of the native. He was afraid it would come back on him. Subsequently, when he found he could report these things, he began doing it, and the men in charge told me they were having trouble now; that they felt that any real misconduct on the part of the gendarmerie would be immediately reported to headquarters.

MR. POMERENE. Then can I fairly infer from your statement that this feeling of fear lest something untoward should happen to them was a feeling which grew out of their previous experience?

SOR KELSEY. Yes.

MR. POMERENE. With the Haitian gendarmerie, or others in control?

SOR KELSEY. Yes; universally.

MR. POMERENE. And not due to cruelties that they feared they might fall into the hands of the Americans themselves; is that right?

SOR KELSEY. Absolutely. If you went through the country districts of Haiti, you noticed the preponderance of women on the roads. In the towns, many native men appearing in the towns was liable to be seized for military service. They were afraid to go to the towns. Under the corvée system, after that was introduced, there existed in the mind of the peasant that if he went into the town he would be seized and forced to do military service. One got many evidences of a changed feeling. The French priests told me that the men were coming more freely to the towns; they were no longer afraid to be seen on the road. I hailed peasants who were working in the native cabin. There were indications that one had been burned there. I had a very friendly little conversation. I said, "Is it all right to build in here?" He said, "Oh, yes; no trouble now to build our cabin right here. I never encountered any indication of fear on the part of the Haitians toward our representatives, and I watched for that, because that was a thing which I legitimately look for."

CHAIRMAN. You think the morale and conduct of the gendarmerie are improving them?

SOR KELSEY. Oh, yes; that is the testimony of their officers, as well as of the natives.

MR. POMERENE. Let me pursue that inquiry of the chairman a little bit further. You feel, then, that the instruction and conduct of the marine officers who are in charge of the gendarmerie is developing the native Haitians along better lines?

SOR KELSEY. My impression is that it is. I gained a very high respect for the way in which the average man and officer is behaving himself in Haiti, and I think these men in these isolated communities deserve far more credit than

we have ever given them. We have heard a lot about the bad things, good things are never told.

Senator POMERENE. Where and from whom did you first learn these about the cruelties of the marines toward the natives?

Professor KELSEY. In the American press before going.

Senator POMERENE. What papers?

Professor KELSEY. If I were to single out one, I should say that the New Nation has probably contained more reports that came to my notice than any other single paper.

Senator POMERENE. Any other papers?

Professor KELSEY. Now, that is an embarrassing question, Senator. I do not want to be unjust to that particular paper. It is the one that came out, to my mind, because I got hold of that and clipped it. I did not pay attention to the miscellaneous newspaper reports. I have been more careful, therefore, with that which The Nation has published than the others. The History, if I remember correctly, has had certain articles.

The CHAIRMAN. Articles by Mr. Knowles on Santo Domingo.

Professor KELSEY. Yes; and I think there have been others—I mean other people. There is also a little magazine published in New York in which I believe contained some criticisms that had come to my notice.

Senator POMERENE. Now, when I asked that question I had reference to the information that you may have had prior to or in the early days of your visit in Haiti. In other words, I was seeking to find out how it was that you got the impression that the marines were generally cruel; and you have told us that your investigation resulted in a very profound respect for the marines and their conduct there.

Professor KELSEY. Yes. Well, the answer to that is easy. I got it from the American press.

Senator POMERENE. Did you get any of it while you were in Port au Prince?

Professor KELSEY. Oh, yes; because both natives and foreigners told me specific cases which had come to their attention. Americans resident there told me of specific cases—plenty of them.

Senator POMERENE. I think that is all I care to ask on that point.

The CHAIRMAN. You do not think instances are many, then, considering the number of marines who served?

Professor KELSEY. No; I think they are grossly exaggerated, and I think their importance is tremendously exaggerated.

The CHAIRMAN. Before we leave the subject of the gendarmerie and the Marine Corps will you not speak of the military courts acting under martial law so called or miscalled?

Professor KELSEY. You are really asking me to speak of another thing, and that is the Haitian court. I mean that I just want you to see that it involves another question.

The CHAIRMAN. Well, Doctor Kelsey, I want you, if you will then, to speak of the military and civil courts both in such sequence, etc., as you would like.

Professor KELSEY. Well, now, to get back of it: The Haitians have no confidence in their courts; nor has any foreigner any confidence in a Haitian court.

The CHAIRMAN. Do you speak now of the courts of first instance or the courts of cassation?

Professor KELSEY. Primarily of the lower courts, with which the people come in contact. There are able men in a few of the courts. I have seen in my printed report there, which is, or will be, before you, a number of citations which came to my notice, and in my statement here I am not saying any more than I can help the things that I have said perhaps much better in the connected form there.

Senator POMERENE. You expect to offer this as a part of your testimony?

Professor KELSEY. Yes. I hope that enough copies will be here to supply all to-day.

Mr. Howe. Doctor, I hope to have them here this afternoon.

The CHAIRMAN. Well, in any event we will incorporate it in the record. You not continue to speak upon what I consider a very important subject—civil and military courts?

Professor KELSEY. Well, now, whatever the facts are I think we have to recognize the attitude of the people, and the question of how the courts of Haiti are going to be reformed will be one of the most difficult of the internal questions. I have no opinion whatever to offer. The foreigners resident there have no confidence whatever in the securing of justice through the courts, and that has

he question of the introduction of the military courts. There was very icism—there came to me, at least, very little criticism of the military Haiti. There was a feeling that at times they had given perhaps undue nt for relatively minor offenses, but they aroused no particular antago- such, and the only place where it seems to have created any interest was due to the control of the press, if that is a pertinent point.

CHAIRMAN. Well, for practical purposes the jurisdiction of the military confined to attacks upon the gendarmerie or Marine Corps?

or KELSEY. Yes.

AIRMAN. Or perhaps cases arising out of frauds in the customs; is that

or KELSEY. No; it does not get them all; because about a year and a a collector at Ounaminthe got away with about \$5,000 of the customs

AIRMAN. Well, was that not the occasion of the extension of their juris-

or KELSEY. No; that was after their jurisdiction had been limited, and e courts discharged him on the ground that if he stole anything at all ave been from the Americans. The outside public immediately accepted other illustration of the necessity for extending the power of the Ameri- the courts rather than restricting it.

e have to go back to the fact that in the older preoccupation days no r dared criticize the Government unless it were ready for a revolution- k.

r POMERENE. Do you mean by that prior to our getting in Haiti?

or KELSEY. Prior to our getting into Haiti there had been no criticism overment; the papers never printed it. Every Haitian told me last hat the press was exercising a freedom that they had never seen in the

Very many prominent Haitians expressed great regret to me that we l the sort of attacks to be made in the papers that we did permit.

r POMERENE. Now, when you speak of the Haitians who thus expressed s to you, do you mean those who were connected with the Haitian Gov- or do you mean private citizens, or both?

or KELSEY. Both, as a matter of fact. Not only that, but there were r men there who did not believe it should be permitted.

r POMERENE. Haitian newspaper men?

or KELSEY. Haitian newspaper men.

r ODDIE. The higher class of newspaper men?

or KELSEY. Yes; very obviously the higher class. And they felt very when the order went forth last summer which put a stop to some of the

it. The papers were reaching the point where some overt outbreak rtainly have followed had they been permitted to continue; because, ith an emotional people, and not wholly self-controlled, there was only ble result if it continued. There was a very great feeling of relief in en the order went out last June to check it.

r POMERENE. Would you say that that was the general feeling among ians?

or KELSEY. Now, you must remember that the newspapers directly very small percentage of the Haitian people, and the average man who news at second hand neither knows nor understands nor cares how rs are handled.

or POMERENE. You were referring to the reading public?

or KELSEY. Yes; they could see no good coming out of that agita- l they were afraid that it might lead to an outbreak which would ouble; even those who were hopeful that we might be induced to v very soon deprecated that sort of an attack.

or POMERENE. Now, in order that your answer may be a little more what portion of the population of Haiti do you regard as embracing ing public?

or KELSEY. Well, the best estimates that I could get there were that e than 3 to 5 per cent of the people could read and write.

or POMERENE. Of the whole island?

or KELSEY. Of the country.

HAIRMAN. I do not want to leave the question of the courts until we hether Doctor Kelsey believes it would be possible to abolish the courts until a reformation of the civil courts has been brought about.

Professor KELSEY. Well, practically your military court at the present is not functioning in anything that deals with the ordinary citizen in this matter of newspaper control. Now, that being true, there is little contact. I do not believe that the native officials a year ago could have done anything with the native press in the native courts. Now, that affected by our military courts, perhaps, but it shows that there is a feeling there very difficult to handle.

Now, unless you have gotten some scheme of organization that really has the effective cooperation of the courts with the de facto government, you have a very serious situation on your hands.

I will illustrate that by one statement. The last constitution granted the right of the ownership of property to foreigners. About July, 1920, an act of council that right was canceled and foreigners were given until 1921, to dispose of their holdings. Meantime there arose early in 1921 a case in court. The tenant of a foreign landlord refused to pay rent, and the case was taken up in court, and the court immediately, ignoring the constitution of 1918, based its decision on the old constitution and said the tenant must not have to pay rent to a foreign landlord, because he held that position in defiance of law. Now, if that were to be accepted by the court of appeals, remembering that in that intervening period many foreigners, not all of them, who had held property under the guise of mortgage, the old law was dodging the law, but had converted it into direct ownership, if they were threatened by loss of their property through that sort of a deal, and they would hold to that old constitution, you would have international complications of no small magnitude. And that is the present situation in Haiti. That is held in abeyance, apparently to see what the Americans are going to do. Now, there is no way of meeting that situation with anything but an existing program.

The CHAIRMAN. Have we any program?

Professor KELSEY. I am merely speaking of that which is going on here. I think you will find quite a number of that type of cases that involve outside interests for which some adjustment must be found.

Senator POMERENE. Well, pursuing the thought which your statement suggests a little further, suppose that we were to leave the island and the jurisdiction of this court should not be reversed, what would be the effect so far as interference by other Governments or the Governments of these foreigners is concerned?

Professor KELSEY. They would cable for European gunboats.

The CHAIRMAN. During the half dozen years since the landing of the American forces and the negotiation of the treaty of 1915, what has been done by the initiative of this Government or American officials or officers in Haiti to advance and to further the organization of Haiti, to develop its administrative system, to spread education, to develop agriculture? What, in short, by the establishment and maintenance of peace and the building of the highway and the cleaning up of the coast towns, is there to show the presence in Haiti during the five or six years?

Professor KELSEY. Nothing.

The CHAIRMAN. Well, do you consider that, measured by our accomplishments in Cuba and the Philippines, on the whole we have done a poor job in Haiti?

Professor KELSEY. Yes.

The CHAIRMAN. And do you believe that in the same compass of time might do something substantial for the development of the agricultural resources of the country and its revenues and for the organization of its administrative system?

Professor KELSEY. I can not feel anything but hopeful with reference to Haiti. Haiti is very friendly toward the United States. Whatever misdeeds have been done down there are attributed to mistaken policies of the United States Government, not to the people of the United States. There is a real sentiment of friendship. Haiti is despondent; it lacks confidence in its own ability to recover and develop. It feels that we have bungled. Haiti does not want us to leave. Haiti wants us to stay there. I am, of course, my opinion of Haiti's wants.

The CHAIRMAN. And this is despite the expressed views of the Patriotic League?

Professor KELSEY. Well, it is in spite of their American expressed views.

The CHAIRMAN. Well, that is what I mean.

Professor KELSEY. All right.

The CHAIRMAN. Their views expressed to us, you mean?

or KELSEY. Yes; through certain channels. I do not want to seem when I make that sort of remark, but you must remember that a man a very difficult position in a community if a patriotic movement, so organized against another group. Whether he likes it or not, it is a man who does not go with the current and give it his nominal support, his real feelings are.

CHAIRMAN. Well, do you mean there are members of the Union Patriotique who privately cherish other opinions than those that that body as a body has?

or KELSEY. If you mean that they do not cherish an ideal of an independent and free Haiti in the future, no; they are all agreed on that.

CHAIRMAN. Yes.

or KELSEY. If you mean that they all want us to withdraw and leave ourselves, most certainly no. Some of the most prominent men there believe for one moment that we should withdraw, nor do they want us to stay.

or POMERENE. Do you mean the most prominent in the Union Patriotique?

or KELSEY. Yes.

or ODDIE. How large a percentage of the population and how representative is the Union Patriotique in Haiti?

or KELSEY. I don't know its membership. It includes a fairly large percentage of the educated class. Of course, the mass of Haitians never had any voice in national matters.

CHAIRMAN. Was there ever a time, in your judgment, when the mass of the people were politically conscious and deliberately chose their governors?

or KELSEY. Do you mean in Haiti?

CHAIRMAN. Yes.

or KELSEY. No; there has never been anything but a very small minority voting, according to their own statements. I have one record of a provisional president who said in one of the communes just outside Port au Prince, that the delegates would be appointed militarily and not by the people. That was his summing up of an election.

or POMERENE. You say that was under one of the provisional presidents?

or KELSEY. Yes; that was before we went in there. There never has been an election in Haiti. There never has been any democracy in Haiti. It is a perfectly foolish use of language to talk as if there had been. Haiti traded in a slave system under white slave owners for a slave system under mulatto and they have run under a slave régime from the first up to the present.

or POMERENE. Do you think that is a condition of any substantial part of the peasantry in the country?

or KELSEY. Do you mean slavery?

or POMERENE. Yes.

or KELSEY. Not under that name. Theoretically, any individual in Haiti may become president if he has military force and personal strength. Practically, the overwhelming mass of them are condemned to the direst poverty with no hope of any way out. If you want to see what the average Haitian thinks of the welfare of the Haitian people make a careful analysis of the contract-labor trade with Cuba since the war, or during the war.

CHAIRMAN. Have you anything on that subject?

or KELSEY. I gave a little suggestion of it. I did not go very far into it. That is nothing but a modified slave trade, with a great financial gain to those who are engaged in it.

or POMERENE. I take it you have investigated the history of Haiti?

or KELSEY. Slightly.

or POMERENE. Will you state what was done by the Haitian ruling classes down there, the military classes, toward the development of the island socially or educationally prior to the time that we entered upon the island?

or KELSEY. The first thing was that with the overthrow of the French plantations, the old system of production, immediately went into disarray. The Haitian rulers saw that, and for 30 or 40 years after the leaving of the French they tried by a system of compulsory labor to maintain the old scale of production. They absolutely failed, as is perhaps best evidenced by the fact that from the time the French left down to 1919 no sugar had been exported from Haiti.

CHAIRMAN. From the time the French left?

Professor KELSEY. Yes, sir.

Senator POMERENE. Until 1919?

Professor KELSEY. Until 1919, and that was sugar manufacture: American-owned mill. All the thousands of plantations, as such, have disappeared. At the present time in Haiti there are no coffee plantations: peasants pick the berries from the plants descended from the trees brought by the French. There is no scientific agriculture anywhere in Haiti!

The CHAIRMAN. Well, there is no organized agriculture?

Professor KELSEY. No organized agriculture. A very competent man that in 1915 he did not believe there were a thousand well-tilled acres in Haiti. It had simply gone from an enormous production when there were there, down to almost nothing. Anyone who rides across the plain north in Haiti and keeps his eyes open realizes that that must have been a garden spot at one time. It has all gone to decay. There are no large plantations in Haiti, and those that are now beginning to reach a size are remnants of recent years.

A prominent Haitian asked me if I had seen a beautiful spot above the Prince. I said "No. But if you want me to see something take me out to the best farms." And he said, "There are none." He was telling the truth: there are no best farms. It is all a hit-or-miss, simple peasant agriculture. The civilization of Haiti is on the coast. The interior is, to all intents and purposes, Africa. If you will read any good description of African civilization you won't weary you with names—you will have a perfect description of the interior of Haiti everywhere, except that in Haiti the tribal standards have gone.

The CHAIRMAN. And most of tribal customs.

Professor KELSEY. The tribal customs have disappeared. That sort of tribal customs and the national customs, if you will, has never been there. It is an amorphous sort of a mass that you have there.

They have no idea of relationship to the Government.

There are no direct taxes. They do not see that they are paying taxes \$3 a hundred that every peasant pays on his coffee he does not see, he does not know. The only tax he feels is perhaps the few centimes that he has to pay for displaying his wares in the little village market. That money is said to be used for the keeping up of the market and public improvements. That man has no visualization of a central government, no relation. With a charge is a matter of complete indifference to him. He does not care, when some orator comes around and stirs him up. He is solely interested in getting enough to live on. He is hungry.

The CHAIRMAN. Does he know the name of his own President, do you know?

Professor KELSEY. Yes; he knows that, because that is the way they tell their births. As a general rule he will know the name of his President.

The CHAIRMAN. Do they know the name of his Minister of the Interior?

Professor KELSEY. No; they do not know the name of his Minister of the Interior, nor do they have the slightest conception of his function. They can only hear the name of the President; that gets to them. Ask a man or a woman, "When were you born?" and the answer will be, "Under President So-and-so."

The CHAIRMAN. You do not think they would know the name of the Minister of the Interior?

Professor KELSEY. Oh, no, no; save by accident.

Senator POMERENE. Now, in that connection, as you are discussing these things and the amorphous condition of affairs, while we were taking this test at Port au Prince the president of the Union Patriotique said, in answer to questions which were asked about education in the island, that they had a compulsory educational statute which was passed, I think, in 1865, in any case in the sixties. Do you know whether there was such a statute as that?

Professor KELSEY. Oh, yes; there is no lack of statutes with reference to anything you want.

Senator POMERENE. And what was done in the way of administering that statute?

Professor KELSEY. Very, very little. There were no publicly-owned school buildings. There are only a handful of children in reality in the entire island in school. About half of them appeared to have been in schools conducted by the French Brothers and Sisters.

Senator POMERENE. You mean about half of those who went to school?

Professor KELSEY. About half of those who went to school.

Senator POMERENE. Not of the total population?

or KELSEY. Oh, no, no; no, indeed. Of those who went recent, to whom I have made reference because he is prominent in the triotique, has described that quite as thoroughly as anyone. I have accurate a statement as I could get on the school system in my report. rough the rural districts and you will almost never see a schoolhouse, ou find anything which is used as a school. I have encountered such d visited them. I have talked with the children, and I have taken sters and had them bring me their schoolbooks, and had them read ; that they were doing. As a matter of fact, almost nothing has been e way of developing a real school system.

s a second matter of fact nothing can be done with the present income ntry. It is easy for us to condemn these poor people for not having e system, but when you ask what their possibilities were you become pathetic. They had a very difficult problem to face, and they never ed it. They have made the beginnings, and that is all we can say.

POMERENE. Well, you have no doubt that with a proper administra- can be liberally or fairly well educated?

or KELSEY. I think those who are in control in the country now are ns of the fact that they can be educated. I think every human being ucated, and I am not quibbling over education, but I mean trained to ngs without question. And, not only that, many of them would like . There are a great many of those poor people who would be delighted extension of their present school system so that they might have

POMERENE. Well, I am getting away from what the chairman sug- minute ago he wanted to know—something more of the courts, and very important branch.

HAIRMAN. I was going to leave the question of the courts very shortly.

POMERENE. Well, if you have anything else I do not want to go I was getting off perhaps into another matter.

HAIRMAN. Well, I wanted to ask Doctor Kelsey if he regarded the on of the civil courts and the adequate payment of the judges as a cardinal importance or not.

or KELSEY. It is one of the matters of very great importance in the very great.

HAIRMAN. We agreed a little while ago, the Chair and the witness, ad not made a great record of constructive work during the five years. e witness perhaps enumerate the three or four things which we ought ould he suggest the bases, economic or educational, or both—admin- we will say, economic or educational—necessary to the development n people?

or KELSEY. You ask, Mr. Chairman, "What we can do? Will you nder what conditions this development is to take place?"

HAIRMAN. Well, let me put it this way. What are the bases necessary velopment of the Haitian people, bases perhaps which can be laid by oration of the two Governments, if you please, under the present

or KELSEY. Perhaps the first and most fundamental is the determina- e ownership of the land, as a preliminary step toward the introduction ern system of taxation. There is no immediate probability that the ade of Haiti can be greatly developed. There is the ultimate possibility, not immediate. Before that development of production can go much the land question must be settled. Now, that is so fundamental that these other things are incidental; in other words, the settlement of stion will either make possible or will check any other program that to introduce.

HAIRMAN. Well, I am sure the committee will be glad to have your n the development of communications and revenues.

or KELSEY. Second is the development of communication. In my t, that will not be by railroads for a long time to come. I very gravely urther there is any legitimate business reason for completing the rail- m Cape Haiti down to Port au Prince. There should be, in my as far as I can see the situation, a few trunk-line roads, well enough d to be usable at all periods of the year. I think you gentlemen went t road to Cape Haiti. If so, you know there are several places where are very much needed.

The CHAIRMAN. Are you one of those who believe a road ought to be built from Mirebalais to Hinche?

Professor KELSEY. I am inclined to think there should be a good road through that interior, and if you once get a road in through Los Cabos you must remember that that opens an easy way through Comendador to the center of Santo Domingo. That would be in time a very important line road.

Now, my personal judgment—and do not put any weight on this, it is a personal expression—is that we are going to find that what Haiti needs is a development of trails at the present time rather than roads. The peasants are in the habit of taking their own wares to market. Now, it will take some time to change that habit. I understand that in the Philippines we surveyed pretty carefully a system of trails, laid out certain main trails, attempted to grade the least to lay them out in such a way that ultimately they might be used as a basis for a system of highways. Now, inasmuch as in my opinion pack transportation is going to be the dominant form for a considerable time in Haiti, it would be foolish to talk about a system of highways, which would be very expensive both to build and maintain.

What is really needed is a system of easy trail transportation that will facilitate their getting to their local markets.

In my judgment, those two steps should precede any great attempt to reorganize the school system. You have got to provide a basis for a permanent structure before you can build the superstructure.

Senator ODDIE. May I ask you a question, Doctor? You have got roads and trails. Don't you think it is more important to complete a system of trails and highways, and have the trails as feeders to the highways? In other words, will not the highways bring the markets closer to the interior, so that the interior can be developed?

Professor KELSEY. To a certain extent, but, of course, we do not know quickly the people will change their habits. You must remember that the interior is rather narrow, as a matter of fact. If you take your road from Port-au-Prince over to Jacmel and Cayes to the southwest, and if you would swing to the other road—your present road parallels the coast—up through the Los Cabos district, and on north through Hinche, you will have put every section of Haiti that is producing anything whatever within easy transportation distance of that road at present.

Now, I think those are very fundamental steps that must be taken as preliminary by whatever government is in power.

Now, when we speak of the other thing—the development of a real structure—that is to a considerable extent conditioned upon the habits of the people; and it is not going to be easy to make a shift from the very primitive type of agriculture which is now practiced to production on a large scale. Now, you are going to suggest that it should be done by big corporations.

We have been diverted a little from the earlier question as to what the Haitian Government had done. I attempted to show that they tried to induce forced labor to maintain it, and it broke down. There never has been any habit in Haiti of investing in local enterprises. There has been a great investment in land to be actually used by the landowner, but the plantations of to-day are as nothing compared to the plantations at the time of the French. If we may trust their accounts of those plantations, there is no increase in production. But the agricultural production of Haiti can be tremendously increased. There is a lot of very fertile soil in those plains. I am referring to the plain of San Michel, in the interior, where one American corporation is trying to develop a plantation.

The CHAIRMAN. Do you believe it is a good policy to permit a single corporation to acquire title to as much land as that company has?

Professor KELSEY. I think it is a very grave question. However, it is settled that they may not be glad to give that away in a few years.

The CHAIRMAN. I know that.

Professor KELSEY. In other words, they are undertaking an experiment.

The CHAIRMAN. But it is a very grave question whether, with our eyes turned toward Haiti, we ought to permit the acquisition of any such great property.

Professor KELSEY. We need to recognize that that is an experiment, and that none too certain, because of the conditions that obtain there.

The CHAIRMAN. The witness before the committee yesterday fixed 12 months as the maximum period for the termination of our responsibility in Haiti. It seems to me that, in connection with what you have been saying about

p and agriculture and communications, it might be interesting if you speak of that question of the continuance of our responsibilities or, their termination.

essor KELSEY. If we are to assume that our duty to the Haitian people is our definite presence to-day, my own opinion is that we ought to be there in terms of 25 years, not 12 months. I do not believe that any thorough reform will be accomplished in any short period of time. I think it is to be expected that. The thing that I am personally most anxious about, to continue our experiment, is that we can develop the policy which seems to then give it a continuity of support until it is put through.

CHAIRMAN. What, in your judgment, would happen if at the end of 12 years we were to retire, bag and baggage?

essor KELSEY. There is no disagreement among the Haitians on that immediate revolution.

CHAIRMAN. Assume, Professor Kelsey, that, in the meantime, as in the case of our intervention in Cuba, the so-called occupation assured, as best it can, a fair and representative election of an assembly and president, would not in none the less follow?

essor KELSEY. I asked one of the best-educated men in the island, a man who has not been in political life at all, what he thought about "Vell," he said, "Mr. Kelsey, can you not understand one thing in our country? Those of us who have been trained have never been trained to be physically. We do not believe in it. We have no respect for it. We do not go into the Government service. That is the only outlet for any member of us. It does not make any difference whether the lowest type gets into office or the highest type in this country; the moment he is appointed and appoints his assistants there are many more disappointed people and disappointed ones. And the disappointed ones immediately begin to counsel him to know how they can get rid of him. That has been true all through our history, and it will be true the minute you leave, regardless of your method of leaving a successor." Your question, of course, would really assume that we had been democratic government in the past. That is not true. Haiti has always been under military government. You take Marcelin, the former president of finance, whom I have mentioned. The one thing he is talking about, day through, is the utter futility of saying there has ever been anything but military control.

CHAIRMAN. You mean, in his book?

essor KELSEY. Yes. He is dead. There is no illusion on the part of anyone with reference to her own history.

or POMERENE. What can you tell us about the elections they have had here from time to time?

essor KELSEY. Well, of course, I have only rumors with reference to those elections. They have been described by individuals. The common description is to say that it was practically known in advance which party would win and the opponents would stay at home. They did not dare go to the polls. The election was in control of a certain group. Of course, that meant that one group might be in control in one section of the country and another group in another section, and there was a little diversion of opinion shown in the different districts, but they do practically all vote under orders all the way around. The Haitians themselves just grin when you talk about elections. They simply say that the strong group has always won the election, for some other reason. When it comes to figures, they are utterly valueless; there are no records of any sort.

essor POMERENE. You mean in connection with the elections?

essor KELSEY. Yes; no figures of voters. They are absolutely valueless, at least as I have ever seen. You take all of this much discussed election with reference to the last constitution. There was no complaint made about that time (about the method of conducting it), not until long afterwards. Before it was rather fashionable to say that the Americans interfered in the election. The French priests never heard of any interference. They said only complaint whatever was made about it at the time.

essor POMERENE. As I recall, it was charged that that election was dominated throughout by the marines, that only certain classes of voters would go to the polls and they were often handed tickets favorable to the constitution rather than unfavorable. What can you tell us about that? What information have you on the subject?

Professor KELSEY. I did my best to find out definitely on that particular ; but as I say, the only information I can give is that the French priests heard of that complaint at the time, not for two years afterwards, and simply grin when you ask them the question. They say there is nothing ever to it, and they say, "We were in a position to have heard that complaint instantly had it been real, and would have heard it instantly."

The CHAIRMAN. Well, you believe, Doctor, that even if the occupiers all possible measures to assure a free and representative election, if it were thereafter within 12 months, the government elected under those circumstances would not last?

Professor KELSEY. Oh, absolutely. I do not see any present possibility of permanent government on the part of the Haitians.

The CHAIRMAN. You believe then that even if we insured the election of a constituent assembly, and it adopted a constitution, and, according to the terms of the country and the terms of the constitution, it chose a president, nevertheless if the troops were withdrawn and the treaty abrogated, the president elected would shortly fall?

Professor KELSEY. Yes; there is no reason to question it. Haiti has more than 12 or 15 constitutions in a hundred years.

The CHAIRMAN. Including two emperors and a king.

Professor KELSEY. Not only that, but I met no Haitians who believe there was any possibility of a permanent Government at the present time. I say that deliberately, even of the men who would like to see us get out. No prominent Haitians who believed that a permanent Government could be elected.

The CHAIRMAN. They prefer, however, that we should withdraw even if the revolution was to resume its periodicity?

Professor KELSEY. In my judgment, nine men out of ten to-day want us to stay.

The CHAIRMAN. Yes; but those who would like to have us get out—

Professor KELSEY (interposing). Oh, yes; those who wanted us to withdraw say it is far better for us to withdraw and let them continue revolution after revolution.

If you are interested, let me just translate roughly a paragraph from Stenio Vincent's book, "Haiti, Telle qu'elle est."

(Professor Kelsey here read a paragraph which is included in the translation published in connection with his statement.)

The CHAIRMAN. Doctor Kelsey is going to send us several comments on Haitian society and Government by Stenio Vincent and others, are you not?

Professor KELSEY. I will do anything you ask me to, sir, unless you request too much. I want to express my appreciation of the quality and caliber of some of these studies which Haitians have made of their own country. They deserve very great credit.

Senator ODDIE. To clear up what was said before in regard to the credit system as applied to labor, what class of people in Haiti are responsible for the ills of that system?

Professor KELSEY. Well, now, they say that that was an old law, which is almost identical with our law in the United States—

Senator ODDIE (interposing). I mean, with relation to shipping labor to the United States?

Professor KELSEY. The Cuban labor situation?

Senator ODDIE. Yes. What class of people are responsible for that?

Professor KELSEY. Well, you do not have to go far from the palace.

Senator ODDIE. The natives?

Professor KELSEY. Absolutely; wholly natives.

Senator ODDIE. In regard to the alleged acts of misbehavior on the part of some of the marines, did you find in your investigations that any of those cases were based on hearsay? Did you happen to meet anybody who had actually seen any of those occurrences?

Professor KELSEY. Yes; both. There are unquestionably cases of assault, instance, or rape. I happened to be present when the first complaint was made with reference to one of the men, and I could follow the case right through. There was no question about the man's guilt. In many of those cases, however, I feel that our administration has made a mistake in not more publicly admitting the fact that the guilty men were punished whenever detected.

Senator ODDIE. That is the case?

or KEISEY. That is unquestionably the case, in my opinion. You must at the officials in charge of any organization do not always get all the

: ODDIE. Did you find in your investigation that the use of hearsay is more common in that country than it is here?

or KELSEY. That is pretty hard to say. In the absence of the printed a common method of conveying information, rumor is rampant. The Haitian has never seen or known anyone personally who has been really d. And in connection with that, gentlemen, let us remember one thing, Haitian ever says that a policy of cruelty was adopted. He always puts individual man who has committed the given act. That is a very in-oint.

owe. There is one question that I want to ask while we are talking gendarmerie. How soon do you think that competent Haitian officers developed for the gendarmerie?

or KELSEY. Oh, of course, I have no right to an opinion. I was talking of the men who was prominent in the early days of the gendarmerie, aid, "I have disappointed, in that now, at the present time, we have able to secure more first-class officers than we have been able to se- fe said, "I thought we would get them more rapidly." He said, "I ow it is going to take us longer than I had thought in the first instance." ot a question of intellectual capacity. It is a question of mental atti- long as the higher group of Haiti says, "We are going to live on the s of the peasant," you have got a problem on your hands the moment any man and put him in control.

owe. Of the gendarmerie?

or KELSEY. Of anything. In other words, he is under the temptation se that power of exploitation. The problem of Haiti is the reforming ea of the upper classes and the developing of the sense of responsibility he lower classes. Nobody can put a time limit on that.

r POMERENE. We can not do it in 12 months?

or KELSEY. I should think it doubtful.

owe. You mentioned the corvée. Will you comment on what you think ts were of the use of the corvée system under the marines there?

or KELSEY. I am very glad to comment, asking you to remember one at I can pass no judgment as to the extent of the necessity leading to uduction of the corvée. That is a very important modification. In ords, I might have done the same thing had I been put in the position an who made that decision. He had certain things that were of para- importance, in his opinion. I have the feeling personally that the corvée biggest blunder we have made in Haiti. Perhaps we could not have hat in advance, but I suspect we should have known it, and I have the ve were told definitely, in fact, that it would have this bad result, so should have been warned by the advice given us.

undamental trouble with the corvée was the way it was executed, not e thing itself. There were individual men under the corvée, handling ouns of men, who had their enthusiastic support all the way through, er whom the men wanted to remain and continue the work after it was discontinued. But a very unfortunate situation developed in two first, the American officers at first did not seem to realize that the they gave the native subordinates to be spent for food, etc., for the went largely into the pockets of the men to whom it was given. They realize that the local chief of section was perhaps tearing up the rds of men who had served one or two periods on the corvée, and were them back into the corvée again. In that way he was able to punish ho would not pay bribes, or punish his enemies and reward his friends, some men were kept at work for several months. Of course, the aver- ger seeing the great mass of peasants would not know one from the He would not recognize the fact that John Jones had been sent in two s times. He was utterly ignorant. That gave the agitator the oppor- o say to those natives, "You see what the Americans are doing. They ming to enslave you once more." I can give you later on, if the ques- ss, the same illustration from Santo Domingo.

or POMERENE. Was this done by the natives themselves?

ssor KELSEY. By the natives themselves.

or POMERENE. And not by the marines?

ssor KELSEY. Not by the marines.

Senator POMERENE. But that does not prevent the throwing of men and marines?

Professor KELSEY. Oh, no. The word was sent out to the chief of — "Send in so many men to work on the road." He gathered them together and they were sent in, sometimes manacled. They were often sent Haitian gendarmes along the road. And the natives make much more complaint about the native gendarmes than they do about the marines in connection with that.

The next bad blunder was that the corvée system was continued, as you know, for a time after it was ordered stopped. That was very serious.

Senator POMERENE. Are you able to state who was responsible for that?

Professor KELSEY. I have no personal knowledge. It happened long before I ever reached there.

Mr. HOWE. We have that in the record, the order stopping it.

Senator POMERENE. I know there was some testimony, but I thought, for the professor might have some further information.

Professor KELSEY. It is a very interesting point.

Senator POMERENE. I have no doubt that that did create dissatisfaction. It was all wrong.

Professor KELSEY. It did; but I can take you into other districts of Haiti where it led to no dissatisfaction and where the men asked to have it continued.

Senator POMERENE. Will you comment on that?

Professor KELSEY. At the very outset I might mention the fact that it was a question of the way in which it was handled. For instance, the man who was in charge at Cayes, according to the story told me, was in the habit of getting local business men to go out and see the road-construction work in the neighborhood in what was being done, with the result that when the order came to stop it they offered to donate a considerable sum of money to have the road work continued. I think the whole system was unfortunate because the expenditure of a vastly less sum of money would have built the roads, would have given employment to the natives, and would have made the natives eternally grateful to us as Americans. Looking back now, it would have been far cheaper to have built the roads with paid labor.

Senator POMERENE. How would you furnish that money?

Professor KELSEY. That is another problem entirely; I am not passing on that. But I say that in the amount of money, it would have been far cheaper to have built those roads and paid for them than to have suppressed the rebellion that came. Of course, I appreciate the problem of the money, and I guarded myself against any such implication by my first statement, that I did not know what I should have done had I been in the position of the man who felt the necessity of getting a given thing through.

Mr. HOWE. Under the corvée system, as I understand it from the beginning, we have had, each native could be required to work three days, and if it had been kept within that limit I suppose there would have been no objection.

Professor KELSEY. There would have been no objection whatever if the limit had been limited. As a matter of fact, some men are said to have worked three or four months. If it had been kept within the limit and if the men had been locally employed, I think there would have been no trouble. You know the distribution of the population in Haiti. There are large sections there unpopulated, and that meant the transfer of men to those districts. In my judgment, there would have been no trouble had there been a small, regular payment to the men.

Mr. HOWE. There was recently before the committee a witness, a Haitian, who told the committee that the proposed refunding of the loan is not popular in Haiti, and that it would be repudiated universally by Haitians. If there is any choice left to them, and that it is not needed. Have you any comment on that testimony? Would you agree with it?

Professor KELSEY. The financial situation in Haiti is extremely deplorable and more or less desperate, but you must remember that this is, to a certain extent, a reaction because of the war situation.

Senator POMERENE. It is not limited to Haiti, I think.

Professor KELSEY. No; not wholly limited there. That is my personal opinion. But it would be tremendously to the advantage of Haiti to pay off its existing European obligations at the present rate of exchange. I am rather critical of the extent of the antagonism toward that loan. The difficulty is that a great many Haitians believe that if there were such a loan it would be a

merican control; and inasmuch as those who are talking about our to it want to get rid of us, of course they are opposed to anything that utilized by Americans to meet the situation there.

or POMERENE. That is, they want to control the expenditure of it?

ssor KELSEY. Yes, sir; if you will give them control of the expenditure, they will borrow all you are willing to lend them.

or POMERENE. For what reason do you think that?

ssor KELSEY. Partially on the basis of past history, I am afraid, Senator.

or POMERENE. What do you mean by that?

ssor KELSEY. I mean that so far as we can see they have never visual-thing more than the immediate result of the borrowing of the loan. ive not seen the tragedy that comes with the question of repayment.

or POMERENE. That is, you think it is the ones who have grown up with ught that they should govern down there who are objecting to this

ssor KELSEY. Yes.

or POMERENE. And that that objection would be withdrawn if they e intrusted with the expenditure of it?

ssor KELSEY. Yes. A prominent Haitian told me that 2,000 men control bsolutely. Two thousand was his figure, but if you travel around Haiti while you are very apt to think that is very greatly magnified.

or POMERENE. So that it is not a democracy, but an oligarchy, under ircumstances?

ssor KELSEY. Yes; self-appointed.

or POMERENE. Now then, let me ask you the question again—first, a nary question. How long has it been thus?

ssor KELSEY. Always, so far as I can learn.

or POMERENE. Now then, point out what has been done by this edu-lass for the development of the people down there throughout the island.

ssor KELSEY. With the exception of the beginning of the system of edu-with emphasis on the top and not on the general education of the mass; ie exception of the development of governmental machinery, with the is on the top rather than on the foundation—nothing. There have been three Haitian presidents who seem to have had broader vision and wider of the real foundation of national prosperity. Those men, however, have ort lived, as a rule, with the exception of the very first of the type—

or POMERENE. He was down in the southern part.

ssor KELSEY. In the southern part, in the time when the country was l.

l has tried to develop a superstructure of European civilization on an a base. In a word, in my judgment, the Haitians have not yet learned adamentals of national prosperity. I do not believe there is any national in Haiti. I do not mean to say there are no individuals who do not see s involved, but I do not think there is any national spirit in Haiti.

or ODDIE. What is your opinion about foreign interests in Haiti, or pos-tempts on the part of foreign interests to come in there?

essor KELSEY. All business men in Haiti frankly state that the money older days was made either by speculation in the currency or by violating stoms laws. To that, of course, you will add the financing of revolutions governments in the suppression of revolutions. Money has not been made iti by the development of legitimate business, of commerce. The earlier in control of business was largely French. The later group was almost German.

CHAIRMAN. That was true prior to 1914. was it not?

essor KELSEY. Yes; the Germans were in control prior to 1914.

CHAIRMAN. Did they foment revolutions?

essor KELSEY. The individual merchant did not always foment revolu-out he financed it.

CHAIRMAN. After it was fomented?

essor KELSEY. Yes; or he might finance the Government. One President d a revolution himself in order that he might rule as a military despot.

CHAIRMAN. How much did they make out of fluctuations in the value of ourde?

essor KELSEY. I just remarked, Senator, that there are three great sources venue there, and the first was the speculation in the gourde.

e CHAIRMAN. And that was to the disadvantage of the peasant?

Professor KELSEY. Always.

The CHAIRMAN. It robbed him, they told me, I remember, of about the value of his crop.

Professor KELSEY. It might very well be. I have not mentioned it here must not forget in passing that incidentally we have been of the greatest to Haiti in the last few years, because we have stabilized the currency and gourde has been kept at five to one. What would have happened in that or what would happen there now if it were not for that financial support? In the United States it is hard to imagine. The Haitian does not see that. He is not an international financier, but it is a real thing. You see, the value had gone down prior to our going in there as low as 2 cents, I believe, and had gone back to 20. Nominally the value is 96.

Senator ODDIE. And they have printing presses there?

Professor KELSEY. They have had. By a very curious wrinkle the paper currency has been secured and the token currency has not been.

Senator POMERENE. What do you mean when you say the paper money has been secured?

Professor KELSEY. I mean that certain taxes are pledged for its redemption. There is no security back of the token money, except the credit of the Government.

The CHAIRMAN. Doctor Kelsey, I wonder if you would say to the committee whether you believe we ought to withdraw within 12 months, as suggested by those who do not believe we ought to assume any responsibility for Haiti.

Professor KELSEY. You will remember that I began by saying that if I had any advance idea with reference to our policy in Haiti, it was that we should withdraw as soon as possible. I came away from Haiti thinking that we should have to stay for 25 years or else forfeit our opportunity to be of real benefit to the Haitian people. Of course, I am using 25 years as a round number.

The CHAIRMAN. By that do you mean that if we are to help them reach a stable society and a true civilization it will take that long?

Professor KELSEY. It will take a considerable period of time. You have to train a new group of men to new standards of public morals. At the moment you say you are going to stay there until that job is done. You are going to have more Haitians back of you than any American realizes—Haitians who dare not say a word in public at the present time.

Senator POMERENE. You say they do not dare to. Why do you put it that way?

Professor KELSEY. Because they do not dare to.

The CHAIRMAN. You mean, if we were to withdraw and they had taken another view, the consequences to them—

Professor KELSEY. Their lives would not be safe.

Senator ODDIE. Referring again to what I asked you a minute ago, I ask what do you know of the efforts of German interests to regain control in Haiti?

Professor KELSEY. I have no knowledge of attempts to get control, but I have generally stated in Haiti that in spite of the sequestration of German property and so on, many of the Germans probably really did not dispose of their property, but turned it over to trusted Haitians with some provision for a subsequent return.

The German was a good merchant. As a rule, he was a higher-grade man than the American who had gone there, and a better trained man, and he was married with the prominent families, so that his relations were very close. The German is now coming back, and I do not see any competition of American business men that is going to prevent it.

Senator ODDIE. Is it your opinion that the German interests want us to draw immediately?

Professor KELSEY. I do not think I met a foreigner in Haiti who felt that we should withdraw regardless of nationality. There were very few Germans. There were many Germans of the second generation with whom I was acquainted, but there were very few Germans of the older group who were back in Haiti at the time I was there.

Senator POMERENE. What do you mean by the "second generation"?

Professor KELSEY. Descendants of Germans, those who had intermarried with Haitians as a rule. I think I may say that foreign sentiment in Haiti is practically unanimous in Haiti that it is our duty to stay there. That is mainly the attitude of the French priests.

CHAIRMAN. Yesterday Doctor Gruening, who spent, I think, some three days in Haiti, spoke of the appointment of General Russell as high commissioner. Do you care to express any opinion on that appointment?

SER KELSEY. General Russell has commended himself to the Haitians by his absolute squareness and honesty in all of his dealings with them. Most Haitians do not know him intimately, but those who have come in contact with him have become very friendly in their attitude. He is not the man who goes out on the public platform to advertise himself. He knows his duty was a certain definite thing, and he has done it to the best of his ability. I know of no man connected with the American group there whose appointment will be more favorably received by the best men in Haiti.

CHAIRMAN. Do you think that on the whole it was a good appointment?

SER KELSEY. I do not see how you could make a better one, recognizing the facts in that connection one thing. The problem in Haiti is not military; it is political. That is the one thing we need to look out for with reference to the future of Haiti. It should be under civil control, not military, in its future development.

MR. ODDIE. Is it your opinion that a certain group in Haiti would be hostile to the appointment of any American?

SER KELSEY. There is a good deal of human nature in Haiti, certainly. I will object to anything.

ANGELL here submitted certain memoranda, Nos. 1 to 5, inclusive, and copies thereof, prepared by and offered on behalf of the Union Patriotique. On the suggestion of Mr. Howe it was ordered by the committee that copies thereof, when prepared, be placed in the record.)

Upon, at 4.55 o'clock p. m., the committee adjourned to meet at 10.30 o'clock tomorrow, Friday, March 10, 1922.)



## Y INTO OCCUPATION AND ADMINISTRATION OF HAITI AND SANTO DOMINGO.

FRIDAY, MARCH 10, 1922.

UNITED STATES SENATE,  
SELECT COMMITTEE ON HAITI AND SANTO DOMINGO,  
*Washington, D. C.*

Committee met, pursuant to adjournment, at 10.30 o'clock a. m., in the  
room, Capitol, Senator Medill McCormick presiding.  
: Senators McCormick (chairman), Oddie, and Pomerene.  
also: Mr. Walter Bruce Howe and Mr. Ernest Angell.

### STATEMENT OF DR. CARL KELSEY—Resumed.

WE. In your testimony yesterday, Doctor Kelsey, you made the state-  
t substantially from the time the French left the island up to 1918  
l been no exportations of sugar. In your report you mention large  
antations, and you give the figures for the sugar export of 1919 and  
er references to sugar cultivation. Will you comment on that, so  
ove any possible misunderstanding?

OR KELSEY. Yes. There is a good deal of cane grown in Haiti, and  
but if you take the plain of the north, near Cape Haiti, which was  
r of the heaviest production under the French, for the last indefinite  
of years, it is doubtful if there has been more than 500 acres of cane  
ntire plain. There is a little planting of cane about Port au Prince  
or three different directions. Most of that has been used locally,  
an ordinary foodstuff or turned into rum. So far as I am informed,  
time the French left until 1919 there was no exportation of sugar.

OWE. I had opportunity to read through portions of your report last  
d I find, on page 128, that you comment on the fact that the revolu-  
most always have started in the north of the island, and you say it  
hat distance from the capital has been the chief factor, as some have  
but others have tried to show that there are differences in the people,  
gree of culture, etc.

ir opinion, would the lack of any kind of roads between the capital,  
outh, and the revolutionary district in the north have any bearing  
ccurrence of revolutions in the north?

SOR KELSEY. Well, it would have bearing on the ease of suppressing  
ms that break out everywhere, whatever the underlying cause might be.  
sed that with a great many Haitians, who were not agreed as to just  
ting point of the difficulty. The same thing, incidentally, is true in  
omingo; most of the revolutions have broken out north of the central  
n range.

ed up by accident an old Spanish book, dating from about 1860, on  
itions in Santo Domingo, in which the author pointed out very clearly  
m a military standpoint no central government at Santo Domingo City  
ver maintain itself in security until there was a road built north  
nto Domingo into Cibao which would make it possible to move bodies  
very quickly. You take in the old days in Haiti when the Govern-  
ometimes went into the southwestern peninsula and gathered forces  
and carried them away up into the hills, 50 or 60 miles, perhaps, to  
theast of Port au Prince, which is a difficult marching proposition.  
se, it is relatively simple for them, because they march through the

woods. Then when they fought their conflicts the Government simply donned them up there and let them get back home as best they could that a system of roads throughout that island would tremendously aid the ease of maintaining order. It is obvious.

The CHAIRMAN. I remember that 10 or 12 years ago the archbishop of Santo Domingo told me that he regarded a highway from Santiago as the most important single public work to be carried out.

Professor KELSEY. In my judgment the roads of the island should take precedence over schools.

Mr. HOWE. Would you include in that a certain mileage of roads for strictly military purposes primarily?

Professor KELSEY. Starting on the basis of what you now have, it is not to see much more than is actually necessary. I would think it desirable to have a good east-and-west road from Santo Domingo through to Port au Prince, which would be very easily constructed. Practically speaking you have a good road now from Santo Domingo through Monte Cristi to Cape Haiti. My own course, is nothing. I should think probably there should be a good road from Cape Haiti, down through Grand Riviere and Bahon into the upper end of the San Michel Valley, rather than following the old trail over the Pico de la Montaña.

The CHAIRMAN. Do you not believe that there should be some connection between Las Cahobas and Mirebalais?

Professor KELSEY. Oh, there is no doubt.

Mr. HOWE. That would be the most direct route north?

Professor KELSEY. That would be the most direct route north, much shorter than the present route.

The CHAIRMAN. And these observations of yours as to the justification for military roads are based not only on the present situation, but on the future of the Governments of both those countries?

Professor KELSEY. As I say, I think we can exaggerate the amount of roads needed immediately for military purposes. It is not much. It plays right into the other, as a feeder.

The CHAIRMAN. Doctor, the roads that you have named appear to me almost, if not altogether, as important socially and commercially as for military purposes.

Professor KELSEY. They are.

The CHAIRMAN. I want to ask the doctor if he has any information to give the committee about the prevalence of voodoo, or if he thinks it worth while to give it to the committee.

Professor KELSEY. Of course, voodoo is a much-disputed and at times a little overworked term. It depends somewhat on just the signification that you put into that word. If you are referring to the religious belief of the ignorant, and it is universal. Over that is a very thin veneer of Christianity. If you limit the term "voodoo" to apply to certain types of dances—

The CHAIRMAN. No; I mean more particularly the belief in spirit magic, of voodoo doctors, and so on.

Professor KELSEY. I have tried to indicate in my report that we are dealing with two Haitis, the one which has absorbed the European ideas, and the other which retains the African. The great mass of the Haitians are African in their religious concepts and in their practices of life. Now, the voodoo dances, which were prohibited years ago by the Haitian Government, but that prohibition was never enforced, and it is not strictly enforced at the present time.

Senator POMERENE. You mean by that that there was a law prohibiting it which was never enforced?

Professor KELSEY. Yes; it has never been enforced as far as I can find.

The CHAIRMAN. You do not identify the voodoo dance with the bacchanal dance, which is danced every Saturday, do you?

Professor KELSEY. No; but that term, "voodoo," is used so indiscriminately that it is of very little value.

Mr. HOWE. Do you care to ask the doctor to summarize his views?

The CHAIRMAN. Yes; if he cares to do so.

Professor KELSEY. I think I have summarized them here [indicating] more on Haiti more carefully than I could in an offhand statement.

The CHAIRMAN. Do you discuss there what has been done and what ought to be done along educational lines, hospitalization, sanitation, and the general development of the island?

Professor KELSEY. I have tried to indicate what the present situation is and have not entered into it in detail as to what might be done, because

is utterly valueless unless one knows the conditions under which that report is to take place.

POMERENE. Have you gone fully into the activities of the marine occupation they have been there?

DR KELSEY. I have tried to describe the various features of it; yes, sir.

POMERENE. The doctor yesterday made a suggestion which impressed me much, in view of some things which developed in, I think, Santo Domingo, that as these marines were from time to time court-martialed and punished for certain improper or cruel acts, there was little or no publicity about it. I remember very distinctly one case in Santo Domingo, in which a marine was made against marines of cruelty and apparently were well sustained by the testimony. Later on we found that all, or nearly all, of these men had been named had been court-martialed and punished and were then in the United States in certain penitentiaries, etc. That was apparently to the Dominicans who were there in attendance and heard it, seemed the first time. Do you recall that, Senator Oddie?

ODDIE. I remember it was spoken of afterwards.

POMERENE. Of course, whatever delinquencies and failures to punish have been, they ought to be punished.

DR KELSEY. An American in Cape Haiti told me of one peculiarly discreditable performance, due probably to alcohol, as most of those things are, for a man was tried and was punished. The only notice of it that appeared in the press—apparently because the press was told not to display it—the two-line comment that utterly escaped any observation. These Americans felt that a very great mistake was made in not compelling the press, if necessary, to make a full statement of what was done with this

we. By whom do you mean the press was ordered not to display it?

DR KELSEY. The newspaper editor said he had been told by the military not to make any mention of it. I do not know what the facts are in that, but that is unimportant. My point is that the military authorities have told the press to display it and make it prominent.

WE. If there are no further questions, I should like to offer this report of Kelsey in evidence.

AIRMAN. That has been agreed to.

Report referred to is printed in full in this record following the conclusion of Professor Kelsey's testimony.)

AIRMAN. Captain Angell, do you desire to ask Professor Kelsey any questions?

ANGELL. Yes. You said, Doctor Kelsey, that you learned of the alleged activities of the marines in Haiti before you went down there from the pages of the publications, particularly the Nation and Current History. Do you know whether or not such articles or news items as you may have read at that time dealt chiefly with the charges that General Barnett, the commandant of the Marine Corps, himself made?

DR KELSEY. Some of them, I know. I had a reprint of Mr. Johnson's article in the Nation. I did not pay any particular attention to the charges because I was not going there to investigate the Marine Corps, but, as a matter of fact, that is the way the information came to me as to the alleged charges.

ANGELL. You remember, do you not, that the so-called Barnett charges in the Barnett report of September or October, 1920, were very largely repeated in the press all over the country and displayed on the front pages of the principal New York papers, both Democratic and Republican?

DR KELSEY. I believe so.

ANGELL. And that mention was made of this by President Harding when he was a candidate. Did I understand you correctly to say that there was a feeling of relief when martial law was restored in June of last year?

DR KELSEY. To the extent that the President of Haiti wrote a letter commending the commanding officer on such action. And that feeling was shared by a considerable number of men with whom I talked. Some of them mentioned it to me in advance.

ANGELL. Would you say that the glad acceptance of martial law was

DR KELSEY. I should doubt if I could say it was general, because the man never thought about it; knew nothing about it. The agitators who

were carrying on their schemes and hoping to overthrow the existing government were, of course, very much disgruntled. The thoughtful people were certainly very grateful. Many prominent men in Port au Prince told us we must not take those newspaper reports too seriously; that they were for propaganda purposes and did not really represent the conservative thought of the country.

Senator POMERENE. When you say "prominent people," do you mean Haitians?

Professor KELSEY. Haitians, yes; I am talking of Haitians. They came and apologized for that sort of language in the papers and said they did not believe in it. I had a number of conversations with very prominent Haitians on that point. They saw the danger that was involved.

Mr. ANGELL. Just now you spoke of the agitators who were hoping to overthrow the Government.

Professor KELSEY. So much so that there was a plot to kill the President.

Mr. ANGELL. Do you think there was any considerable group of people in Haiti who really thought they could overthrow the Haitian Government with the marines there?

Professor KELSEY. No.

Mr. ANGELL. Then any such idea would have been confined simply to the notion of getting rid of the present incumbent?

Professor KELSEY. Not wholly.

Mr. ANGELL. How would they hope to overthrow the native Government with the marines there?

Professor KELSEY. Because they thought they could stampede public opinion in the United States, which was the thing they were after.

Mr. ANGELL. And start out by assassinating the President and members of the Government?

Professor KELSEY. Yes, sir.

Mr. ANGELL. Do you understand that there was actually any such plot on foot?

Professor KELSEY. I was told so by the Haitians. Of course I was not a party to it.

Mr. ANGELL. May I ask, do you really believe there was any such plot? Would that come within the class of rumors which you said were so common in Haiti?

Professor ANGELL. The only possible answer to that is to say that if there was not such a plot he was probably the only man that ever filled the position that had not stirred up such a plot. I mean, there were always plots against all Presidents, and I see no reason to make an exception of the present incumbent.

Senator POMERENE. What was the date of this plot that you are speaking of?

Professor KELSEY. I can only speak of the date on which information came to me. That was in June, 1921.

The CHAIRMAN. Let me also put a question as to the existence of martial law to which reference has been made. Under the proclamations to which you have referred, the martial law, so called, was applicable to the press?

Professor KELSEY. Only, as I recall it.

The CHAIRMAN. It was in force prior to that as regards the security of persons of the marines and the gendarmerie?

Professor KELSEY. Yes, sir.

Senator POMERENE. Well, was the date of this plot that you speak of prior to the resumption of martial law, so far as it applied to the press?

Professor KELSEY. Yes.

Mr. ANGELL. Did you hear the names of any persons who were supposed to be connected with that plot?

Professor KELSEY. No, sir.

Mr. ANGELL. That is, it was merely reported to you that there was a plot on foot?

Professor KELSEY. Yes.

Senator POMERENE. From what class of people did you hear that?

Professor KELSEY. I think from some of the men whom I considered rationally well informed.

Senator POMERENE. Were they members of the Union Patriotique or not?

Professor KELSEY. I can not answer—I mean I do not know.

Mr. ANGELL. There was, in fact, no attempt, so far as you know, to carry any such plot?

OR KELSEY. No.

POMERENE. If the marines had not been there, would that plot have ed out, if you have any information which would justify your ex-  
n opinion?

OR KELSEY. There was a meeting held at Port au Prince in one of the ne evening, and a man who had been active in public life in Haiti afterwards that in the old days that would inevitably have been fol-  
march on the capitol. The only thing that stopped it was the presence  
ines. I might add that no Haitian that I met thought for a moment  
resent president would have ruled unmolested had it not been for the  
f the marines.

POMERENE. Do you mean by that that he would have been removed  
linary process of election, etc., as we understand them, or by some  
ns?

OR KELSEY. By the ordinary processes of Haitians.

POMERENE. And what do you mean by that?

OR KELSEY. Some sort of revolution.

BELL. Do you think that that attitude toward the present incumbent  
: all upon a feeling that he has been to a certain extent the tool of the  
i, in common parlance.

OR KELSEY. In part, probably.

BELL. And that he has, for that reason, been unpopular with those  
pposed to the principle of the occupation and some things that have  
under the occupation and attributed to it?

OR KELSEY. That is one reason for such opposition.

AIRMAN. What are the other reasons, Doctor Kelsey?

OR KELSEY. The tremendous jealousy that has been aroused by the  
there is one man enjoying good salary and maintaining office for  
umber of years. In addition to that, you will remember that I com-  
esterday on the fact that there was always antagonism to the group

The others have had rather scant means of livelihood—I mean those  
been on the outside. The situation is quite different from that which  
our own country. The men who are out can see no prospect of  
preferment unless they can devise some way of getting in.

BELL. Do you think that the feeling of those who are the "outs" for  
eing has any relation to the nonpayment of the interest on the internal  
affects them individually?

OR KELSEY. That has been a very great source of discontent and dissat-  
in Haiti, because the Government bonds are almost the only possible  
investment of saving in Haiti, and when the payment of the interest  
ternal loans was stopped it really created hardship to many people.

It practically destroyed the market for those internal bonds, because  
a speculator would buy them, and at speculators' prices. It has been  
ly unfortunate situation.

AIRMAN. Did you hear anything of the report or charge that individ-  
oyed in the various banking houses in Port au Prince had bought up  
bers of those internal bonds at a discount?

OR KELSEY. I never heard it mentioned.

BELL. Was the dissatisfaction which you say has arisen from this  
involved in the nonpayment of interest on the internal debt directed  
e American occupation?

OR KELSEY. Yes; in part. You see, in the old days, though the income  
iently inadequate, the government tried to pay the interest on these  
ause the money having been advanced to further revolutions or to  
e revolutions, it would not do to establish the precedent that interest  
be paid on that internal debt, lest perhaps in time it might be more  
o sell a loan in an emergency. But public officials were unpaid, or  
rip, so that there are plenty of instances of public officials going  
r years, just as there were instances where the sisters of the church  
ome in from the rural districts because they were starving to death,  
ment having failed to provide any funds.

POMERENE. I think you should say, in explanation of the statement  
made about the sisters, that under their scheme of government they  
their pay from the Government itself.

OR KELSEY. Yes; the Government has pledged itself to support the  
Haiti. I do not know just the details of the channel through which  
ey has been handled, but the money has not always been forthcoming.

And school-teachers have been unpaid and all other public officials unpaid simply indicates the fact that the income of Haiti has not been adequate for a normal government, with this accumulation of debt on which interest has to be paid.

Mr. ANGELL. You were speaking of education, and you remarked, as I remember it, that there were no public-school buildings, or practically none. Is that not a fact, however, that the Government has allocated to the church, under concordat, considerable sums of money which were for expenditures in the church in what we would call church schools?

Professor KELSEY. Yes. I mentioned the fact that about half of the children actually go to school.

Mr. ANGELL. And that those church schools are supported, wholly or in part by public moneys from the State?

Professor KELSEY. Yes.

Mr. ANGELL. So that not only are there educational statutes on the books but some expenditures of public money through the church for public education?

Professor KELSEY. Yes; there is some expenditure of public money, but it makes possible education for only a very small percentage of the total number of children.

Mr. ANGELL. I believe you have in your report some figures on that. Do you not?

Professor KELSEY. Yes.

Mr. ANGELL. You mentioned 40,000, or something of that sort?

Professor KELSEY. Yes.

Senator POMERENE. That would be 40,000 out of about 400,000?

Professor KELSEY. At least that, I should say.

Mr. HOWE. I think the report shows that of that 40,000 the actual attendance is only about 14,000?

Professor KELSEY. That is probably true.

Senator POMERENE. In other words, assume that there are about 200,000 children all told. As we understand it, the rule is that there is about one child of school age in each five of the population?

Professor KELSEY. Yes; but one gets the impression that that figure is low in Haiti.

Mr. ANGELL. You made reference yesterday once or twice, Doctor KELSEY, to the present constitution of 1918. Have you had any opportunity to learn the detailed history of how that constitution was proposed and framed, particularly as testified in the hearings of this committee during last fall?

Professor KELSEY. I have not read the report of the hearings of the committee at all. I have it on my desk, but I have not had time to go through it.

Mr. ANGELL. So you have not learned the origin of the present clause providing for the ownership of land by foreigners, for instance?

Professor KELSEY. Not in detail.

Mr. ANGELL. You have said, if I am quoting you substantially correctly, that the most prominent, or at least very many of the more prominent Haitians, including the Union Patriotique leaders, do not want the United States to leave?

Professor KELSEY. I believe I said that in my judgment a great number of prominent Haitians, including some of the men who are in the Union Patriotique, were of that opinion.

Mr. ANGELL. Do you care, without violating any confidence, to give me the names of any persons who have so stated?

Professor KELSEY. No, sir.

Mr. ANGELL. And are you speaking of the opinion and judgment of the men as of the time you were in Haiti last spring, or have you kept in touch with them since then?

Professor KELSEY. I am speaking primarily of the time I was there.

Mr. HOWE. When did you leave?

Professor KELSEY. I left July 2 of last year.

Senator POMERENE. That is, you left Haiti?

Professor KELSEY. Haiti, yes.

Senator POMERENE. And you left Santo Domingo about when?

Prof. KELSEY. About the 22d of October. Referring to that matter of the land law, very many prominent Haitians told me that they believed that the land law was desirable, and they thought it would be very foolish to go back to the prohibition of ownership by foreigners.

GELL. You said that among other things to be done in the future one of the two was the determination of ownership of land?

or KELSEY. Yes.

GELL. Do you think that under Haitian customs and with the illiterate country people, that could really be made an accomplishment and kept in a state where one could tell to whom a given piece of land it any time?

or KELSEY. I do not see any impossibility in that; I see certain added. For instance, if you consider the possibility of imposing the land obvious that you must have some way of determining land ownership. You have in reality in Haiti a great many families claiming owner- large areas of land, which land is in the hands of independent peasants cultivating it. Now, inasmuch as the old Haitian law has recognized sovereignty the question of the real ownership there is a very delicate If you impose a tax, who is going to pay it? You have got to deter- land ownership. You have got to survey your country and be able to locate the location of the piece of ground.

POMERENE. Was there a land tax prior to the American occupancy?

or KELSEY. No.

WE. Is there one now??

or KELSEY. No.

GELL. Would not the successful administration of a land tax depend ability of the public authorities to tell at any moment to whom all the substantially all the land, belonged?

or KELSEY. I said it was fundamental. The Haitian Government owns to own large areas of land, but it seems to have no accurate descriptions of that land. It does not know what the Government itself owns.

GELL. Do you not think that a survey of the land of the country would expensive in the first place?

or KELSEY. There is no question of that.

GELL. And the first determination of titles an almost impossibly expensive task, assuming the illiteracy of the squatters or owners of the land?

or KELSEY. I imagine you would find the peasants have pretty definite on as to the facts of occupancy which could be established.

CHAIRMAN. If you wish to argue this point, gentlemen, I think you had generalize on what has happened in Santo Domingo, instead of dealing abstract.

GELL. In your report I notice, under the heading "Government," page is pamphlet, you speak of the existing organization of the Haitian Government. I do not find anywhere at this particular point—perhaps you at some other place in the report—any mention of the existence of a state, which is provided for in this new constitution of 1918, the of legislative functions by that council of state, and the dissolution of members in 1917, and the fact that there has been no election or convening of chambers since that time.

or KELSEY. I have mentioned that on another page of the report, but not discussed it. I have just been trying, in the paragraph you mention, a few words to draw a general sketch of what the Government in Haiti was up to the time at which we entered.

GELL. So that when you speak of the existing organization of the Government you simply mean—

or KELSEY. I am speaking of the Haitian Government and not of the changes. Perhaps I should have gone into further details, but I had certain limitations to contend with.

GELL. So this would be a general outline of the organization of the Government, rather than the facts as they actually are at the present

or KELSEY. Yes.

or POMERENE. You say you have certain space limitations, and I understand you mean by that. Have you any other treatises or articles which you prepared on this subject?

or KELSEY. No. I had hoped that I might have several months in which to prepare this, and found I had to write it within a month after going.

Mr. ANGELL. In speaking of the corvée you said you thought that was the greatest blunder of the occupation during the six and a half years we have been there. In your talks with the Haitians and with the marine officers—

Senator POMERENE. Let me understand. I did not understand the doctrine that the corvée of itself was objectionable, but the manner in which it was carried out. Am I right in that?

Professor KELSEY. Yes; it is the general result. I remember I said I did not know what we would have done had we been confronted with the problem from the standpoint of a man in charge.

Mr. ANGELL. I am glad you corrected me, Senator. I did not mean anything more than to repeat the substance of what he had said.

Did you gather from Haitians and marine officers with whom you discussed this question any idea as to whether or not the marine officers knew in advance that the administration of the corvée would be attended with such difficulties as would make it the source of great dissatisfaction?

Professor KELSEY. I was told by certain Americans that they had acted against it in advance.

The CHAIRMAN. Certain civilians?

Professor KELSEY. Certain civilians advised the military authorities against it and had been met with the answer that it was a military necessity and had to be put through.

Mr. ANGELL. Did any of the marine officers, especially those in higher authority, give you so to understand also?

Professor KELSEY. No. You see the marine officers in higher authority were there at the time had gone before I reached Haiti.

Mr. ANGELL. You said, as I remember, that in some districts they had expressed dissatisfaction with the way the corvée was administered, and that the natives had asked to have it continued. Shall we understand from that that you were referring to unpaid compulsory labor for a period beyond the statutory thirty-day period and in other districts than those where the men lived, or simply to paid road work?

Professor KELSEY. I said that they had asked to have the road work continued. The corvée has never been discontinued; it is still on the law books of the country. They asked to have the road work continued under the existing conditions.

Mr. ANGELL. And what were those conditions, as you understand them?

Professor KELSEY. Those were in those districts where, as I understand, through tactful management and regular, small payments to the men, the natives were perfectly satisfied.

Senator POMERENE. You used the expression that they asked that it continue. Whom do you mean?

Professor KELSEY. I understand that in certain places petitions were gathered up by the Haitians asking that the road work be continued.

Senator POMERENE. In other words, it was the natives?

Professor KELSEY. The natives; yes, sir.

Senator POMERENE. Not the military?

Professor KELSEY. No.

Mr. ANGELL. It was paid road work?

Professor KELSEY. As a matter of fact, there has been unpaid road work since, to a considerable extent, with the cooperation of the natives.

Mr. ANGELL. But limited, I take it, to a short period of time and in districts wherein the men lived?

Professor KELSEY. Yes.

Mr. ANGELL. Referring to the proposed loan, you said you were skeptical of the extent of the antagonism on the part of the Haitians to the loan. Do you think the extent of their antagonism or the lack of antagonism has any connection with the operation of the loan and the necessary continued financial control of the country?

Professor KELSEY. My impression is that the first reaction against the loan was due to the feeling that the United States had definitely promised at the very outset of negotiations to make a considerable loan, which it had failed to make, so that after a time they said, "Well, you did not make the loan, you won't make the loan. Now we won't have it." It was just a general irritation.

The CHAIRMAN. Was that irritation, some of it, personal with the financial adviser?

or KELSEY. Some of the later irritation was, I suspect, personal. So far the average man analyzed the situation I do not know. They were very much depressed over their financial situation; they did the way out,

NGELL. If the United States were itself to make a loan to Haiti, or the making of a loan to Haiti by private American bankers, and United States marine forces and treaty officials were to withdraw, there would be no opposition to the loan, would there?

or KELSEY. I think not.

NGELL. Do you think that the opposition would be genuine and at spread if the Haitians realized any such loan would have to be led by continued control of their finances for the life of the loan, for 40 years?

or KELSEY. Well, there are many thinking men in Haiti that recognize the fact, and no matter how much they may regret it as a fact they

NGELL. What do you refer to as a fact? The necessity for a loan?

or KELSEY. The necessity for control.

NGELL. The necessity for control in their minds?

or KELSEY. Yes.

CHAIRMAN. By "control" you mean what?

or KELSEY. Some financial control in some way.

NGELL. Control simply of the national revenues, or of the expenditures as the income?

or KELSEY. Well, I am assuming that we are discussing some system of control there which would set apart on some definite basis the revenue to be used, comparable to the Dominican system.

CHAIRMAN. To the service of the debt?

or KELSEY. To the service of the debt.

NGELL. A moment ago, Doctor Kelsey, you said that you had not had opportunity to read the record of these hearings. I take it, then, that you did not read the testimony of Admiral Caperton, showing the detailed history of the intervention, day by day, from June, 1915, to well along into 1916?

or KELSEY. I glanced over it in a very summary fashion.

NGELL. In your recommendations or your conclusions, then, you have considered, have you, such contrast as may be between our purposes, as stated by Admiral Caperton at the time of the intervention, and the results which were used to effect that intervention?

or KELSEY. In a way, I have; in another way, I have not; because the results are not material to what we ought to do in the future. Our solution of the present problem is not to be determined by any blunders that may have been made in the past.

NGELL. Even if those blunders constituted a departure from our proper policy toward internal affairs in Latin-American countries? To question in another way: Do you think that the situation of Haiti is such that we should undertake to regulate the internal affairs of that country?

or KELSEY. My personal opinion is that we ought to absolutely control the situation in Haiti for an indefinite period—that is my personal opinion.

NGELL. And that if there is a departure from all our traditional American principles, you are in favor of marking the departure now in connection with this.

or KELSEY. If necessary.

NGELL. And without regard to the methods which were used to effect the intervention?

or KELSEY. So far as my personal knowledge goes, I have no criticism of the methods of the intervention.

NGELL. I think that is all.

or POMERENE. I want to ask this general question, Doctor Kelsey. In this report in the way that you have described to the American Society of Political and Social Science, and, I take it, that the facts, as we have stated them in this record, are the facts as you gleaned them during investigation in Haiti, as well as from the knowledge of literature that you have read on this subject—

or KELSEY. Yes, sir.

or POMERENE (continuing). That, to the best of your judgment, you have correctly stated these facts—

Professor KELSEY. I have tried to, sir.

Senator POMERENE (continuing). And wherever there are inferences or conclusions drawn, you have drawn them according to your best knowledge and belief based upon the facts as you have found them?

Professor KELSEY. I have. I had no ulterior interest of any sort, personal or theoretical, in this matter at all.

Senator POMERENE. You were not there representing the United States Government—

Professor KELSEY. In no way.

Senator POMERENE (continuing). In any shape, manner, or form—

Professor KELSEY. No, sir.

Senator POMERENE (continuing). Or any department of the Government?

Professor KELSEY. No; nor anything else that would affect the nature of my report.

Senator POMERENE. You were not representing this committee in any way or form, or either branch of Congress?

Professor KELSEY. No, sir.

The CHAIRMAN. Nor any financial interest in Haiti?

Professor KELSEY. Nor any financial interest whatsoever.

Senator POMERENE. I wanted to draw out these facts for the record, to set Dr. Kelsey right, and the committee right, and the Government right. But whether your report is right or wrong, you believe it to be right?

Professor KELSEY. I should be very grateful to be shown where it is wrong. (After informal discussion:)

Senator POMERENE. I move that the chairman be instructed to have a report made of Part I of the hearings of this committee.

The CHAIRMAN. May I have your authority to proceed to have a plate made of a little map of Haiti and Santo Domingo?

Senator POMERENE. I move, further, that the chairman be instructed to have a plate made for a map of Haiti and the Dominican Republic.

(The motion was duly seconded and agreed to.)

The CHAIRMAN. Doctor, when did you arrive in the territory of the Dominican Republic, and when did you leave?

Professor KELSEY. I landed at Puerto Plata July 4, 1921, and I sailed from the same port on, I believe, the 22d of October.

The CHAIRMAN. Will you indicate the places which you visited and country which you traversed in going to those places?

Professor KELSEY. I spent some days in Puerto Plata. I went to Santo Domingo where I remained until September, meantime making two or three trips to Monte Cristi in the northwest, spending some days at Mao on the rice plantation which has been developed there. I went east several times through Yaguajay and La Vega. Finally, I went overland, over the road which is under construction, down to the capital. From the capital I visited some of the immediately adjoining country, and I also went west as far as San Juan, not far from the Haitian border, through Azua, and then from San Juan went down to Bayama. On leaving the capital we made a brief call at San Pedro de Macoris. Then I went around the island and spent a day at Samana.

Senator POMERENE. Will you state the mode of travel that you used when you went over the island, in a general way?

Professor KELSEY. Around the coast, of course, by boat; overland, either by automobile or horseback.

The CHAIRMAN. During this time were you able to talk with various elements of the population, as in Haiti?

Professor KELSEY. Yes; and even more freely, because the Dominican speaks much better Spanish than the Haitian does French.

The CHAIRMAN. You were able to talk with the peasants, then, as well as with the educated classes?

Professor KELSEY. Yes; so far as my meager equipment would permit.

The CHAIRMAN. When you spoke of education in Haiti you estimated that the percentage of literates varied perhaps from 3 to 5 per cent. At what figure would you put it in the Dominican Republic?

Professor KELSEY. There is more disagreement of opinion on that point. The merchants tell me that not 1 person out of 10 coming into their stores from the country can read or write. The estimate of actual illiteracy, taking the population as a whole, ranges from 70 to 90 per cent. It is very difficult to get at the exact facts. The superintendent of schools, a Dominican, with whom I was talking on this question, said that that was certainly true of the country.

, but that in many districts in the last five years a very considerable children have learned to read and write, and he thought a great deal had been made.

CHAIRMAN. What have you to say about the school population, as to the children that went to school before the occupation and afterwards?

MR. KELSEY. The universal testimony is that there has been a tremendous increase in the school population, particularly in the rural districts.

CHAIRMAN. Is it fourfold? Do you subscribe to that estimate?

MR. KELSEY. I have given a fairly definite statement in my report. In my hands in this way I rather hesitate. In one instance, I think, the increase has been from something like 13,000 to 100,000, but how that applies to the whole country I can not answer. All classes everywhere make reference to education, that there has been a tremendous increase in the last five years. You see, Mr. Chairman, I am afraid of these figures there has never been any accurate source for them.

POMERENE. I think we have in a report from some of the occupants some very definite figures as to the number of children, as to the number which were going to school, and the percentage of attendance among those who were enrolled.

MR. KELSEY. Yes; that you can get.

CHAIRMAN. Among the undertakings by the military government which have met with forth criticism is the road from Monte Cristi to Santo Domingo—criticized until a few months ago at least. What have you to say of that?

MR. KELSEY. That is a fundamental necessity for the country, and is so recognized by every independent native.

CHAIRMAN. Is it too elaborate, too well built, too expensive?

MR. KELSEY. The critic, of course, says that it is too expensive, but it is remembered that in part it was undertaken at a time when all expenses were high. In part, difficulties that no man can imagine who has not been through that country had to be overcome, which made it more expensive than the promise of being.

There is very little real objection to the road-building program on the part of the Dominicans. They are using those roads to the utmost, and many have suggested to me that we should complete them instead of leaving them unfinished. Now, there are engineering problems involved, and I have no independent judgment whether you ought to build a concrete bridge here, or a wooden bridge. I am not prepared to answer that.

CHAIRMAN. Do you think it as important to build a good highway along the coast, say from San Pedro de Macoris to Barahona, as it is to complete the road from north to south?

MR. KELSEY. Almost, because it will open up very attractive areas. The reason is that the district around San Juan, for illustration, should be a producing center of beans, miscellaneous vegetables, and other things. At the present time they can not produce and market to any advantage. And through there will be taken advantage of instantly.

It is that the Dominicans have started bus lines wherever they can run a line, even to Barahona, which is an extremely difficult trail, is an indication of their realization of the value of the road. The way the people at the turn in to do the work when they found money was running short the approaches to that great bridge over the Yaque del Sur could not be denied, is an indication that the Dominican is in favor of the roads. No question about that.

CHAIRMAN. Will you tell the committee something about the agriculture of the Dominican Republic, as compared with that of Haiti?

MR. KELSEY. It is much more advanced. To begin with, you have some extent of large sugar plantations. Now, although there is a considerable amount of cane in Haiti, it is nothing in comparison with Santo Domingo. I have some very large centrales, with thousands of acres under cultivation. Some of it is long established; some of it, like Barahona, which I mentioned, at the mouth of Yaque del Sur, in a country which must be irrigated. That is an experimental plantation, involving a very large investment of capital. This happens to be American capital, I am told, with some \$10,000,000 already invested, and they are grinding sugar there for the first time this winter. On the south shore you have about a dozen rather small plantations, Barahona in the west and La Romana in the east being the largest. There is a little district in which there is a good deal of

planting at Puerto Plata in the north. There are scattering patches of coffee—where—a little of it over at Monte Cristi.

The great central valley, which is in part an extremely rich area, a basin valley, is as a rule in rather small holdings, which seem to average perhaps 10 acres, of which perchance 10 acres will be under cultivation. This is the Cibao, as they call it, gives you the impression of a population more prosperous than in any other section of the island. It may be only apparent, because of the natural beauty of the country and the way in which it is cared for—they have a good, rich, well-drained soil. Here you find your cacao plantations. You find around Santiago a considerable amount of tobacco. The road makes its way out along the railroad down to Samana or north to Puerto Plata. It is a district of more or less miscellaneous agriculture.

The methods of agriculture are still crude. There is comparatively little power machinery used, except on the sugar plantations. When I say power machinery, I am referring to the use of real plows and cultivators with animals. They have been introduced, and are more common than they are in Haiti, where you practically never see a plow. The general impression of Santo Domingo, over against Haiti, is one of far greater prosperity.

The CHAIRMAN. The visible per capita wealth is greater?

Professor KELSEY. Oh, markedly. The peasants are vastly better dressed. You see, the density of population is only about one-fourth as great as in Haiti. The Dominicans are all landowners. Most of them cultivate the land. They are well dressed. The Dominican almost always wears shoes. The Haitian peasant can seldom afford shoes. The animals appear both more numerous and better cared for. Their foreign trade alone indicates that Santo Domingo has been more successful financially than Haiti.

The CHAIRMAN. Would you say, then, that the greater literacy and the period economic condition of the Dominican Republic presents a social and political problem more easy of solution than that of Haiti?

Professor KELSEY. No, sir; particularly if you have in mind at all real progress with the rest of the world. The social problems do not become less serious when the level is raised.

The CHAIRMAN. I had in mind particularly the establishment and maintenance of an effective government—a Dominican native government.

Professor KELSEY. Well, I am not sure how far that can apply. More progressive people, if we may trust the accounts which come to us from around the world, are frequently as obedient to law as the highly developed people. It is more a question of tradition.

The CHAIRMAN. Are they able to choose their own governments?

Professor KELSEY. There you encounter again the divergence of opinion as to how the actual man is chosen. You find on the part of Dominican statesmen and leaders a pretty frank statement that all the voting of any significance has been done under orders in all their history. It is not a real expression of personal opinion. You have not a larger group with independent judgment; if that lower group have an illiteracy ranging from 70 to 80 per cent it is clear that the absolute control is in the hands of the upper 10 per cent, to say the least.

The CHAIRMAN. I was seeking really to get your opinion as to the policy of the United States relative to the withdrawal of the American troops from the territory of the Dominican Republic and the establishment of a Dominican government.

Professor KELSEY. I have tried to cover those points in my report. Of course I am delighted to speak offhand, asking you always to remember that a fully written statement is probably more reliable than an informal statement.

We made our first big blunder with reference to Santo Domingo when we permitted the overthrow of the Caceres government in 1911 and its replacement by a revolutionary régime instead of following out the law of the country.

We made our second big blunder when we permitted the increase of internal debt under President Nouel to the extent of about \$1,700,000, as I call it, offhand. We had told Santo Domingo in our earlier convention hereafter the government was to be orderly, and that the debt of the country could not be increased without the advance consent of the United States. At that moment we permitted both the increase of the debt and the revolutionary overthrow of the government we satisfied the Dominican politicians that we could bluff us on any proposition—that we would not interfere. We did not interfere, therefore, in Santo Domingo when we should have interfered. That was my first summary of the situation.

POMERENE. Will you allow me to interpolate this? We took possession in 1908 under the treaty—

or KELSEY. Of the financial administration?

POMERENE. Yes; and it appeared before our committee at Santo Domingo between 1908 and 1916, when our marines entered, there were four of them, one of which lasted for a period of 11 months. Now, your thought is that we should have intervened earlier—when these revolutions occurred? Is that it?

or KELSEY. The first one after our convention.

POMERENE. And that we should not have permitted any increase of public debt?

or KELSEY. I am merely trying to point out what effect our acceptance of the debt would have produced.

POMERENE. But also on that question of debt—if you are familiar with the figures, perhaps it is not necessary for me to state them—but between 1908 and 1916 the testimony shows that the internal indebtedness had increased to \$16,000,000 plus; and that this commission which was appointed, composed of two Dominicans, two Americans, and one Porto Rican, after a very thorough investigation reduced that \$16,000,000 to \$4,200,000 of bona fide debt.

or KELSEY. Yes; but it was our initial recognition of the first small step that encouraged them to go on with their financial program. If we had taken positive action with reference to those two things, it is entirely conceivable that the later situation might not have arisen.

or KELSEY. Before we get much further from the questions at the beginning of the examination on the Dominican Republic, will you give us a description of the racial characteristics of the Dominicans as compared with the Haitians?

or KELSEY. There is a larger percentage of mixture with the white race in the Dominican Republic than in Haiti. No one really knows how much is one or what the percentage of what we call white blood would be in Santo Domingo. The color tone of the Dominican is dark rather than light. There are a good many whites in the country, but most of the whites of the Dominican Republic have intermarried with the Dominicans, and is it doubtful if there is much of a white population of the second or third generation that is pure white blood. One can only say, therefore, that the actual line of descent is a larger percentage of a European admixture. You also see what I see anywhere in Haiti, indications at times of Indian features—very Indian features—in the northern part of the island. Historically, we find that there was less antagonism, fewer sharp breaks, and that there was a better blend with the indigenous population.

or KELSEY. The greatest contrast, perhaps, between the two countries is that Haiti has a reputation of being black and that Santo Domingo has claimed to that it was the Dominicans despise the Haitians. I never have seen a sharper expression of color prejudice than is manifested there. The Dominican claims to be a Latin, with Latin culture.

POMERENE. Are you able to express an opinion as to what is the chief dislike?

or KELSEY. I think that in part it is historical, because of the fact that at one time controlled Santo Domingo. And in part, I think, it is a desire to be identified with the white group elsewhere, and that they think that the only way in which that could be done was by denial of connection with the darker group of Haiti.

POMERENE. Haiti, I believe, invaded and had control of Santo Domingo probably 20 or 25 years?

or KELSEY. Yes; and Haiti is now invading Santo Domingo. I mean a large migration of Haitians into Santo Domingo is taking place, because of greater economic opportunities.

POMERENE. Is that permanent, or is it just during certain seasons of the year? I might say that while we were there I had some information that these waves were over there during the cane-cutting period, etc., and would return when the cane-cutting period was over.

or KELSEY. The older practice in Santo Domingo was to issue a permit for these cane plantations to bring in laborers, which were brought miscellaneous from the West Indies, not primarily from Haiti. So far as my information goes, the Barahona Co., in the west, is the only one which has drawn a considerable extent upon Haiti.

or KELSEY. When the Haitian comes in and finds a larger opportunity he is likely to stay, and there is a very considerable proportion of the population of

the towns and villages in the northern part of Santo Domingo that is H. There are several thousand Haitians residing permanently in Santiago. They have a permanent population of some 20,000. They have quickly adopted the Spanish language, and are indistinguishable.

Mr. HOWE. Mr. Chairman, the witness has been giving a running account on our action as a Government in the Dominican Republic, and I would ask if he has anything to add to that or draws any conclusion from that.

Professor KELSEY. You are asking a fundamental question. It is the fundamental question. The question of whether law No. 1 or law No. 2 passed by our forces there has been unwise is of relatively small importance. It is obvious that we have established order, on the whole, in Santo Domingo with relatively very small difficulty. It is obvious that we have maintained peace in the country on the whole very satisfactorily. But the fundamental question remains as to what we are doing there and what we are going to do in the future. My personal ideas are of no particular importance, because the Government of the United States has stated the terms under which it would draw.

Mr. Wilson made the first proposition, which was not accepted. There was nothing done, apparently, because the Dominicans believed they would have a more favorable proposition, as they considered it, from the incoming administration. President Harding finally—I use his name merely as the head of the Government—made his suggestion in the early summer of 1921. That suggestion was known to the Dominicans in this country and in Santo Domingo in advance, and apparently the local politicians and press decided to oppose it as they did, so that almost on receipt of the details they were able to dispose of objections.

That plan, as proposed by our admiral in charge, called for elections to be held. The papers immediately came out in antagonism, called every man a traitor who would take part in any such elections, and demanded the immediate and unconditional withdrawal of the American forces. Apparently they thought that a firm statement of that sort at that time would lead to a change entirely our program. Inasmuch as our Government had been in advance that this program was generally satisfactory, obviously it was no reason for changing the constitutions—

Senator POMERENE. Do you know that to be a fact?

Professor KELSEY. One does not know certain things; he has to infer from things. I am giving my interpretation of what took place, which you, with greater knowledge, can correct.

Senator POMERENE. Was that from conferences with different Dominicans?

Professor KELSEY. Yes. I can give you, if you want, the places where I have detailed statements and the places where I am reading between the lines.

Senator POMERENE. I wish you would go ahead and give that in detail.

Professor KELSEY. I was told by Dominicans that this plan had been approved by the State Department with representative Dominicans, and was accepted by them as satisfactory in advance. I am reading between the lines when I say that after it was rejected by the Dominican politicians the State Department saw no reason for changing the plan because it could not have any greater dependence on any assurance that the next plan would be acceptable. Therefore the United States gave the answer, in substance, inasmuch as the Dominicans had rejected it there was nothing left for the United States to do.

Now, that rejection dumbfounded the Dominicans. It put the political situation in a very awkward position. The one thing they had stated they wanted to accomplish most was the withdrawal of the marines. The one thing they accomplished by their rejection of the Harding plan was the indefinite retention of the marines in the island, and they were keen enough to see the situation in which they put themselves.

Now, my judgment is that there was no particular objection on the part of the Dominicans to calling these elections, but the Dominican politicians did not dare risk such an election. They have never had any completely free, uninfluenced election. To feel that an outside force here is so strong as to make it possible for any man to go up and cast his ballot as he sees fit means that you have got comparatively little control of the vote. The political leaders, not being able to foresee the result of that election, were naturally opposed to it.

ter the United States had refused to modify its suggestion—

POMERENE. Well, had the election been held, had the plan been carried would have been a contest among Dominicans themselves?

DR KELSEY. Absolutely. But they could not foresee the result of it. There is no one group strong enough to know that they could dominate. They might have time enough to dicker between groups to make any coalition they might have been put through had they had two or three months having only a couple of months, they were quite unprepared.

After this happened the Dominican political leaders began conferring together, and I was personally assured by the time I left the island in that the political leaders were ready to have the election. I have never heard since of any call that they have made for it.

My argument is that there is only one thing in our suggestion to which the Dominican leaders take serious exception. They are perfectly willing to follow the acts of the Government; they recognize that as the simple A, B, C of government. They are perfectly willing to increase the loan, however large it may be of certain expenditures made under it. They see the situation. There is no real objection to that. The real point that the Dominicans complained of to me was the presence of the American officers in the country.

That seemed to be the straw that broke the camel's back, in their opinion, that indicated to them that they were confessing to the world that they could not handle their own situation.

WE. May I interrupt you there? When you refer to the American officers, the Guardia you refer, do you not, to the stipulation in the program of occupation which would maintain a military force of Americans in the country?

DR KELSEY. Yes; certainly. Now, there are some extremely well-meaning and able Dominicans who believe that the difficulty can be met by a verbal convention, which would save the face of the Dominicans. All things will be accepted. There are some who doubt the possibility of any agreement.

WE. I should like, with the approval of the chairman, to ask this question. Did the provision for the retention of control of the internal affairs by the Americans have any great adverse effect on the treaty problem?

DR KELSEY. That is a difficult thing to say, because they do not know themselves. You see there is still a somewhat divided opinion as to the introduction of a land tax. Many of the Dominicans feel that is one of the most useful things made by the American authorities. They accept it in principle, they are rather critical of the way in which it was carried out. I have reacted just as human beings do everywhere on earth with reference to a taxation system.

POMERENE. Prior to this time there had been no land tax?

DR KELSEY. As I understand it, there had been no land tax.

POMERENE. And as I understand further, after this land tax was introduced under this scheme, which was adopted by the American occupancy, these so-called politicians encouraged the landowners not to pay their taxes?

DR KELSEY. I believe that has been true through this last year. Of course, we have to recognize that the introduction of land taxation in a sparsely populated country with, theoretically at least, large holdings of unused land does present a very serious financial problem for landholders. I think that has been recognized. It is one thing to take a large area of land that is produced and devise a fair tax upon it; it is another thing to take an equal area and and devise a fair tax upon it. But the Dominicans with whom I deal, on the whole, "We do not believe the land tax will ever be abolished, we, and hereto stay. It is too valuable a source of income for the Government."

POMERENE. Doctor, there is one matter I should like to have your opinion on. I do not have in mind the date, so that I shall refer to the event. After our occupancy the President of the Dominican Republic and several officials all resigned, after which resignations there was no Dominican Government, and it became apparently necessary for the military to extend its jurisdiction to that part of the Government which the resignations was administered by the Dominican President and his officials.

Now, I wish you would discuss that and give your judgment as to the reasonableness or unreasonableness of those resignations and what the result was.

Professor KELSEY. The answer that I should make to that, Senator, is to think it was an extremely clever political move on the part of the local officials. They had challenged the right of the United States to step in in any way. When they calmly walked out of office they threw the whole everything that happened on what they considered the invading force.

Now, that was not bad politics. It put them on the outside where they no part in the actual administration, and left them free to criticize and make appeals to the world at large. I think it was a clever dodge on their part. However, that immediately presented an extremely difficult situation both for the Washington Government and for the men in charge, and it led to my fundamental criticism of our relations with Santo Domingo.

So far as I can discover, there has not been a semblance of any proper part of the United States. We got in there by accident. Other accidents happened. That is, our train was derailed by the resignations of these officials. We had to establish an emergency relief station, and then we established a relief station and told the men to go ahead and run it, giving them almost no instructions and no program, leaving the impression in the minds of the officials there that probably they would be removed to-morrow or the day after to-morrow at the outside.

Senator POMERENE. Well, is that a fair statement? You say there was no program. There was a proposed program of an election, which was a primary step to our getting out.

Professor KELSEY. I know, but that was proposed four years or more after we went in. I am speaking of the time we went in. That difficulty probably is due to the European war situation and the fact that all our interests were wrapped up in Europe. However, it creates a very embarrassing element in our dealings with that particular country. Instead of turning right around then when the emergency arose and saying, "Now gentlemen, we have to find some solution of this," we simply took charge and instituted a civil administration by military force in a friendly country without express approval of Congress.

Now, that tallies neither with our scheme of government nor with the nature of the situation there. Somewhere we should have worked out a program and done it at the earliest possible moment.

Senator POMERENE. Now, let us approach this from another viewpoint and recognize the difficulty. I recognize the embarrassing position in which our American occupancy was placed by that resignation. On the other hand, from this viewpoint—and I do not know whether I agree with your statement or not that it was a clever move. The civil government there had been established with certain authority by the Dominican people, and as I view this it was the duty of that President and that cabinet to do the very best they could for the Dominican people, even if they were unnecessarily hampered by the American troops. And as it has seemed to me, when the Dominican President and his cabinet resigned and threw off all responsibility and left the Dominican people helpless, it was as if I, as an attorney representing one litigant, when I see that the opposing litigant and his attorney would not do what I wanted, to do or what I thought was proper for them to do, it was as if I were justified in deserting my client under that contingency simply because I could not get for him what I wanted. If that reasoning is not right, I should like to have it pointed out.

Professor KELSEY. It is absolutely right, Senator. But you are discussing a moral problem involved, and I was merely mentioning the effectiveness of the move. I am not putting my standard of government into the Dominicans. You might find ourselves in hearty agreement as to the moral problems involved there, but I say that from the standpoint of effectiveness it worked.

The CHAIRMAN. Do you think it important, in the interest of the economic development of the country and of the maintenance of order after the termination of the occupation, that the north and south and east and west highways be completed before we leave?

Professor KELSEY. Oh, that is fundamental. I think we will make a mistake if we do not do that.

The CHAIRMAN. Is there anything else we could do that would contribute greatly to the ability of a native Dominican Government to maintain peace and suppress revolutions as the completion of those highways?

Professor KELSEY. No, sir; not in my judgment. I think that is the most important thing we can do in Santo Domingo.

MAN. Do you think it reasonable, then, to refund this so-called loan and to borrow the sum necessary to complete the highway?

KELSEY. I would strongly advise it personally.

1 Americans. We have only one desire, and that is to further the and the complete independence of both these countries. I knowican in public or private life who wants to destroy that indeed who would not like the most complete development of a responsibility in these two countries. I think we are willing to pledge their future independence and their full freedom from interference the outside world. I am perfectly willing to recognize that we es, both in internal politics and in relations with outside groups. ngo and Haiti must recognize that they are a part of our political virtue of location. We can not be indifferent to what has happened mingo and Haiti.

nal opinion is, therefore, that we must help them, if necessary, their wishes. But you will remember that I have already said k we shall have the support and backing of a very large per- the population of both countries if we undertake a constructive assistance. It is much easier to discuss Haiti than Santo Domingo, have made a proposition to Santo Domingo, which may be accepted. omingo does not accept it then we have to consider our future

OMERENE. You refer now to President Harding's proclamation?

KELSEY. Yes. That, in a sense, precludes our discussion as to ght to do at the present time. Therefore with reference to Santo say only that I can see no earthly reason for withdrawing at time, if the reasons that led us to go in there in 1916 were the

We have not yet developed a functioning government in Santo- No responsible Dominican expects us to leave until that govern- eloped, in spite of whatever he may say about the immediate with- l I have had men who publicly stated that we should get out rivate ly tell me that we must not think of it.

OMERENE. And they are leading representative Dominicans?

KELSEY. Yes, sir. I know other Dominicans who believe that it is stay there in complete control for 25 years. For obvious reasons I e their names.

ink we shall find we can work out a program for Santo Domingo hereas it will not be unanimously accepted the main part of it will

If we were to tell Santo Domingo to-morrow that in view of their cept the Harding plan we had decided to remain there 25 years we number of Santo Dominicans immediately willing to cooperate with ot dare express friendly sentiments toward the United States Gov- the present time. They have no security in case they express them- lling to cooperate, should we withdraw next year.

therefore, that we can—not only can, I believe we are going to—de- gram that in a very short time will give us the active support of the- the Santo Dominican people. If there could be an independent, un- ment of opinion to-day I think 75 per cent of the Dominicans would ay there in control. I am giving personal impression, which can not ut it is based on conversation with all types of people.

here is no difficulty whatever in Haiti in maintaining our position- will use tact and courtesy and will develop a constructive program. tion, the Senator has asked me about schools. I am too old a school- te concrete suggestions about what should be done. Everything turns as of operation, on the length of time for your program. Only a very- d individual has any concrete suggestions to make until he knows tions. If we will try to put the Haitian finances on a sound basis, on basis as Santo Domingo is at present, where if normal conditions- lebt will be wiped out in a very brief period of time; if we will make is understand that we, the people of the United States, are perfectly onfess the sins and crimes of individuals or the mistakes that the Gov- ay have made, and are determined to be of help in their future devel- l solemnly pledge that when they are in a position to maintain an- t government based on law and not on revolution we shall deal with- tely independent, I think we shall have no trouble in securing their- peration.

Let me say, Mr. Chairman, that everywhere I had the most friendly and cordial relations with both Haitians and Dominicans. I have not hesitated anywhere on the island unarmed, with the exception of one small place where there is a little too much political activity against the Americans—that in Santo Domingo. I mean that in Haiti I would go across the country day or night unarmed at any time, and everywhere expect the most friendly treatment. I might meet the crook or the degenerate man, just as I might him here.

I am very much inclined to feel, therefore, that we have the solution of the problem largely in our hands, and I just want to emphasize that it depends primarily upon the selection of wise representatives and assuring that their decisions will be backed up and that we will have continuity of policy on the part of official Washington.

I think, perhaps, Mr. Chairman, that is all I need to say.

Senator POMERENE. I would like to make this observation: I have never heard any American, whether in official life or out of official life, who has even suggested that America wanted to stay there permanently in either of those Republics; and everyone with whom I have talked seemed to be sincerely of the opinion that whatever we do there should be from a purely altruistic disposition toward those islanders, and for no selfish reason on our part. I am satisfied that, whatever mistakes may have been made, that is the purpose of the American people; and I say that notwithstanding some of the untrue, and I think in some instances maliciously untrue, and un-American statements which have been made to the contrary.

Professor KELSEY. May I add a word? Pardon my comment on your statement. There is a selfish interest which is righteous and just. In my opinion we have a selfish interest in the conduct of this Western Hemisphere, because it does affect us and it does affect our relations with other great countries.

Senator POMERENE. If you mean an indirect interest, I accept your statement. Professor KELSEY. And I think we gain by frankly saying to the world, "Gentlemen, we are involved. It is a part of our problem, and we deal with it because it is a part of our problem and not because we are forcing it upon other people."

Senator POMERENE. I mean selfish in the monetary sense or in the sense of attempting to deprive them of their sovereignty, or anything of that kind.

Professor KELSEY. I mean, we are frequently told by Haitians and Dominicans, "You have a selfish interest."—

Senator POMERENE. We have a selfish interest, just as you would have doing some charitable work in your own community. In that sense it is a selfish interest.

Senator ODDIE. Doctor Kelsey, you observed the character of road building that is being done under the American occupation. Is it your opinion that it is of very high class?

Professor KELSEY. I am very favorably impressed, on the whole, with the sort of road which has been put through. I believe that the roads constructed there will be one of the most valuable assets of the country in the future. My personal opinion is that it will be wiser to construct them on a permanent basis; of course we all understand that permanency is relative—on a permanent basis with permanent bridges, if possible, rather than with temporary, makeshift wooden structures that are sure to go out in some flood.

Senator ODDIE. From your observation, that character of work is being done there now?

Professor KELSEY. It is being done there now, and under difficulties. The American road builder has ever had to contend with. I mean the water-culties in that mountain district.

Senator POMERENE. You refer to the excessive rains at certain times?

Professor KELSEY. Excessive rain. You take ground that is permanently soaked from 3 to 6 feet, that never dries, with practically level country. Now, how are you going to get that water away from there so as to get the ground of the road dry? They have found that they can not even put the road on with machines, because they are too heavy. They have to carry the road in on mule back until they get a cap to shed the water.

Senator ODDIE. You are of the opinion, then, that the road work being conducted under the American occupation is equal to the best that is being done in this country?

Professor KELSEY. Certainly equal to the average that is being done in this country. Let us not be superlative. It is high-grade work.

ODDIE. Do you not think, from your knowledge of the country and that we owe it to the people of Santo Domingo to set them as high of road building as we have in our own country?

KELSEY. I think it is most desirable.

ODDIE. And that if we attempted a road-building program on a lower our own we would not be doing them justice?

KELSEY. Not only that, but in view of the tropical rains you would get nothing that would remain there at all. Their road work must be more than ours, if it is to survive.

ODDIE. We would be doing the people themselves an injustice if we attempt to give them the best possible in the way of roads?

KELSEY. I think you have put my idea in other language.

AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE,  
*Philadelphia, March 14, 1922.*

SENATOR: Because of your interest in the statements that I made to the committee last week, that Haitian writers had themselves recognized weaknesses in their social organization and had criticized it and the government, I have translated a few paragraphs from the works of the most thoughtful Haitian writers and am sending them to you as you desire to make of them.

Until Tippenhauer, who was born and has lived in Haiti, is one of the best men in the country by common consent. His book published in 1802 still remains one of the very best descriptions of Haiti and its contents on this work I take almost at random the following paragraphs:

"Newspapers which are independent or which are organs of an opposition are not tolerated, although on paper the freedom of the press is there; there remains nothing to do but to flatter, praise, defend the administration until it is moved as a reward and encouragement for so many services and for such submission to grant assistance by a contract for financing or by a regular yearly subsidy." (Vol. 2, 559.)

"The state of Haiti is primarily military. The largest part of the income is maintained in a numerous army. The generals are powerful in state affairs. The president is a general, by preference in uniform; his palace is bristled with the headquarters of a field chieftain, and in the official processions the general staff follows him. The chiefs of the Arrondissements are generals, true satraps, each ruling over his territory as the highest power; they increase their meager pay by all sorts of devices. The local commanders are generals." (Vol. 2, 571.)

"Do not think that the grafters are despised by the people or even before the courts, for one often finds the most prominent grafters of influence in the 'high life' of the capital." (Vol. 2, 602.)

"Executive power is unlimited." \* \* \* "Like master, like servant." \* \* \*

"Interest, individual desires are the guiding principles of administration."

\* \* \* "With inconceivable callousness the government totally ignores the most just claims or modifies them according to those interested."

"Enemies are personal enemies. If an underling does not demurely kneel obedient back before the omniscience of the President, then is he a traitor of the fatherland, a 'disturber of the public peace.' \* \* \*

"If an illegal means the party in power seeks to make its opponents harmless, means are ready at hand. In the best cases the irreconcilable is removed from the military ranks or interned; in moderate cases he is indefinitely imprisoned; in the worst cases he is exiled or summarily shot without trial."

"Election elections are peculiar. For instance, if 5,000 voters have registered, a thousand or less vote in reality. The whole procedure is arbitrary. No one can do justice to the autocratic acts perpetrated by officeholders on any day at the secret command of the administration. The voting booths are closed before the appointed hour that military companies may vote as they please; entrances are forbidden; indeed, may be imprisoned if they refuse to poll; the booths are prematurely closed that the number of votes correct in case of a plot of officeholders (seilens der in Complot Beteiligten) (Bureaumitglieder vorgennomen wird). These things are all in the day and every time cause the most vehement protestations. Thus the administration the glittering result that in congress only individuals advise, who, at the wish of the administration, ignore monstrous things and for a 'Calypso,' or present of gold, willingly

agree to all acts of the cabinet, who, above all, help the government to act" (Vol. 2, 619-621.)

Mr. L. J. Marcelin in 1892, the same year as the book of Tippenhauer : lished at Paris, *Haiti, Its Civil War*, while he was connected with the Ha : legation. He undertakes to describe the economic background and sta : reasons for the continued disturbances in Haiti.

"I must admit that while writing these lines I have been dominated by : presentiments and weighed down under the mass of evils which threaten : country in the presence of the grave signs on our social and political b : . Thus, almost everywhere increasing effeminacy, shameless industrializ : faith, systematic corruption, the bloody reign of brutal force substitut : for the practice of the principles of laws and institutions." (P. 5.) "At : present moment all the impressions received by the heart, all that the eye : or the ears hear is but the expression of sorrow and bitterness, while ev : there rule among the citizens on one side misery, mendicancy, vagabond : despair, or sad resignation; on the other side, the endless exaggeration : tens'ons, ambition, cupidity, devouring hunger for power, unsatisfied de : vengeance which survives each defeat." (P. 6.)

"What until to-day has been the product of our system of educa : \* \* \* "These tormented souls given over to intrigue, with respect for : laws or traditions, without scruples as to the means for serving their inte : also without any real devotion to any cause, without personal prudenc : not even understanding the men whom they would serve, these poor and : able citizens (*ces pauvres citoyens et en meme temps ces citoyens pa :* : learn nothing and are only destined in all their career to disturb the p : peace." (Pp. 188-189.)

"Speaking of politicians, he says:

"They know no other means of making their ideas triumph but brut : No public law, no constitution, can in such a case oppose any serious ob : to the "coups d'Etat" and to internal conflicts with all the'r evil res : (P. 191.) "Yes; the political groups of Haiti are only factions." \* \* : "After more than 80 years it is these factions which dictate the measur : government in our country, and through their subversive principles our : body has been deteriorating and falling gradually into corruption under : despotism of him, who, more cunning and with richer means of destr : gains the power." \* \* \* "All these struggling groups but aspire to : nate each other, to perpetuate their domination not by means of constr : assuring the free exercise of rights, mutually accepted in pacific comb : free and reasoned discussions, but by exclusions, by proscriptions, by mass : by wholesale destruction, in a word by terror and crime." (P. 194.)

"The first class of politicians whom we have occasion to note are those : really desire the progress of Haiti, but a progress through peace, union, coo : by means just, appropriate, and regular. These form the minority; the : impotent and rarely conduct a militant movement save after having bee : urged, and when they do this it is with the hope of bringing things back : level where they belong." \* \* \* "The second category desires progr : but they see before all the common mass which suffers from misery, both p : and intellectual. This group would provide both food and education f : masses, but the means employed are not fitting and produce no durable res : \* \* \* "Finally, the third category includes the ambitious who but : of the overthrow of the nation to satisfy their egotism." (P. 200.)

Of the peasants he writes: "See them scattered in their fields, pursuin : obscure career, these men who, not participating in any of the pleasures : society, nevertheless bear all the costs and are entirely sacrificed to the oc : of the few." (P. 44.) "Education is for them a thing absolutely unkn : (P. 45.)

The author points out that unless a change comes in the customs and pr : of the government, the final result will be "that our country will be : slavery, if it be only moral slavery." (P. 374.) The Haitians have two c : "To devote ourselves to the interests of our country and thus to cons : nation, laborious, prosperous, happy, both small and powerful; or to : to stagnate in apathy, in incapacity, in the habit of going from revolution : lution, from anarchy to Caesarism, from Caesarism to anarchy, anarchy a : always anarchy—until the day when, weakened by our divisions and b : civil wars, we fall into slavery, into mud and defilement." (P. 378.)

The late Mr. Frederic Marcelin was one of the most distinguished : men in Haiti and had served as minister of finance and in other high pos :

ork of his which I have at hand is Bric-a-brac, published in 1910, find the following sentences: "So long as the army remains what it the sole national institution before which everything bends and absorbs everything, money and men; which levels everyone under tion—nothing good, nothing beneficial, nothing useful can be ac- (P. 13.)

of the leaders of government he says: "It is equality, it is democracy, treme, as Salnave called it, exercised to their profit and at our ex- (P. 15.)

ire Republic is thus regularly submitted to the condition of the per—that is to say, to the condition of the serf; that which they have cticed and always understood. The rest—it is but a phrase." (P. abuses will not cease nor progressively diminish in Haiti until the of arbitrary militarism are ruined." (P. 18.)

saw the possibility of interference by the United States. Addressing after a declaration of Mr. Roosevelt on the maintenance of order tern Hemisphere, he said: "Little Haiti! Look out! Hear well ag. \* \* \* Nothing but intelligence and good faith applied to s can prevent your downfall. \* \* \* However, you are permit-f to be led more and more by ignorance and incompetency. Both will pitate you into the abyss, for they neither save nor can save. Those from your folly continually tell you that you are young; that the ars of your existence are nothing in the life of a people; that gland, and all others have passed through long periods of gestation, tormy and sterile youth. That may be true for the others." (Pp.

od descriptive account was written a few years ago by a young man recently in the United States with the Committee of the Union , Mr. Stenio Vincent. I do not have this volume at hand, but one tion which I had made for another purpose indicates that he, as well ecognize certain weaknesses in the Haitian development.

of laying the foundations of the social organism by the creation of em of primary instruction, with a devoted teaching body, well pre-well treated, we have dressed ourselves as for parade with secondary schools, contenting ourselves by having on paper more than 700ools. \* \* \* On our foundation we have only to construct a good, , simple and comfortable. The arbitrators of the Haitian society, account of the means at their disposal, have sought to erect an imce, sumptuously decorated. \* \* \* This situation, wholly peculiar is unique, has created a grave social anomaly; on one side a highly ntellectual elite, civilized, refined, composed of a small number of at some stages, below a certain class very small in numbers also, ith some training more or less rudimentary; \* \* \* then the , completely ignorant, having no point of contact either with those t is supposed to habitually confess its distress nor with the elite, vided, and important." (Pp. 205-207.)

sure you that such quotations could be greatly increased if it were Moreover, there are a goodly number of stories and dramas of e which give very excellent portrayal of conditions in the country eteworthy as literature at the same time. I refer to Epiminondas e Labasterre, by Frederic Marcellin, above mentioned, and Sena, Les Fernandi Hibbert, at present minister of public instruction in Haiti. truly yours,

CARL KELSEY.

BILL MCCORMICK,  
ed States Senate, Washington, D. C.

port by Doctor Kelsey, entitled The American Intervention in Haiti omnician Republic, is here reprinted in full by order of the com-follows:)

#### AMERICAN INTERVENTION IN HAITI AND THE DOMINICAN REPUBLIC.

prepared by Carl Kelsey, Ph. D., professor of sociology at the University of nia, for the American Academy of Political and Social Science, and printed oustesy of the academy.]

#### INTRODUCTION.

d Haiti about the 1st of February, 1921, and remained until July 2, ent to the Dominican Republic, staying there until October 22. I

saw every important town of Haiti with the exception of Jacmel, and spent weeks on a trip through the interior. In the Dominican Republic I got a glimpse, at least, of nearly every province. During this time I had opportunity to talk to people in all walks of life. I had no fixed itinerary or set plan. I roamed about as opportunity presented trying to see things for myself. I had no official connection of any sort with the Government, though it was difficult to persuade the natives that an American civilian traveling alone was not on some secret mission. While there I read all the best available newspapers written by Haitians or Dominicans, and kept in touch with the news. Perhaps I might add here that if some of my strictures seem severe they may be duplicated from the works of reliable native writers.

Everywhere I was received with courtesy and friendly attentions. Every opportunity was given me to meet men or see conditions. This applied to the United States officials, both civilian and military, to foreign residents to the Haitians and Dominicans. I was welcomed in the local clubs of the larger towns. It is my own fault, therefore, if I failed to get an accurate picture of the situation. Of course, there were many men whom I wanted to meet but failed to see for one reason or another.

It is utterly impossible to try here to thank by name all those who gave me their time. Nor can I even name many of those who opened their hearts to me, lest I be the indirect cause of harm to them. I tried to tell them all that I was appreciative of their aid, and to them all I again express my gratitude.

On my return I am again struck by our ignorance. Too many people here confuse Haiti and Tahiti. The two islands of Haiti and Santo Domingo appear in questions put to me. "Is the United States involved in Santo Domingo?" was asked the other day by a man of education. Unfortunately much of the material which has appeared in our newspapers is so grotesque, or deliberately twisted, that the reader gets a very false impression. Our future relations with these countries are destined to be different than they have been and it is important that we should come to know the essential facts. Is it too much to hope that in the day of the new diplomacy our public departments may tell us of their operations and their problems instead of waiting until the attacks of enemies put them on the defensive? I shall be well content if I have in any way thrown light on the situation. I shall be grateful to any who will call my attention to errors.

Some of my Haitian and Dominican friends will not only disagree with my judgments but may feel hurt at some of my statements. From this there is no escape and even they will be glad that I have tried to tell the truth as it appeared to me. Some things impress the foreigner differently from the natives. I am confident that all will find running through these lines the same free feeling which I find in my heart. Obviously one can not enumerate the individual exceptions to all general statements. Haiti and the Dominican Republic are struggling with an age-old problem, the attainment of civil peace. No people can guarantee the financial success of another, or its political success, but we may by our policies help or hinder, and my sole desire is to find a way to help.

#### THE ISLAND.

About 1,200 miles south of New York City one will find on the map the island of Haiti or Santo Domingo, considered one of the most beautiful in the world, lying directly between Cuba and Porto Rico to which it is intermediate in size as well. It is some 400 miles in length and 170 in width, but of irregular shape. The total area is over 28,000 square miles, or a little less than that of Ireland. There are a number of dependent islets, some of considerable size but of little value to-day, though a few thousand people manage to obtain a precarious existence on the island of Gonave in the Bay of Port au Prince.

*Topography.*—As a whole, the island is extremely mountainous, the mountains running from the west with a southerly trend with intervening valleys in which rivers are found. The mountain slopes range from steep to precipitous, often to more than 3,000 feet, a few peaks reaching 8,000 or 10,000 feet. The mountain ranges constitute serious obstacles to travel and make roadbuilding but a difficult and expensive task. Thus the whole southwestern peninsula is a mountain range rising abruptly from the ocean on both sides, with no level ground to the south except the plain of Cayes, and with none on the north until it reaches the neighborhood of Port au Prince. Save in a couple of places

possible to cross the peninsula. At some recent time, geologically this peninsula seems to have been separated from the larger island. Southeast from Port au Prince there is a low plain extending into the Dominican Republic, with sulphur springs on the northern border and numerous lakes of brackish and salt water, one of which is below sea level. St. Marc is the mouth of the Artibonite River, the largest in the

mountain ranges which stretch from Mole St. Nicholas on the northwest to the most eastern coast form the backbone of the island. These divide the Dominican Republic and offer one good pass at an altitude of 4,000 feet. South of this range at its eastern end is a considerable plain, largely of coral formation. North of this range, from Monte Platero to the west, is a large valley divided into two parts, the eastern section to which Columbus gave the name of Vega Real, rich and well cultivated. To the west of Santiago is found the Yaque del Norte, running through the mountains to its mouth at Monte Cristi. There is another low range between the valley and the coast. Although there are many rivers and streams, there are only two in which boats of any draft may run. As a matter of fact, they have never been useful as waterways, and such use in the future. All the rivers are subject to sudden flood, thus making fording as well as sometimes dangerous. Their availability for purposes of navigation will be mentioned later.

—The influence of the mountains on rainfall is most marked, and at a few miles apart may vary greatly, one being humid, the other arid. The southwestern peninsula is well watered while the northwestern is a barren desert. The actual rainfall varies from 12 to 150 inches per year. In 1919 rain fell on 16 days only; at another there was rain on 115 days. In certain mountain districts 12 inches was the lowest record for a year, and rain fell nearly every day of the year. As a rule the rains are more than general and are also of short duration, an all-day's rain is not an exception. Most of the rain falls in late afternoon or evening, in the morning. In most of the island the natives expect a longer rainy season in spring and a shorter one in autumn, the intervening periods being in different terms do not have fixed values, and the periods are more or less

uncertain.—Although the island is within the Tropics, lying just south of the Tropic of Cancer, the proximity of the ocean, the contrast of mountain and valley, and daily winds modify the temperature and the nights are usually cool.

Here, again, local conditions vary, but taking Port au Prince as a standard, the hottest day of 1919 was on August 6, when the thermometer registered 95° at 1 p. m., while at 9 that evening it stood at 71°. The lowest temperature recorded for the year was 68° on January 18, and the highest was 77°. In the high mountain valley of Constanza frosts are reported in winter, and many an American in the hills at night, after being caught in a rain, has been convinced that he was about to freeze. The intense heat of the sun, coupled with the steady heat, makes advisable the use of sunburn creams by visitors from the north, while the towns with paved streets and public buildings during the days of summer. Violent storms and electrical storms are not common, although great damage is occasionally done along the coast by hurricanes, as the wreck of the *Memphis* lying against the sea at Santo Domingo City testifies.

—Most of the reports on the island speak of the wealth of mineral resources. It is true that the Spaniards found some gold in the possession of the natives, and that to-day in a few places peasants can make 30 or 40 cents per day by digging gravel. It is true that one can find pretty good specimens of copper and other metals. It is true that small deposits of lignite are known. It is true that more or less constant prospecting since the time of Columbus has failed to pay its own cost, let alone reveal any great deposit. If there are any deposits worth mining, their location is not known. Just now there is a possibility of the discovery of oil in paying quantities. The opinion of the best men seems to be that the fertile soil rather than metallic deposits is the source of the wealth of the future.

—There are no large wild animals. In some districts the goats are still wild. Bird life is fairly abundant and practically every kind of bird that can be killed is eaten. Doves of several species are abundantly and highly esteemed as food. Ducks are common locally. The guinea hen is widely distributed and sometimes becomes a nuisance to the gardener,

particularly since the elimination of firearms by the American forces. There are hawks but no buzzards. Other than scorpions, centipedes, and tarantulas there are no animals whose bite is at all poisonous. Flies are not numerous, mosquitoes are, and malaria is a prevalent disease. The mongoose has been introduced from Jamaica and, though little known as yet, may be a source of trouble in the future. Fishing is not a well-developed industry, largely, I doubt because of the absence of ice, yet there are many fishermen along the coast, and the kingfish and red snapper are seen in the markets. Lobsters are common enough though seldom eaten by natives who catch them only for sale to foreigners. Turtles and crabs abound. Little lizards are everywhere in evidence, but the great iguana is now very rare. There are crocodiles in the mangroves.

*Vegetation.*—Mahogany and other desirable trees are scattered about the country, however, in large quantities, and most of the remaining specimens are a result of access that they hardly repay costs of transportation. There is some promise that some trees little used heretofore may prove available for the American railroads. In some of the mountain areas, particularly in the Dominican Republic, there are considerable stands of yellow pine. Most of this is unused. An owner of timber land in Haiti told me that he could afford to cut timber when he could get \$120 per hundred feet. There are a few mahogany trees in the Dominican Republic, but lack of transportation still blocks any large-scale development. Most of the building lumber is therefore imported from the United States. Dyewoods are fairly abundant, and in prosperous times are exported. No attempt has ever been made to plant valuable trees.

Wild fruit trees of many sorts are found, the mango being the most important. Citrus fruits do well but are very irregularly distributed. Many grapefruits are seen in the markets of Port au Prince, but in the city of Santo Domingo the grapefruit are imported from Porto Rico. There are no real orchards on the island, though there are large plantations of bananas and plantains. The coconut palm grows freely but is used locally only, no copra being dried for export. At the altitude of about 1,500 feet a subtropical zone is reached where all sorts of vegetables and fruits of the temperate zone prosper. I have seen Irish potatoes of excellent quality which were grown in the hills near Santo Domingo.

The island is divided between two countries, the Dominican Republic occupying the eastern two-thirds, some 18,000 square miles; Haiti, the western third, with some 10,000 square miles.

## CHAPTER I.

### THE HAITIANS.

*Population.*—No census has ever been taken, but the estimated population of Haiti is 2,000,000, or about 200 per square mile. As a matter of fact there are large areas almost uninhabited, like the arid district from Port-au-Prince to St. Nicholas to Gonaïves, the San Michel Valley and parts of the eastern border; in some places the population is dense, very dense when considered in relation to the agricultural development. There are no reliable figures for birth and death rates, but the estimated population in 1890 was about 1,550,000, and there has been little immigration. Children are everywhere in evidence, but the death rate appears to be very high and the aged seem numerous.

*Origin.*—The overwhelming mass of the people, at least 90 per cent. I would say, seem to be of pure Negro stock. The upper classes are notably light in color and there are small areas where a relatively light color tone prevails. We know that there was a considerable mixture in colonial days, and that time there has been considerable intermarriage between the French, the Europeans and the Haitians, so that there are no pure white families, but those of recent immigrants. The original Indian stock seems to have left no trace. At first one gets the impression that there are twice as many women as men. This is probably due to the fact that the women go to market more often than the men, because the men are working in the fields, away from the house. In the old days the men who entered the towns were often seized and made to serve in the "volunteer army," so the women carried the produce to town.

*The Syrians.*—About 1890 there came into Haiti the first of a group determined to play a considerable part in the retail business—the Syrians. At first they bought largely from German merchants and peddled their wares through the country districts. Later, finding they could buy more cheaply from the United States, they did so. Being shrewd merchants, they were disliked by the Haitians.

ed by the Germans. Although they never numbered more than a ad, they were ordered out of the country by a law of 1913, passed, at the instigation of the German merchants. Since the occupation, f them have returned. They claim to do \$3,000,000 business yearly ulted States. A few of them are American citizens. Save stragglers islands, these represent the only immigrant group which has en- in many years. This, of course, leaves out of account the marines, ests and sisters, and other foreigners temporarily resident in the Barring these, there are only a few hundred whites in Haiti. The are all in the towns.

tion.—All the large towns of Haiti are on the seacoast. The capital, ince, has about 100,000 inhabitants; Cape Haitien, 17,000; the rest maller. The bulk of the population live in villages scattered through r or in isolated cabins. Go where one will in the country, provided is possible (and in many places where it seems impossible), he will cays" of the peasants. These are often temporary rather than structures, for a considerable percentage of the peasants seem to ther freely, clearing a little patch and cultivating it for a couple of then wandering to some new location.

-Wherever possible the towns of Haiti are laid out in squares. The Port au Prince, in the business section, are well paved with concrete. s streets are macadamized, as are some of the streets in Cape Haitien ere. In every town there is some central square, often decorated s and flowers, and a market place, the latter being usually the most ; spot in town to the stranger. The water systems are not very but the officials tell me that there is difficulty in keeping them in tion owing to the acquisitive habits of citizens who need pipes and n older days the towns are said by old residents to have been ex- thy, and one had to walk in the middle of the street and keep a out to avoid unexpected shower baths from the second story. The are praised for having "cleaned up" and for prohibiting the of refuse in the streets. The stores are usually one or two story , looking like warehouses, and such they are, for the stock on display ly a small part of that on hand. There are practically no sewers, ainage is all but universal.

—The prevailing diseases in Haiti are gonorrhea, syphilis, and yaws e said to be very common), tuberculosis, malaria, filariasis, and in- arasites. The country has been very free from epidemics, such as er and bubonic plague. Yet these would probably run through the t like wildfire if they ever got a start, owing to the hordes of mos- many districts and the armies of rats which infest all the towns and the country. Much fun was poked at the financial adviser for in- couple of rat catchers at Port au Prince when the bubonic plague was n New Orleans.

out 1921 an epidemic of smallpox swept the country, having been l from another island. The efforts of the American doctors to check start were rendered futile by the ignorance of the masses and the ejudice of local physicians. The papers everywhere denounced the s, saying that it was nothing but chicken pox, but when the deaths began e the criticism became that the Americans were incompetent. Several thousand persons were vaccinated. Thousands on thousands suffered. en smallpox patients deathly sick lying by the roadside soliciting n passers-by. Often they were left in their cabins without food and he ignorant peasants were seen vaccinating themselves from virus om active cases. I was a guest at lunch in the home of a merchant in only to find later that there was a convalescent case of smallpox up- he death rate in the hospitals was about 6 per cent, and no one knows as in the hills.

untry is very inadequately supplied with doctors. There are physicians wns but none in rural districts. Even the town physicians are often ent. One doctor, for instance, in a maternity case was observed taking sterile towel he had and spreading it on a chair to protect his clothes. res are said to have a good knowledge of local remedies for fevers, but tions the efficacy in a case of cancer of the stomach of killing and dis- ing a cat and placing the carcass on the patient's stomach. A priest merican physician that a woman who feared a miscarriage was placed le, a lighted candle placed in the umbilicus, and allowed to burn out.

One girl under quarantine was observed to take down the flag, carry it while she visited a friend across the street, and replace it on her return. Hospital facilities are inadequate. Exorbitant fees are charged for country visits. The number of lepers is estimated at 500 or 600, the number about 600. There is no special provision for these. Sanitation is unknown; a minister of the State was indignant when compelled to clean his latrine.

*Amusements.*—The favored pleasures of Haiti are cock fighting and dog cock pits are found everywhere. Gambling is universal. Dancing in the country is to the thumping of the drum, almost the only music of rural Haiti. These dances get pretty hilarious at times if the rum supply is adequate. Tourist hails every simple dance as "Voodoo," but he exaggerates. In clubs of the upper class chess, billiards, poker, whist, all have their admirers while orchestras provide the music.

*Domestic animals.*—The average peasant has few domestic animals. He owns a few pigs which are allowed to support themselves and which develop nose, and legs at the expense of fat. The burro (worth from \$5 to \$10) is a common work animal and is also the most valuable, for he carries a large load of the goods to market, with the owner perched on top of the load. Cattle are scarce. The horses are small. Save on large plantations, the animals are seldom used for draft purposes. Chickens abound and are all of the Mediterranean breeds. To judge from casual observation, they are quite common in the towns as in the country, in part because they are being kept until time to cook. There are a good many turkeys, which sell for \$1 in the Port au Prince market. Goats are common.

*Land ownership.*—There is great, almost endless, confusion with reference to the ownership of the land. There has never been a survey. The Government claims to own large tracts, but it seems to have no maps or adequate descriptions. There are some titles coming down from early days, and the plantations appear to be held by relatively few people. Many families profess to have holdings in the hills, but from these little revenue is derived, as land is rented but is managed directly by the owner. Inasmuch as squatter title is admitted under the law, any attempt of these supposed owners to take possession would be most difficult. It seems to be the practice for the peasant to settle wherever he finds land not in use. The settlement of this land question is one of the most fundamental prerequisites to any improvement of conditions in Haiti. Foreigners were forbidden to own real estate until the adoption of the last constitution in 1918.

*Agriculture.*—While there is a good deal of fishing along the coast, and a certain amount of cattle raising in the San Michel Valley and the upper Artibonite Valley and locally elsewhere, agriculture is for most Haitians not only the fundamental but also the sole means of gaining a livelihood. The fact that there are in the country no nurseries, no seed houses, no regular dealers in stock, indicates that conditions are very primitive. A prominent man told me one day if I had seen one of the many beautiful mountain places, I would have said, "No," and added that I wished he would take me to see some of the best farms. He replied, "There are none," and this answer was almost literally correct. There is no agricultural school save a rather pathetic beginning school in the capital. Outside of the larger sugar plantations, largely though not wholly under foreign control, there is no real agricultural development.

Of course, there are in fact well-located and prosperous farmers who are contrasted with others poorly located and shiftless, but their methods are about the same. A plow is rarely seen even in the plains and would be useless on most of the steep hillsides. The one universal tool of the Haitian peasant is the machete (almost identical with our corn knife). With this he clears ground, piling and burning the brush. Then with his machete he digs in the soil a little in just the place where he is to put his seed or plant. He cultivates with his machete by cutting the weeds or stirring the soil about the plants. Axes, hoes, etc., are known but seldom seen. The farmer saves his own seed or gets it from neighbors. Much time and energy are consumed in these processes. Arriving at Port au Prince early in February one finds the hillsides of the town almost deserted, few cabins being visible. By the middle of March the hills are dotted with dark spots, which are the cleared areas being prepared for the spring planting. Trees are rarely planted. There are not even banana plantations. All the natives do is to pick the berries from the wild plants descended from those brought in by the French after 1788. A competent observer said that in 1915 not over 1,000 acres in the entire country were well cultivated.

*Marketing.*—The roads of Haiti are lined with women and burros hauling produce to village or town. These women often walk from 15 to 25 miles

ed if they sell 50 cents worth of provisions. Indeed, they might all their load should you meet them 10 miles out, for they would the joy of barter and chatter afforded in the town. All night long en route to arrive at daylight. Picturesque? Yes; but the waste of t in such a system is enormous. At the market they must pay a r the privilege of displaying their wares.

*Industries.*—The making of a few sweets, like the crude brown sugar adou, some candles of beeswax to be burned in church by the faith- ats of palm, or simple baskets, practically exhausts the list of home es.

In the towns the houses range from the crudest of hovels to fine residences, oftentimes with very attractive grounds. At Cape Haitien show the Spanish influence which is not seen in the south. In the cabins are of two types. The more common is a framework of oven with splints and plastered with mud, with a roof of palms. ntial structures are made of split palm boards. The acme of style ed by the metal roof, possessed only by the fortunate. The floor is arth. Doors are of wood, as are the windows, glass being unknown he towns, where it is rare, shutters generally taking its place. All windows are closed at night; but as the house is seldom ventilation eat harm results. In the house there is practically no furniture. ldom seen, and even in the towns are not found in the poorer houses. he cabin the ground is very likely to be swept clean and, except in r, present a neat appearance. Often there is some flowering plant, actus hedge. Very likely there is a little shed with thatched roof, ooking is done, food eaten, the siesta taken. Ovens are not unknown, en fire on the ground is more common. In the country brush is el; charcoal in the towns. The burning of charcoal is quite an For water, dependence is placed on streams. Even in the plains l wells are very rare. Many of the cabins are a mile or more from supply, and the water is carried in calabashes. Needless to say that circumstances it is not wasted. There are no latrines except in the ar the cabin is probably a little clump of bananas or plantains ntical, but the plantain is not sweet) and a little garden close by ay be watched.

2.—The official language of the Government is French, but the actual "Creole," which is spoken by every Haitian, whereas only a small in speak French. The number who can understand it is greater. the families use Creole in the house, whatever else they use in com- ole is made up of a few hundred French and a few dozen other English or Spanish and African, all with an African type of con- At first it is no more intelligible to the Frenchman than to the Amer- not particularly difficult, but varies a great deal in different sections. be written, but its transcription is difficult. In the schools French a time, as education develops Creole will be supplanted by French, modified into a French dialect. As it is now, one appreciates the story ti that the Lord was not satisfied that the French had been adequately hen driven out of the country, so left their beautiful tongue in the the Haitians to be crucified anew each day.

—The official religion of Haiti is the Christian (Roman Catholic) ate assumes the support of the church. During most of the nine- tury the Pope seems to have had little control, but a concordat l in 1860. Prior to that date the priests are said to have been ni loi." Since then practically all of the priests and sisters (some ) have been sent over from France. There are but two or three iests. These men and women are generally distributed over the d are doing a splendid work. Among them are men who served ch Army throughout the war. They form the best informed foreign dent in Haiti. There are fine cathedrals in Port au Prince and en and churches in all towns. There are a few Protestants on the ne being descended from a company of American negroes who m- re many years ago. A few missions are maintained by other groups. ut the highest circles the real religion of the people is of African th a veneer of Christianity. It is common to speak of all these tes under the name of "Voodoo," a term often overworked. The dif- es originally had different customs, but as no tribal distinctions

have survived in Haiti the resultant is a blend. Based as African religions were, on fear, the propitiation of the deities was very important. With as every student knows, was a curious emphasis on sex. The voodoo of to-day, therefore, often degenerate into sexual orgies. Several attempts were made by the Haitian Government to suppress these voodoo dances, but the Government dared not be too stringent, and probably was not very elastic in the first place. They are now under the ban of the law, but still exist, though seldom seen by the whites. Some of the presidents have been voodoo priests. When President Simon left office a fetish of this sort was found in the palace and his successor, though personally not believing local beliefs, feared to offend, so sent for a voodoo priest (a Papa as he is called) to perform the requisite ceremonies. To an annual festival the name "barka" is given. On one occasion Simon tricked the Catholic bishop into performing the funeral services of such a "barka," a goat case. The deception was subsequently revealed and more stringent measures for the identification of corpses were adopted by the archbishop. Few Haitians, for political reasons, perhaps, deny the power of such barkas or fetiches.

In the country food is usually placed on the grave. I once witnessed a memorial service for a recently deceased child. The priest was busy with voodoo rites as we approached the cabin, but seeing us shifted to the opposite side of the room, where Christian emblems were displayed. Later he was scattered on the highway, and on inquiry he told us that he did not know the reason for this, but that it had long been a custom of his father. Even Christian celebrations like Easter have a strong African infusion. From Friday to Sunday the Lord is supposed to be dead and the devils then have their opportunity. To hinder them it is necessary to knock over the house. So all day long there comes rolling up the hills about Port au Prince at intervals the reverberations of the faithful.

As is natural in this stage of religious development superstition is prevalent. No native mother attends the funeral of a child, as this would cause another death in the family within a year. Should a funeral procession stop for any reason in front of a house holy water is secured at once and the house sprinkled. From such naivetes to belief in charms and witchcraft the simple mind runs the entire gamut.

*Human sacrifice.*—The idea of human sacrifice is as repugnant to the class Haitian as to the American. Many of the best Haitians do not believe that it ever occurs, and are sincere in their belief. Others have told me positively that it does. Such is the belief of some of the best informed residents, including many of the French priests, one of whom said he had put the number at one a year for the entire country. It takes a long time to overcome old customs. Such sacrifices are said to be of children only.

*Cannibalism.*—The eating of parts of human sacrifices is alleged to occur sometimes. There is some evidence that the eating of parts of brave enemies in food in the ordinary sense but in an effort to gain the qualities admired in the victim, may have occurred. The American marines in Haiti firmly believe this happened in at least one case, for a native confessed that he had taken therein. It is also believed by foreign residents to have happened in several instances. A magistrate told an American that he knew a man on trial in court of this offense in 1909. Only one Haitian admitted to me that he thought it possible, but I was present in a little interior village when a gendarme accused a woman of having eaten human flesh. This she denied with every indication of horror. If it ever happened, it is certainly extremely rare and is viewed by nearly all Haitians just as we view it.

*Personal traits.*—The first strong impression I got of the Haitian people was their manly, self-respecting bearing. There was no subservience in their attitude toward the whites. I do not mean that there was any indication of meanness or insolence. Speak to the market woman or the peasant on the road and you are sure of a "bon jour," often accompanied by a tipping of the hat. They seemed willing to do any favor. Everywhere they have borne the reputation of being very hospitable, without demand for money. If one spends the night in a country cabin, the best is offered and payment very often refused. They are sometimes likely to deceive you, for they are inclined to give you the best when they think you want. In general, however, they are honest when charmed by definite trusts. It has been necessary in days gone by to send large sums of money by messenger and in sailboats around the coast, and I am told that the money was always delivered. The life of the white man or woman has been secure, and the murder of a white has occurred only under great provocation.

mpression is that the people are willing to work, but their work re not ours.

I speak of schools. Here I want to mention the handicap the rry because of ignorance. The peasant knows from tradition and a good deal about the adaptability of soils to crops and seldom outside of this he knows nothing of any save the simplest processes. wheelbarrow and he will transport it on his head. Tell him to take miles and it will go on his head. Show him, however, how to use es and there is no trouble. He shows an adaptability to handle and drives fairly well, often, indeed, becomes proficient at minor is an untrustworthy chauffeur, both because he is happy-go-lucky e he appreciates so little the meaning of momentum and other tors entering into accidents. The railroads do not rely on Haitian One such, asked one day if there was water in the boiler, said it it anyhow. He could run the engine without water. He had done

among the Haitians an indifference to suffering which seems to us I believe this, too, grows out of ignorance. When one does not know ent suffering he becomes much of a fatalist. Open sores on animals illy common. Animals are expected to work indefinitely without aps 50 per cent of the hack horses in Port au Prince can not take and one passenger up the long but easy hill to the American Club, vers will refuse to attempt it. Moreover, the Haitian standard of ncessantly to nag the horse by jerking the lines. Much of the same is shown by the lower classes to human suffering. They have i suffering. Why worry?

ly.—The fashionable marriage is under the auspices of the church, the legal form. As a matter of fact, most marriages are what we on law," while in local dialect the girl is said to be "placed." Such are often followed later by formal ceremonies when the couple have l adequate funds. They are not always permanent, and there seems lerable freedom in forming and breaking them. One caco leader is e seven camps, with a wife in each. Stories are current of men with more wives and many score of children. Children are desired, and i spoiled as abused. A couple will sometimes sell a child for a dollar this involves an idea on their part that the child will be better off ter-situated family than at home. Domestic slavery of this sort is on, the child growing up in another house and being the servant of rarely sent to school, and receiving nothing until grown save board

2.—Among the poorer people there is little in home life save residence roof. There are no regular meals, food being taken whenever con- whenever secured. The children are pretty much left to their own the mother is very likely away at market, the father working in the etimes in the evening stories are told around the fire or pine torch. children are strangely lacking. In the upper classes the home life in the United States.

l drink.—Rice and red beans might be called the national foodstuffs. t eats boiled plantains, bananas, yams, cassava, and corn, with what- he can get. He is fond of salt fish or pork. Sugar cane is highly My opinion is that the peasant is underfed.

on water, the native uses coffee, which is much better than most of t. He is also fond of rum, which the poorer classes usually get in rude forms under the names of "taffia" (unrefined) and "clairin" fined). Drunkenness is not common either because of the use of childhood or because there is not enough money to get enough rum. i itself, there is no shortage. The wealthier classes drink whatever is no "amendment" hinders them.

—Not being liable to sunburn, the young child is seldom hampered . More precocious here as elsewhere, the girl attains them first.

it is largely a question of the available supply. Formerly the omen coming to town are said to have worn blue costumes. Now, es are made of any material obtainable. The men are more or less r exposure of the body is no offense, and the wash women along the e often practically nude. This fact makes the complaint of one paper merican doctors made the Haitian women bare their arms to the hat they might vaccinate them seem a bit ludicrous. Shoes are seldom

worn by the peasants, and the white man going about in the rainy season often like to have the feet of the peasant. The clothing of the peasant seems overly clean, and yet soap in the form of bars about an inch square 13 inches long is one of the articles most frequently imported. Bath is frequent, but whether in waste water or stream seems to make little difference. The wealthier classes draw their styles from Paris, and are so lacking in formality that at Government receptions the men must wear heavy dress suits.

*The color line.*—At first sight no color line seems to exist in Haiti, but observation reveals it. True, the blackest man may aspire to any position in the country, and, if he has enough force of character, may attain it. The country has boasted of the expulsion of the white man and the elimination of the white color from the flag. "Black man with money, mulatto; mulatto with money, white man; white man, always white man," runs the local saying. A color line can be found. The servant is usually darker than the master. Blacks can be found in the highest circles, but these circles are decidedly lighter in color than the lower. Low-grade foreign whites marry at times into the native circles. One native father was surprised when advised to find out anything about the American who would marry his daughter. The idea of mating the white man had not occurred to him. A citizen came to an American official asking the release of a prisoner. He admitted his friend's name and said, "Don't you know he is compelled to work under a black serpent?" "These girls are praying the Lord every night to send them light-colored children," said a French woman. Two Haitian girls educated in France were founded on return to Haiti to find themselves of mixed parentage. A French woman hearing that the Dominicans were of mixed descent plaintively said: "Then why do they hate us so?" The color line has found its way into politics, and there have been "black" parties opposed to "mulatto" groups. We do not know how much emphasis to give this factor. The Haitian writers who discuss it are not agreed. It may be in part a tacit acceptance of a widely held philosophy that the black is the inferior. I was told of one able man who could not marry into the lighter group and who therefore refused to marry. This indicates, in any case, a desire to be accepted on a basis of equality which at times is almost pathetic.

*The upper class.*—"What did you expect to find when you came to Haiti from Europe or Africa?" asked a charming gentleman one day. Yankee-like, I replied in return, "If I go out into the hills, what will I find?" His reply was a surprise. Go into any gathering of the upper class, shut your eyes and listen, and you will believe yourself in a cultured European gathering. In bearing and manner, in interest and appreciation of art, music, and literature, in ability to sing, play, dance, or discuss, the American finds that he has no advantage. Their feelings lie a bit nearer the surface than our, and voices break forth more readily in angry discussion or boisterous mirth more quickly, but they as quickly subside. Why should not these things be so? Many of these people who can afford to have been educated in Europe and go there whenever possible. Their traditions are European, not African. They know more of foreign languages than the corresponding groups of Americans and are more likely to talk in French to you than you are to talk in French to them. Like gentlemen, they react at once to courteous treatment, and like gentlemen they resent condescension or overbearing manners. Too often they have received the latter when they had a right to expect the former.

*The two Haities.*—Geography sometimes misleads us. There are two Haities, not one, though the geographical boundaries are the same. The first is of Africa, for there is little essential difference between rural Haiti and Africa. The second is of Europe. The first is illiterate, the second educated; the first is uncouth, the other polished; two languages, two religions. An African struggling to keep itself alive in this physical world; a small handful struggling to attain equality with the civilized world! Where can a more striking contrast be found?

*The slave tradition.*—Haiti is suffering from a survival of slavery traditions. The French masters directed; the slaves did the physical labor. When the French came the leaders, usually mulattoes (though the men of action, the military chiefs, have often been black) tried to carry on the old traditions. Educated Haiti does not like work nor has ever learned the dignity thereof. Day your Haitian gentleman will not carry packages from store to store. Your high-toned Haitian girl will hardly stoop to pick up a handkerchief dropped on street or in church, though she will call a servant to do this

nk ideal, and whenever possible the lower classes follow the exam-  
 upper. You call on Miss A, and are met by the maid of Miss B,  
 100 yards to get the maid of Miss A to have her find out whether  
 in or not, while all the time Miss A is within call and hears the  
 n. The house owner waits for half an hour for the return of the  
 it to carry a stepladder to the house across the street and finds that  
 it has been standing at the gate hoping to find a laborer whom he  
 return the ladder, for such labor is beneath the dignity of the house

ng man recently given a position as chauffeur, at a salary which  
 fort to his mother, will surrender his position rather than hold the  
 e horse when your wife rides into the yard and finds the yard boy  
 chauffeur of the machine bringing a friend to get the trunks of  
 and finding only one servant at the house, will go a mile to bring  
 of prisoners with a guard rather than help carry the trunks. The  
 in straitened circumstances coming to sell you a few books will  
 ty handed, and a small boy, hired for the purpose, will come in a  
 es carrying the books. The transaction finished, the former owner  
 es will probably depart in a cab, for it is not customary for gentle-  
 lk in the middle of the day. The only employment, then, befitting  
 nan is clerical or professional labor. To many this means a gov-  
 position, for technical training is not common, and in Haiti, as else-  
 only place where training and ability are not needed is in Govern-  
 ce. Yet work must be done. By whom?

ses and the classes.—Haiti won its freedom but in a very real sense  
 sters, substituting mulatto for white. For 40 years or more, the  
 tried various devices of compulsory labor to get the fields cultivated,  
 tion decreased. They wrote growingly of agriculture, but the State  
 done anything for agriculture save to establish a fête and to permit  
 turist to pay most of the taxes. It puts no tax on the land, but it  
 ivy tax on the chief export, coffee, which must be paid by the poor  
 ho gathers it. It refuses to tax the manufacture of liquor but it  
 export of cacao. The burden is all thrown on the poor man. The  
 all this is that while there is patriotism in the sense of love of  
 the upper classes there is none in the sense of sacrificing self for  
 or is there any real appreciation of the basis of public welfare. The  
 as been governed for the interest of the upper classes.

corality.—Haiti has not yet learned that a public office is a public trust.  
 a we have trouble with individuals who violate this standard, but in  
 s expected that the official should "graft" or "faire Calypso," as it

Government offices have been looted by outgoing administrations;  
 ; movable in Government ships has been carried away. You wonder  
 e houses in Port au Prince till you learn the customs. One of the  
 built out of "surplus materials" of the palace; another from the  
 " of the cathedral. The negotiation of the sale of a warship to  
 bled one official to construct a fine residence. A writer states that  
 ades was the price for voting in favor of a new constitution and  
 es for a venal contract, and that a deputy who accepted 300 gourdes  
 f his honesty. He adds that one minister demanded 37,000 gourdes  
 se for which only 15,000 had been paid, and when asked for reasons  
 ad no information to give; whereupon the sum was voted. One  
 pressed regrets to a friend of mine that her husband had lost a Gov-  
 position paying \$30 a month, not, as she hastened to add, on account  
 ), but because the position gave him a chance to make \$1,600 a year.  
 tters, then, the legislators have expected their "pots de vin."

ad of one of the oldest business houses assured me that in the old  
 real profit came from dodging customs dues; another added through  
 in gourdes. More coffee was always received at Havre than was  
 from Haiti. All contracts and franchises had to be arranged, and I  
 hat a corporation, nominally at least American, gave shares of stock  
 ily of a high official even after the coming of the marines. An Amer-  
 rator told me that officials suggested grafting schemes to him. So it  
 it any wonder that many Haitians to-day sincerely believe that  
 officials must in some way be making extra money out of their

ong attitude.—There are some who will say that all these things are  
 e of the capacity of the negro. Not so, for they have appeared every-

where on earth when similar theories of government have obtained. The mental reform needed in Haiti is a change in the attitude of the upper Government.

*Government.*—Barring the short periods when a couple of rulers style themselves emperors, Haiti has always been a republic. In reality, however, it has always been a military despotism, as the 39 military posts would indicate. It has had an ample supply of constitutions from 1805, 1806—when it was called a new and regenerative constitution was needed—through the years 1843, 1846, 1859, 1861, 1867, 1874, 1879, 1889, down to the last in 1915. "elections" had always been a farce in that they but "elected" the man who had seized the power in his hands as the "savior of his people." However soon as things were settled and the appointments to office made there were hungry and dissatisfied people on the outside of the administration that tented within, and the conspiracies started anew. As a rule they did not result in great loss of life or danger and loss to foreigners. One fact in Haitian history not yet adequately explained is why practically all of these revolutions occurred in the north. The later revolt against the Americans was in the same direction. It may be that distance from the capital has been the chief factor, as some have claimed, but others have tried to show that there are differences in the people in the degree of culture, etc. The first effort of the revolutionist was never to get control of the customhouses in order that money might be secured.

The existing organization of the Haitian Government is simple. The executive department consists of the President (elected for seven years by the National Assembly, and ineligible for reelection till one term expires) and a cabinet of five members appointed by the President, to wit: Secretaries of foreign relations and justice, interior, finance and commerce, public instruction and worship, public works and agriculture. The Republic has two legislative houses: a chamber of representatives, with 99 members elected by the people, and the Senate of 39 members elected by the representatives from lists furnished by the departments and the board of electors.

(The above paragraph describes the organization existing when the Americans entered Haiti, and which still exists, according to law. In the section on the civil side of the intervention it will be shown certain changes in actual administration have been made. The National Assembly was dismissed in 1917 and has not been reassembled nor have elections been held since. The administration is carried on by the President with an appointed body of ministers called a "council of state," and all new laws are the decrees of this council. I add this statement to avoid any misunderstanding or misconstruction of the above paragraph.)

The country is divided into five departments, in each of which is found a commissar directly appointed by the Government, and a man of great power who practically controls all appointments of local officials. Under the departments are the communes, 92 in number, each administered by a communal council whose head is called the communal magistrate. The smallest divisions are sections under a chief of section. The section and communal officials receive very small salaries from local funds arising from sale of market place licenses on business, etc. There is much complaint as to grafting here. Practically all local improvements are paid for by the national treasury.

In the judicial system we find at the bottom the justice of peace with a salary of from \$16 to \$20. The courts are the court of first instance, the court of appeals, and the court of cassation (the supreme court). The president of the court is paid \$200 per month, his immediate assistant \$175, and there are judges at \$150 a month.

According to all accounts many of the lower judges are incompetent. A critic put it, perhaps 30 per cent of the judges know the law and 30 per cent can use it; the rest are worthless. The Haitians themselves have little confidence in the courts. One prominent lawyer said he could win any case for \$1,000. He assumed, of course, that his opponent did not have \$2,000 to pay. Some of the higher judges are able men. Haitian lawyers seem to prefer to settle cases out of court if possible.

*Cases in court.*—Little dependence is placed on the courts by foreigners. Let a few cases suffice:

A firm arranged with a local agent to purchase 10,000 pounds of tobacco of a certain quality. Being told that this purchase had been made, it investigated and found a very poor quality, which it refused to accept. Suit was brought and the court ordered payment for the entire amount, even though it was shown that the agent had only about half of the contracted amount in the warehouse.

a subject paid a garage man \$53 for repairs on an automobile estimate at \$10. Incidentally he found that garage man was using it without permission. Disgusted, the owner decided to sell the car. He sold it four days. Four months later the garage man demanded \$25 as commission. When refused he used threats, then presented a bill of \$40 for the car. When this, too, was refused, he brought suit. The owner was not in court; the case was to be heard. On the testimony of the garage man, without the owner, the court gave a verdict of \$40 to the garage man plus \$20 for moral damages.

Thefts occurring in a certain boarding house, a lieutenant of the police arrested all the servants who could have had access to room from which money had been taken. One servant practically confessed. Another brought suit for damages, claiming her reputation was injured. It happened that it would not lie, being brought against a foreign vice consul, but the case was fully expected to win. The only connection of the vice consul with the case was that he had lost the money and notified the police.

An American struck a native boy. Suit was brought. The American doctor to examine the boy and the doctor returned a bill of \$500. The American accepted \$100 in settlement. The American had two short suits with a lawyer, who returned a bill for \$2,500, but accepted \$650 in settlement.

The American did not dare let these bills go before a native court, for the lawyer had charged more than he was earning in two years.

A French merchant imported shirts of a peculiar pattern not elsewhere on sale. A man wearing such a shirt entered the store. Examination at the rear of the rehouse, where the shipment had been left, revealed the fact that the shirt had been stolen. The man could not tell a straight story as to how it had come into his possession. Yet, as there was no direct evidence, he was charged and started a counter suit for moral damages, which had cost him 1,500 gourdes up to the time I left.

A French firm bought a quantity of coffee, but examination showed that the bags contained stones only. Yet the court ordered payment in full.

*toward property.*—In Africa, it is stated, food is tribal and not property. That is the opinion of the Haitian. The universal story of the world and foreigners alike is that foodstuffs (and practically anything else) is tribal property. If you see yellow oranges on a tree in Haiti, you may know they are bitter. No sweet orange ever gets that color on the tree. Garbages are constantly watched. A Belgian told me that on a banana plantation compatriots they got no bananas until several natives opportunely came along, a peasant leaving his cabin unguarded must bury or carry with him his sessions, and even then he fears to find the doors stolen on his return. Everything must be taken off the porch at night and locked up if it is to be kept.

It is not mean to imply that all Haitians are thieves but enough are to make the country somewhat of a nuisance. There is no danger of your automobile being stolen for it can not be hidden, but it may be used without your knowledge. A friend of mine was ordered to pay \$1,000 for an injury done to a car by his chauffeur, when at the time he had supposed the car was standing in front of his place of business. Such an attitude toward property is a hindrance to development.

*Education.*—The common statement in Haiti is that from 95 to 97 per cent of the population can neither read nor write. A prominent European resident

Prince, told me that one day he stopped on the street and pretended not to be able to see the hands on the large clock above. He asked passers by until he had reached the seventeenth, a boy of 10, did he find anyone who could tell him the correct time. The Americans have found teachers who can sign their names or add sums of money up to 30 gourdes; music teachers who knew no music and could play no instrument. Here, too, was not paid for school buildings burned years before; salary to a teacher who admitted not having entered the building in years. Although there is a complete system of schools in the country, with attendance and tuition free, there are no publicly owned buildings. The schools are usually closed to open in October and close in July. On paper there are some 40,000 pupils, but the enrollment is admittedly only about 40,000; and an investigator who studied them carefully, stated that in 1920 the actual attendance was not more than 30 per cent of this number, say, 14,000, with as many pupils in the schools under the charge of the French fathers and This same investigator reported some 1,300 teachers on the list. The salary paid primary teachers being about \$7 a month; the actual

payments ranging from \$4 to \$15. Some of the town schools are pretty good, although there is a feeling that they have suffered in recent years. It is admitted that the church schools are by all means the best. The average attendance in the public schools seems to be about 10 pupils to each teacher. At Port au Prince, with a population of 100,000, there are not more than 7,000 pupils.

The condition is deplorable and the worst aspect of it to me is not the lack of teaching material or the inability with present income to pay living wages or extend the system. But I could find few indications of a genuine and widespread belief in public education. There are highly trained and able men who have come up from the public schools, yet those in power are only too ready to tell the people that they will do their thinking for them—an attitude unknown even in America. What I mean is that not until the dominant class see that they and their country are held back by the ignorance of the masses there is not likely to be a great movement in favor of public education. Some outside stimulus is supplied. Many people now favor the extension of education who do not see any way to get it. So much for the Haitians; they are. Let us now consider the use made of the country, and its possibilities.

**Ports.**—There are 12 ports open for foreign commerce. Of these only Port au Prince is equipped with a wharf. At the rest lighters are necessary. Most of the ports are practically open roadsteads, dangerous at times. There are two lighthouses, one at Mole St. Nicholas, the other at Port au Prince. At Port au Prince are forbidden to enter or leave before sunrise or after sunset without special permission, this second light has little utility.

**Railroads.**—There exist several stretches of what will be a through line from Cape Haitien to Port au Prince, which, when completed, will be a part of the interior. At present the road borders the ocean most of its length and was constructed primarily for military purposes. The line from Cape Haitien runs south some 24 miles to Bahon, and handles some local business. The second line, in the vicinity of Port au Prince, handles a certain amount of passenger traffic to Leogane, but is primarily a cane-carrying road. The future of railroads in such a rough country is very problematical. A branch serves as a street-car line in the capital.

**Roads and other communications.**—Much headway has been made in recent years, but there is great need of roads into the interior, as for instance, the upper Artibonite Valley. Some systems of trails in the hills, models of which, on that in the Philippines, would be of great value for the bulk of the produce is carried on animals. There are thousands of trails now, but they are usually in bad condition.

The larger towns have telephone systems and the country is fairly well provided with telegraph and postal service. There is cable connection with the United States and America and inadequate wireless service. Information spreads from mouth to mouth. Military men tell me that they never make a journey without finding themselves expected at the destination.

**Steamer service.**—Regular passenger service from most of the ports comes from New York is maintained by the Panama line, while the French line runs a direct steamer to Europe about once a month. A Dutch line has several cargo boats for Europe. There are many sailing boats about the coast, more or less regular connections to Santiago, Cuba.

**Commerce.**—The chief exports of Haiti are coffee, cotton, cocoa, sugar, and dye woods. The chief imports are foodstuffs, cloth, iron and steel, etc. The figures on main articles for the year ending September 30, 1919 are as follows:

Imports:	
Wheat flour	\$2,500,000
Rice	1,000,000
Meat	1,000,000
Other foods	1,000,000
Soap	1,000,000
Cloth	4,000,000
Iron and steel	1,000,000
Tobacco	1,000,000
Liquor, beer, and other beverages	1,000,000
Automobiles	1,000,000
Agricultural implements	1,000,000

Total.....\$11,000,000

	\$16, 407, 233
including seed)	1, 933, 576
	648, 395
	578, 698
	506, 959
	369, 959
	149, 902
	260, 565
ans	231, 453
itae	70, 825
y	4, 436
	21, 460, 044

Chief ports for imports are Port au Prince (\$9,597,499), Cape Haitien (\$1,469,278), or \$13,318,687 of the total; for exports, Port au Prince (\$7,450,599), Jacmel (\$3,256,580), and Cape Haitien (\$2,933,689). Over 90 per cent of the imports were from the United States, while of the exports 52 per cent went to the United States and 48 per cent to France. To this is an indication of war-time conditions, for Haiti has previously traded with France, but in part it is an index of a growing dependence on the United States.

—There are thousands of little booths along the roadsides and in the towns, and there are many tailors and shoe-making business is largely in the hands of foreigners. At an early date the French seem to have been dominant; in later years, prior to the war, the control had passed to the Germans. Germans had built the Port au Prince and one of the railroads. These have passed into American hands, nominally at least. American concessionaires had built the roads. There were no other American enterprises in the country of any importance. In recent years a plantation company has invested about \$1,250,000 in the St. Michel Valley. There is a small factory for the extraction of rubber at Cape Haitien, and in 1921 a company was formed to grow and can rubber at Cape Haitien. Several Americans have entered business in the country. There is a cigarette factory at Port au Prince. The City of Port au Prince has purchased the Banque Nationale and become the strongest financial institution in the country. The American Foreign Banking Corporation has a foothold, but found business unprofitable and withdrew in 1921. The Royal Bank of Canada, a strong institution, has several branches in the country.

From what has been said it must be evident that the Haitians are perhaps the first strong impression the visitor gets. Only a poor wage for 20 cents a day, the prevailing wage to-day. Only hungry peasants will deliver coffee for 3 cents a pound, which is all the peasants get.

One can even understand the reply of the President in days of complaint was made to him that the Haitian coffee brought a low price in Europe because it was so dirty and full of stones: "But we get 3 cents a pound for export duty, stones and all, do we not, even though you say that the coffee is full of stones?" "Yes." "Then let the old law stand." Need Haiti be

*al possibilities.*—In spite of the dense population of Haiti, which tends to overflow into the Dominican Republic, the soil can be made much more than it does to-day. The hillsides where the rainfall is high are covered with valuable woods and with fruit trees yielding returns to the cultivator than do the few vegetables he grows. The wonderful mountain scenery, only a few days from New York, is very attractive to those seeking to escape our cold winters. The great possibilities which are unrealized to-day, for their soil is not adapted to the production of sugar, cacao, etc., is only a small fraction of what it is capable of. Let us examine them a bit.

It extends out to Cape Haitien over the plain of the north which stretches back to the hills, on one of the highest of which are perched the famous "Citadel." will find some 70,000 acres of level land. The soil is a mixture of red and black clay to a depth of 12 to 14 inches, with subsoil of sand and to the water table at 10 feet. There are no stony out-

crops. The soil is suitable for cane, pineapples, etc. Yet to-day it is overgrown with woods. Agriculture is possible without irrigation, but there are three small streams flowing through the plain. Everywhere the towns are ruins of old gateways and stone walls encircling acres of land. He goes down a muddy path in the center of what was once a wide avenue. He crosses brick culverts built perhaps 150 years ago. Before long he realizes that he must at one time have been a garden spot, and such it was, for here was the center of the old French culture and from here went enormous quantities of sugar, 24,000 tons in 1793. Probably there are not more than 500 acres of cane here now and practically none has been grown for a century.

The second plain is on the west coast, the Artibonite, between Gonaïves and St. Marc, with some 20,000 acres of level land. Here the country looks like Arizona. The Artibonite 25 miles from the mouth is running about 1,000 gallons of water every 24 hours, entirely unused. Here the problem is to dam it, for the Artibonite will be hard to dam. It is here the French once stalled what appear to have been the first steam pumps in the New World. I am told their remains are still to be found.

About 17 miles north of Port au Prince, the plain of Arcadère covers some 20 miles along the coast with a width of from 2 to 5 miles, some 10,000 acres. This has been under cultivation for a century. There are now 5,000 acres of cane, 8,000 of plantains, and 3,000 of minor fruits. The soil is easily worked but is depleted. There are five small streams, four of which were used by the French for irrigation. The works have not been kept up.

Just between Port au Prince and Lake Saumatre lies the plain known as the Cul de Sac, containing some 98,000 acres, of which 70,000 are adapted for cane, the balance being mostly low marshes, of which 10,000 acres are used for pasture in dry seasons. This was entirely cultivated by the French. To-day 30,000 acres are wooded. By the proper development of irrigation projects, for the rainfall is inadequate here, it is believed that 1,200,000 tons of cane could be grown on this plain. Just west of Port au Prince is the plain of Carrefour of 1,700 acres, 1,200 suitable for cane. Three thousand tons of cane is the estimate of possible production.

A little further west is the plain of Leogane with dark rich soil which reminds one of the Mississippi Valley. It contains some 20,000 acres of cane ground, with an estimated possibility of 350,000 tons. There is a great deal of cane here but it does not seem to be well cared for, the production seeming to average about 10 tons an acre.

On the south shore is the plain of Cayes, rich soil of some 150,000 acres of which perhaps 10,000 are now in cane. Here the rainfall is some 75 inches and irrigation is unnecessary. Within sight of the town of Cayes is the island, Ile de Vache, with a central plain of some 8,000 acres, on part of which cane might be grown, though it is used for grazing land to-day.

The French in 1791 with 792 mills produced 163,500,000 pounds of cane. From the revolution down to 1919 no sugar was exported. In the year 1919, 8,798,877 pounds were exported, the product of one American-owned mill.

*Haiti's need.*—This summary indicates that there are great opportunities for Haiti, if. Now what is this "if"? Primarily, stable government. That, of course, not the sole factor, but it is one great fundamental which Haiti lacks. So far as I can learn, it has never been the practice for either Haitians or foreigners to invest their capital in Haiti in any enterprise not under immediate control. In large measure this has been due to the many uncertainties surrounding property. If there is to be a solid and substantial development in Haiti, some way must be found to induce the residents to make investments at home and thus to gain a personal interest in the use of the land, the organization of the markets, and all the other essentials of community welfare.

## CHAPTER II.

### THE MILITARY INTERVENTION.

Although the United States had always respected and upheld the independence of Haiti, it became increasingly worried over the situation after 1900. Sami, Alexis, and Simon were overthrown and exiled; Leconte was driven up with the palace; Auguste was poisoned; Orreste and Zamor were killed, and the latter killed on his return—all between 1900 and 1915, when General Gauthier was killed. Haiti was heavily indebted to French and German banks, and, to a lesser extent, to England. These countries were beginning to

es with reference to collection, and once or twice money had been force. Moreover, after 1912 there came to the State Department t Germany was talking to Haiti about a loan of \$2,000,000, to be certain port rights, control of customs, and rights in a coaling ole St. Nicholas. All of this seems to have happened without the e the American minister to Haiti, a man who had had no previous xperience. Germany denied the charge, but added to her denial f the statement: "The German Government has joined with other overnments in representing to Washington that the interests of untries in Haiti are so large that no scheme of reorganization or be regarded as acceptable unless it is undertaken under interna-es." This challenge to the Monroe doctrine could not be ignored. e incessant revolutions in Haiti were producing a state of anarchy. a six months' rule of Zamor in 1914 it was rumored in Haiti that was negotiating with him and the report was used against him. 1914, the Haitian Senate passed the following resolution: "The hearing the denial of the Secretary of State for Foreign Affairs, nce of negotiations between the national administration and the of the United States, declares its satisfaction with his explana-ndemns any kind of treaty." On November 7, 1914, Theodore nor as President, and early in December the American minister ailly-Blanchard, who for a generation had been secretary of our Paris and knew French perfectly) made certain proposals with the control of the customhouses, and on December 10, 1914, sub-ject for a convention. On December 15 this was peremptorily the matter was dropped, with the statement that the United States ed entirely by a disinterested desire to give assistance."

. 1915, Vilbrun Guillaume Sam was President of Haiti, and a of two men from Washington arrived, claiming to be agents of ilson. Their powers were challenged and they soon left. In May iller, jr., was sent to Haiti with the title of envoy extraordinary. he submitted a proposal covering the following points:  
United States will protect Haiti against all foreign attack.  
United States will assist Haiti to suppress insurrection by the rces needed.

agrees not to sell or lease Mole St. Nicholas in any way to any rnnment or the nationals thereof.  
agrees to enter into arbitration agreement for settlement of foreign

ie Haitian Government replied on June 4, 1915, accepting clauses adding a fifth to the effect that in case of disagreement with ref-is convention the difficulty should be submitted to The Hague. s changed to read that the United States would facilitate the en-pital to Haiti for business purposes, would aid in unifying the lifying custom guaranties, and in establishing monetary reforms. sh these ends Haiti would employ only trustworthy men in the rice and would organize a rural mounted constabulary. If neces-consultation between the two Governments, American troops might l to suppress insurrection in Haiti to "be retired from Haitian the first request of constitutional authority." After exchange of iller left on June 5 and further discussion was prevented by another

' the marines.—Cape Haitien being threatened by a revolutionary es were landed on June 15, 1915, from the French cruiser *Des- allied patrol fleet. This action forced the hands of the United h seems to have had no thought, let alone plan, of active interven-ly American marines landed in Cape Haitien from U. S. S. Wash- J. S. S. Eagle. The latter was left at the Cape and on July 26, 1915, ton sailed for Port au Prince. The next day 160 or more political ncluding members of many prominent families, were murdered by a President, who took refuge in the French legation. The official responsible for the massacre was taken from the Dominican legat-elled. The English and French representatives cabled for warships. the President was dragged from the French legation and cut to ur Admiral Caperton at once landed marines from the *Washington* l. *Jason* was ordered to bring all available men from Guantanamo.*

Possession of the city was taken with little opposition. On July 30 the French cruiser *Descartes* arrived and landed a legation guard. On August 12 Dartiguenave was elected President. On August 16, at the request of the War Department, Admiral Caperton was ordered to take charge of the customs and to use the receipts for organizing a constabulary, for public works, the aid of discharged soldiers, and relief of the starving populace, and for support of the Dartiguenave government. This was done against the wishes of the Haitian Government.

A large part of the people were well pleased with the advent of the Americans, but many politicians who saw their plans checkmated were, and continued to be antagonistic. Bands of "cacos," the local term for revolutionary bandits, which also included all sorts of lawless and criminal persons, roamed the hills and offered opposition to the Americans wherever possible. It should not be forgotten that these men lived by theft and robbery, and were doing no work, and that the poor peasants of the hills have suffered throughout loss of stock and crops. In some sections practically all the domestic animals were killed or stolen. The suppression of these bandits was a long process and the last of the bands was not broken up till the summer of 1900. These troubles have all been in the north central and eastern sections of the country; the whole southwestern peninsula has quiet almost from the first.

In attempting to judge of what has been accomplished certain facts must be kept in mind. Here is a country where a small number of intelligent, energetic and sometimes unscrupulous men control a great mass of ignorant peasants. It is a country where the tradition of having overthrown the flower of the French army still survives and where orators still boast of their ability to overcome any invader, a land where the simple peasants still believe that they can be rendered immune from bullets by charms. The cacoe leader is carried a book of charms with him and yet evidently was a bit skeptical when urged, only a couple of days before his death, to surrender, he did not dare to for his followers would kill him if he admitted his ability to win out. Given the conditions of the country which make life easy and difficult, it is clear that the suppression of opposition is difficult. So the Haitian Presidents have always found.

The fact is, then, that a large percentage of leading Haitians were thoroughly despondent over the situation and were ready to welcome any force that would give them peace and order. They fully expected that the Americans would take complete control and work order out of chaos. In fact they expected the impossible. When, for reasons we shall consider elsewhere, a new day did not come promptly and in all its glory, they lost faith both in the ability and the sincerity of the Americans. There were plenty of persons shrewd enough to capitalize this natural reaction to their own advantage, to foment an antagonism which is by no means as great as it appears. It is now return to the main course of events as they affect the military forces.

*The corvée system.*—Within a year from the arrival of the Americans the country was quiet save for sporadic outbreaks of cacos, and the year 1900 was relatively uneventful. In the effort to suppress these bandits one of the greatest difficulties was presented by the lack of roads. General Butler revived a law, dating from 1865, requiring citizens to work on local roads, and thus initiated the *corvée* system. The execution of this law and the supervision of the road work was turned over to the gendarmerie. From American residents of Haiti have told me that they advised against this system but were met with the answer that it was a military necessity. At first there was little opposition. The communities were glad to have roads and repaired. Soon, however, discontent arose. Instead of working near their homes men were being taken, sometimes driven manacled under charge of the gendarmes, several days' journey on foot from their homes. It is alleged that in some places no shelters were provided. The Americans made provisions for food, but later it was discovered that the natives in charge did not give the men, or did not turn over more than a small part of the money allotted for food. In practice, too, the local head, known as the "chef de section," was never called on for men sent whom he pleased, even destroying the cards showing that given individuals had done their share. He thus favored his friends and punished his enemies. Some individuals worked two or three months instead of the two weeks theoretically required. Many, naturally enough, fled to the hills.

In other cases the mistaken zeal of Americans fomented opposition. An American tells me that one day he was riding with a major and a lieutenant

criticized the lieutenant because the men were not working on the latter replied that it was the planting season, and that he and his men two weeks on their promise to return at the end of that road work. The major objected, saying that he would be held to insist that the men be called out at once. The lieutenant took his promise and so was transferred and replaced. This was the trouble in that neighborhood.

men were tactfully handled and fairly treated, different results. Captain B——, who had charge of the section between St. Iboro Mountain, not only finished it but, when ordered to go on action, carried some 800 men as volunteers with him. He managed to each gang of 30 men had a cook. A regular diet, with meat once provided, and the men were paid 2 gourdes (40 cents) a week. — lived with the men and was the only white man with them. With as 8,000 men working under him. The men worked about 10 work stopping at noon on Saturdays. In the south, near Cayes, he so managed that local merchants contributed considerable money, the stop order was issued there was a petition that the work be continued where there seems to have been some graft by gendarmes and local let men off on payment of bribes.

the system itself, then, but the way it was handled that seems to be fault. As one priest put it, the worst feature was that it gave the bold leader the chance to tell the natives that the whites were trying to enslave them, and that it made the men afraid to come to the towns and be seized. So great was the outcry that it was stopped on October 1918. At this time there were no marines in the interior and the commander either permitted or ordered the corvée continued in the Hinche district. The facts were discovered by chance, the corvée stopped. The martial of the commander advised, but in some way he seems to have been. I was told by — that in his presence General — called a murderer and a liar and unfit to be in the service but added that for one of the Marine Corps he would have him transferred. When it was then that the corvée had been ordered stopped, the antagonism against the system is easily understood. Well-informed men have told me that it has been an easy matter to have got all the men needed for a small force and that the total cost to the United States would have been vastly more if of the suppression of the rebellion which was occasioned, though caused, by the system. In my opinion this was the greatest mistake of the Marine Corps in Haïti. It should be added that the law itself is repealed and that American officers since have been able to get things done on local roads by appealing to local pride and self-interest.

January 1, 1919, there was a great increase in cacao activity which contributed to the establishment of garrisons of marine in the interior, the constant presence of the country and many armed encounters with considerable loss of life. It opened, of course, that the men fomenting this activity, and to some extent it, supplying arms and ammunition at times, etc., were safe in Port-au-Prince and the Cape. The number of marines in the country increased from about 1,000 to over 2,000 and has since been kept at that figure. After the foolish and futile attack on Port-au-Prince early in 1920 the leaders seem to have expected a mass uprising of the people, but the warfare decreased and it became a problem of protecting isolated posts against the attack of cacos for, I repeat, the chief sufferers have been the peasants. Patrols are now maintained largely to give confidence to the people, for the bandits are gone. So quiet and law-abiding are the people that they do not hesitate to go anywhere in Haïti at any time and unarmed. It is then, that at the present time there is no military problem what-so-ever in Haïti, but there is and will continue to be a police problem. It should be noted, however, that only the presence of the marines makes possible the peace in office of the President and the peaceful functioning of the government. In this connection, let me add that the bills for the Marine Corps are paid by the citizens of the United States, not, as many Haitians think, by some American writers have been intimidated by the Haitian Govern-

*Note.*—One of the first efforts of the Marine Corps was to establish a force of Haitians, officered at first by Americans, with the plan of replacing these by competent Haitians. On July 1, 1921, there were 100 men officered by 16 Haitians and 122 Americans. Four of the

Haitians were first lieutenants and it was expected that three others would be advanced to that rank. Privates in the gendarmerie are paid \$10 per month, corporals, \$15; sergeants, \$20; first sergeants, \$25; all in addition to 15 cents a day allowed for rations and lodging. The total cost to the country per man upwards of \$1,000,000. The Americans are drawn almost exclusively from the Marine Corps. To secure good men and hold them it is provided that in addition to their pay from the United States, the Haitian Government shall pay sums which run from \$250 per month for colonels, \$150 for captains, to \$50 for second lieutenants. The United States Congress passed a special act to induce the men to accept this service. An officer providing his own car, as now is allowed 30 gallons of gas a month and may bring his car in duty free has to pay this duty if he sells the car outside of service ranks. As a man occupies one rank higher in the gendarmerie than he holds in the Marine Corps. This force is scattered in all the communities and rural districts of the country. It is uniformed, the suits being made in the prisons, and is the police force of the nation, replacing the old army, which was disbanded at the time of the occupation. It gives great promise of future usefulness.

The Haitians complain that the pay given them is so small that the grade of men will not enlist and that many cacos and other unfit men are enrolled; also that many incompetent Americans have been appointed. There is a measure of truth in the claims. Yet the pay is not small judged by Haitian resources and compares favorably with that available elsewhere. Many mistakes in appointments have been made, but there is a steady weeding out of the unfit. Promotions of Haitians have been slower than many of the American organizers had expected, but, on the other hand, it has been hard to get Haitians whose standards approached those expected by the Americans. It will take a long time to dislodge the belief that office is to be made a source of personal revenue and it is difficult to prevent abuse of power. Some of the marines advanced from the ranks to become lieutenants in the gendarmerie lacked the necessary tact and executive capacity and some of the commission men lacked the proper personality. Again, some curious errors have been made in Washington. I recall that one captain in the gendarmerie with a splendid service record in the Marine Corps, who had been a splendid success in receiving high praise from his commanding officers, was reduced to the rank of private, practically driven out of service by the "plucking board" at Washington. A lieutenant under him, who chanced to have been sent to France while the captain was kept in Haiti, was given a permanent berth.

On the whole, my impressions of the Americans are very favorable. While there are a few sinecures for the men in a couple of large towns, the average officer in little rural communities, living in what we would call a shack, isolated from all white society and deprived of all opportunities for amusement, deserves great credit for his work. Such men are often petty kings, and it is to be expected that they fail at times. The evident esteem paid most of them by the natives and the answer one gets if he suggests replacing them by native officers is sufficient reply to the criticisms. It will be a long time before they can be replaced to advantage. At first the gendarmerie had various duties, but now it is almost wholly limited to police work. The danger that I see is that it may be thought of as a military force, whereas it should be a civil force comparable to the mounted police of Pennsylvania and under civil control.

**Prisons.**—Great complaint has been made of the prisons which are under the control of the gendarmerie. I visited most of them and found them to be the cleanest buildings on the island. As buildings they are not very satisfactory, but no just complaint can be made as to the way they are kept. A reliable witness I saw says that they are vastly better now than in the past. Formerly, though the Government was supposed to allow 10 cents a day for food, little of the money ever reached the prisoners, who depended on their families or on alms for practically all they had. The prisons are said to have been extremely filthy as well. The total prison population averages about 3,000 a day. In May, 1921, there were 4,179 inmates. During the year 1920 there were 30,398 prisoners and 1,497 deaths. During the first six months of 1921 there were 9,842 prisoners admitted and 229 deaths. I examined the prison population and found an average of from 40 to 50 deaths a month. During the summers of 1919 and 1920 the deaths rose to about 60 a month. The chief causes of death were tuberculosis, prison edema (probably beriberi), pneumonia, and smallpox. The epidemic of edema had given the officials much concern. Though the diet was known to be adequate it was modified. Officials hoped the problem was solved. When one sees the conditions

ival he does not wonder at a high death rate. I am fairly familiar with prison problems and have no criticism to offer of the way in which they are conducted. The inmates are better cared for than are the free Haitian peasants.

10.—Beginning September 3, 1915, martial law was proclaimed in Haiti and was gradually extended to cover the country. Provost courts were established and the press prohibited from criticizing the Haitian government or the occupation. It was the intention of the occupation to interfere as far as possible with local institutions, but it felt it could not trust the Haitian courts. As a matter of fact the provost courts seem to have awakened no criticism, though there is some criticism that their sentences were too severe. The occupation issued an order that no rum was to be sold to marines. This order was frequently disobeyed. In November, 1919, some marines arrested a boy to the store of one Mangones to buy rum for them. Mangones was arrested and was sentenced to six months imprisonment at hard labor. He did not know for whom it was intended, and is said to have been released through the intervention of the French consul. On September 19, 1920, the provost courts were ordered to sit "only for trial of cases beyond doubt inimical to the United States or a violation of the laws of Haiti." That there was some reason for the earlier doubt was shown in the case of 1921, when a native court freed a customs collector at Ouanaminette who had stolen some \$5,000.

11.—*Of the press.*—In preoccupation days no paper dared criticize the government unless it could get ample protection, and editors were often arrested and papers seized. The establishment of a censorship, therefore, had little effect on their activities, but it gave a chance for an argument that was made to Americans at home. The star case was the arrest and imprisonment of Henri Chauvet, the editor of *Le Nouvelliste*, the most prominent newspaper in the country, for publishing on November 22, 1918, an announcement pending recall of the financial adviser, Mr. Ruan. This case drew attention to the attention of the State Department, which upheld the court. The result was that the guess was true.

12.—It is that M. Chauvet was punished because he violated an explicit order of the occupation and in such case we can hardly criticize the court, or opinion as to the scope of the original order. Later on the press was removed and in 1921 there began a great campaign of abuse against everything American and of the Dartiguenave Government. I never have been tolerated by any previous Haitian régime. The occupation became much alarmed for his own safety. It was useless to take him out of the courts. The best people and some of the editors did not believe they were forced to keep silent or go along lest they be condemned as enemies of the leading officials wrote:

"I readily understand the position I have taken when you are made the majority of the judges being opposed to the existing state of affairs. Government can not, until the magistracy has been reformed, obtain the collaboration necessary to a good administration of justice. In the face of contradiction they will always condemn when a case is before them. I believe that those are the occasions in which they can hurt the government or the occupation. In the same spirit, they, on the contrary, acquit thieves and robbers under the pretext that the prison régime is too severe and out of control of the gendarmerie, meaning in reality under the control of the occupation."

13.—On August 8, 1921, the following order was issued:

"The freedom of the press and of speech are practically unrestricted, except for speeches that are of an incendiary nature or reflect adversely upon the occupying forces in Haiti, or tend to stir up an agitation against the United States who are aiding and supporting the constitutional government of Haiti. Articles or speeches attacking the President of Haiti or the Haitian government are prohibited and offenders against this order will be brought to a military tribunal."

14.—When the commanding officer was thanked by the Haitian President, he was immediately tested by one of the papers which published an article containing words replaced by blanks. The editor was arrested and his paper was forced to convince the court that only the Lord Himself could know what was represented. The court thought otherwise and a small penalty was imposed as a warning.

*Public works.*—Another source of irritation in connection with the occupation was the taking over by the military officials of most of the public buildings which remained in their hands practically till the end of 1917. Even civilian Americans had been appointed in accordance with the contract, but there was seemingly great unwillingness to turn over the control. It is difficult for the civilian to get at the exact situation which led to some of these transfers or to pass judgment upon their wisdom. Beyond doubt they caused considerable irritation. For instance, the control of the ice plant at Port-au-Prince, a German-owned enterprise, was taken over, and as there was a shortage of ice during the war all the ice for a time was taken for the hospitals and for the occupation. Thus officers' families were supplied, while American civilians as well as Haitians went without.

It was the occupation as well which forced Haiti to take action against Germany and to sequester German property. That there was some reason for this action is clear when we remember that the Germans had large commercial business interests of the country. The point I wish to make is that the action would probably not have been taken by the Haitians, into whose private families many of the Germans had married.

*The Marine Corps.*—A word is needed as to the personnel of the Marine Corps. The old standards of the corps were high, both as regards military and moral officers. At first the Haitian clubs were opened to the officers, who attended balls and parties, danced with the girls, and to all appearances enjoyed themselves. When the families, prohibited at first, began to arrive, not only an American social group grew up, centering in the American Club, but a social cleavage was created because of the color prejudice. It was soon confessed that not all of the Americans treated the natives with due respect and this attitude was resented, naturally enough. Moreover, it was difficult for the Haitians to see Americans who had never had a servant at home go on airs, raising the price of house rents by bidding for desirable houses in automobiles on which they paid no duty and burning gas, which they buy at a little over 20 cents a gallon, while the civilian, native or foreign, was paying from 70 to 80. Unfortunately drunkenness was not unknown even among the part of high officials and their wives, while local standards were shown by the sight of women in automobiles smoking in public. Although such things were infrequent, every incident was told and retold and helped to create a suspicion that little help could be expected.

While I saw no American official in the Cercle Bellevue in Port-au-Prince, Cape Haitien the earlier relations existed in large measure. During the war, with the necessity of sending men to France, many privates were made available, particularly in the gendarmerie. This caused much complaint, whatever merits thereof. With the close of the war there came the enlistment of a large number of young boys of decidedly inferior type to the older men. Both officers and older men commented on this and criticized the Washington Government for sending such material to Haiti. This group is being weeded out and the arrivals are of better stamp. It gives me pleasure to add that, with a few exceptions, I was very much pleased with the men I met, both old and enlisted men.

To complete the picture I should add a word as to the location of the marines. Headquarters are at Port-au-Prince, and here is stationed the largest body of men. There is a training camp at Mirabelais, 32 miles to the northeast, a camp at Las Cahobas, 17 miles to the east, 20 miles north of Port-au-Prince, a company at Thomme. Further north companies are found at Hinche, Maissade, while the headquarters of the north are at Cape Haitien. In all, about 10,000 men are in the occupation. The average Haitian sees few marines save those with the gendarmerie.

*Atrocities.*—It has been necessary to give this outline of the history and policies of the Marine Corps before considering charges of cruelty against the marines. There is no charge that any policy of deliberate cruelty has been adopted. All complaints are against individuals. Rumor is common, but evidence is rare. The cases fall into several more or less clearly distinct groups.

1. *Drunkenness and accompanying disorders.*—Relatively common. The commanding officer told me that 90 per cent of his troubles with the natives were due to alcohol. Such disturbances have seldom been the cause of mortalities, but have led to fights. In some cases natives unwilling to furnish labor have been threatened by marines with guns. One such case came under my personal observation. In this, as in most others where facts became known, the guilty party was summarily and severely punished.

*assaults.*—Such have been perpetrated just as they were in France as well as by Germans. I chanced to be present when the first case of rape of a young girl of 10 or 11 was presented. In this man was proven guilty, later admitted guilt and pleaded insanity; he was sentenced to 51 years imprisonment on the combined counts. Severe measures have always been meted out to such offenders.

*degree methods to secure evidence.*—Admitted. The third degree is unknown either in Europe or America. To a considerable extent it is justified as justifiable under field conditions. That it can be abused and has been is evident, but it can not be judged by parlor standards. It is to find one American civilian taken on a patrol in Haiti becoming enraged at the obvious lies of a woman that he urged the officer in charge to take severe measures and then came home to write up the incident as an example of the cruelty of the marines, forgetting to tell his own part in the affair. Where life is involved human passions run high.

ate striking, shooting, etc., of escaping prisoners and others. Such cases have occurred in some cases. Let a couple of illustrations suffice. A white man riding one day with Captain — saw him spur his horse over women on way to market, knocking them down and scattering over the road. Then he rode off laughing. It is not surprising to find one of the six or seven officers generally accused of being guilty of such attacks. An American told me that an officer out after cacos met a certain place, two of whom were in his, my informant's employ. He saw them where the cacos were; through fear or ignorance they fled. The officer then shot them all and on his return reported that he had killed by 150 cacos and had killed 5 of them. My informant may be sincere in his belief.

must admit that such things have happened. That is the belief of the armed men I have met both in and out of the service, Haitians, and Europeans. As a matter of fact, much as we may regret it, every man knows that they are to be expected. The real question is whether they were abnormally common and whether, when proved guilty, they were punished. Prominent Haitians, French priests, and other persons have told me that these acts of cruelty were extremely rare and that such offenses would have occurred by Haitians on Haitians had there been no intervention. I fear that the emphasis laid on cruelty is because of the sympathy that may have in the United States rather than because of sympathy for the Haitians.

As to the second point, I think the officials did not let the Haitians know which men were punished for offenses. The Haitians got the impression that the guilty men were shielded. This I do not believe, though it is possible that some cases were not investigated with sufficient care. I regret that the thorough inquiry was not made in connection with the few officers

whom the natives themselves are to blame for some of the criticism heaped upon them. A certain type of man likes to brag of his exploits and of his wickedness. There has been a lot of this kind of thing where the basis of fact was small. Certain investigators have been deceived in similar fashion. The native men seem to have tried to capitalize their alleged repentance. In the country I tried to observe the attitude of the natives toward the marines. Nowhere did I detect signs of fear or of desire for revenge. On the contrary, there was a feeling of respect, often of friendliness. As a whole I feel that the men in the Marine Corps deserve our respect. I am ready to believe that they change their character when away from the influence of the native people of different color. I am not trying to dodge responsibility, but to keep a balance in my verdict. We did much for Haiti in France but absolutely nothing for those in Haiti. The fact is that there have been many more acts of kindness than of cruelty. The good things have been advertised to the world. Day after day I have talked with officers and men, bending all their energies toward helping the Haitians. I have seen them going out of their way to call on and bring presents to men who were isolated in their communities. The opposition to the marines is not blind and disinterested. The thief and grafter do not like interference. That behind all surface explanations lies the resentment against the marines, the symbol of an outside force preserving order, the reflection of the inability to control self, which hurts the Haitian's self-esteem. Here is the situation.

## CHAPTER III.

## THE CIVIL SIDE OF THE INTERVENTION.

Immediately after the election of President Dartiguenave, on August 12 steps were taken to secure a convention, which was signed in Haiti September 16, ratified by the Chamber of Deputies October 6, and by the Senate November 11, 1915. Owing to delay in Washington, the exchange of ratifications did not take place till May 3, 1916. In the interim practical control of Haiti, of government funds, and of municipal administration was in the hands of the occupation. Since that time the functions of the military have been reduced; now it does little more than "sit on the lid" and preserve order.

The convention established a financial protectorate over Haiti; it introduced a financial adviser of rather unique powers, inasmuch as the Haitian Government agreed to put his suggestions into effect, and yet left the question to whom he was immediately responsible, and under what conditions he was to be removed, vague, to say the least.

This treaty met with much opposition in Haiti, but attracted no attention in the United States. Its intention is evident from its text, and was well understood both by Haitians and Americans. The Haitians were so discontent over their situation and the future seemed so dark that they were willing to accept the help and protection of the United States, the sincerity of whose intentions they did not question, on any terms demanded. Naturally they wanted as little interference with the local government as possible. It is possible that they thought that later they might evade some of the provisions made.

Subsequently some one, the military authorities get the credit, felt that control of telegraphs, telephones, lighthouse service, and postal service should be in American hands, and a nasty dispute arose. In August, 1916, it was agreed that "the operation, management, and maintenance of the telegraphs and telephones" should be put under the charge of the engineers nominated by the President of the United States. There have been other difficulties over postal service and with reference to public education and control of municipal revenues.

*The President.*—President Dartiguenave, taking office in August, 1915, served for a period of seven years, at once found his position extremely difficult: he was desirous of pleasing the Americans, yet jealous of the rights of the Haitian Government. Many of the steps he took are sharply condemned as such by some Haitians, defended by others. Putting the worst possible construction on them, we find they are exactly what all other Haitian Presidents have done. There has never been a free and untrammelled expression of public opinion. The group with longest purses and heaviest arms has always won. The wishes of the governments have been accepted unless the opponents were strong enough to overthrow them. But rebels now had to deal with American arms, and the prospect was not alluring. Dartiguenave then remodeled the Government somewhat. He proposed a new constitution, which was adopted by a large vote and promulgated June 18, 1918.

The principal new features of this constitution are the land law, enacted elsewhere, and a special article which ratifies the acts of the United States Government during the occupation; protects Haitians from prosecution because of obedience to the orders of the occupation; provides that acts of the martial law shall not be subject to revision, but without destroying the right of pardon; and ratifies the acts of the Haitian Government up to the time of promulgation. This constitution was rejected by the chambers, and it is charged in Haiti that this action was brought about by money supplied by a few men with German connections.

All the time there was no criticism of the way the election of Dartiguenave was managed, but latterly it has become the fashion to make all sorts of objections against it. No proof has been offered, so far as I know, and the French priests who would have known the facts smile at the charges. President Dartiguenave the chambers have been dissolved and the Government is now run by the Executive with a council of ministers. The President's advisers make much of this. The truth seems to be that the Dartiguenave has done well in a very trying position. He is a cultured man of long political experience. He has a keen appreciation of the dignity of his position. Although he has not been as strong, perhaps, as desirable, but he has reason to think for his safety should any chance remove the Americans.

of the treaty officials arrived in Haiti in July, 1916. It is im-  
try to trace the history since in detail, but a few points may be

*general.*—The receiver general deserves much credit for the work  
His administration has been honest and efficient. Smuggling,  
f payment of customs, etc., formerly prevalent, have been reduced to  
g point. He has enforced the law without fear or favor and has  
made enemies. He is handicapped by having to administer an  
tariff schedule which the Government has refused to change.  
figures in part in American money, in part in Haitian, both ad  
l specific, and the figuring of duties is involved and tedious. The  
s absurd details as to invoices and fines for violations are frequent.  
zed for having introduced non-Haitians in too great numbers. The  
uses criticize him for the stringent application of the law in such  
to increase immediate returns, perhaps, but to check the future  
of business. For instance, the older custom seems to have been  
ities on the basis of the metric pound of 500 grams, but the receiver  
es that the Haitian law prescribes the French pound of 489.50  
charges accordingly. It is claimed that his office attempted to  
xtra duty on the 5-gallon gasoline containers, asserting that they  
market value of 20 cents, also on glass tumblers in which jellies  
d.

*handicaps.*—To show some of the handicaps under which merchants  
illustrate the need of change in the laws, not to criticize the present  
ion, I mention the following:  
merican scales for weights of 1,200 pounds the duty collected was  
ad valorem, or \$33, where the official schedule seems to call for a  
f \$2.

for agriculture or the preparation of the products of the country  
e, but a merchant was forced to pay on an engine for running cotton  
offee sorters 20 per cent ad valorem or \$355.21 in gold and 702.17

rted article sent abroad for repairs must pay an ad valorem duty  
rs, which may be greater than original duty on article.

had to pay \$124.71 in gold and 277.11 gourdes for merchandise  
ever received. By the ruling of the department such goods delivered  
ay duty a second time, unless found in a Haitian port.

e been paid in such cases as the following:

consular invoice did not state whether the woolen hats were for  
ths. Because invoice did not say whether handkerchiefs were for  
ket. Twenty-seven dollars and fifty cents paid in duty on mixed  
ad of regular duty of \$3.31 due to mistranslation on invoice of the  
as "confiture" instead of "bonbons." Fine paid on padlocks be-  
ce did not state that they were of iron; on lead pencils because  
not state "office"; on hosiery because invoice did not say they were  
on ink because color, black, was not stated.

ch of these cases the declaration is said to have contained all the  
ired by the tariff.

been much trouble because of the custom of assimilating articles not  
mentioned with those they most resemble and charging appropriate  
claimed that the present administration has managed to change  
is to increase cost. Thus, the cloth known as "Prescott stripes," for-  
with nankinette, is now put with "drill," with an increase of 100 per  
y. Italian colored cotton drill, formerly put with "drill," now is  
lth "Toile de Vichy" and "Bazin," with an increase of 25 or 50 per  
t. Automobiles, formerly classified with vehicles, are now put on an  
basis, with great increase in duty. Perhaps the funniest case is that  
ce which, first imported some 15 years ago and classified with wine,  
nt administration was first taxed ad valorem, then as aerated water,  
elder, resulting in a duty increase of 50 per cent and the stopping  
rtation.

omplaints are made in great number by merchants all over the coun-  
porter is likely to feel that the lower rate should always apply; the  
tempted in the other direction. Wise legislation should remove the

*adviser.*—Two men have filled the position of financial adviser.  
their qualifications, they have not impressed the Haitians favorably.

The present adviser has been absent from Haiti continuously for almost a year, drawing his salary and per diem expenses of \$15. That this should have been permitted is a reflection on the United States. It is obvious that his recommendations have not been accepted and the Haitians simply refuse to do as he wishes. One thing is certain, and that is that one of the main purposes of the occupation, the determination of the validity of the internal debts, etc., has not been accomplished although six years have passed. Such a condition calls for immediate reform. Of course, many of the criticisms passed on the adviser are unjust. There has been much complaint because of the conversion of \$3,000,000 francs, for the payment of interest on the foreign debt was made at the rate of 9 francs to the dollar, whereas a little later francs were quoted at 14 to the dollar. Just how the financial adviser was to know the future is not stated. It is foolish is the complaint that he fixed the value of the gourde at 5 to a dollar whereas it was intended to be of equal value. Such critics should consider the present price of the mark. Another suggestion, much condemned, with reference to the control of the importation of money will be considered in connection with the finances.

*Engineers.*—For some reason there was considerable delay with reference to the engineers. Although the first chief engineer reported for duty in January, 1917, he had no assistants or employees and no funds until the end of the year. Until that time whatever work was done was in charge of the occupation.

Irrigation was turned over to the engineers in October, 1917; the street pavements of Port au Prince in November, 1917. Management of the 11 telephones and telegraphs was undertaken in February, 1918, and of the 11 operated by the gendarmerie in November, 1918. Roads and bridges were taken over in June, 1919; the water service of Port au Prince in April of Cayes in April, 1920; of Gonaïves, St. Marc, and Cape Haitien in September, 1920.

In Haiti practically every local need must be met from the national treasury. Yet the older law made really no provision for any constructive proper maintenance of public utilities. Not until July, 1920, was an administrative law secured. This organized a corps of Haitian engineers under the chief engineer and put under the control of the chief engineer the construction, maintenance, and repair of public utilities, the operation of telegraphs, telephones, the water services of the towns and communes, irrigation projects, the supervision of the engineering works of the communes, and the supervision of all concessions, including mines, quarries, and power installations. Practically all the public works were found to be in bad repair and to neglect, and repair bills have been high and will be for some time. Money available has been very inadequate. For the three years ending December 31, 1920, \$744,000 had been spent for the repair and maintenance of the public works in all of Haiti and \$625,000 on new construction. The total length of roads is about 750 miles, but the sum available for maintenance and repair is only \$18,000 a month. Many repairs have been made and some important surveys and plans. In cooperation with the United States Geological Survey the work of triangulation for the entire country has been started. Taking into consideration, the work of the engineers has been very satisfactory. A few complaints are made. The only one of any merit coming to my attention is the result of an early decision to replace the old telephone system of Port au Prince, which was very poor, with an automatic system estimated to cost \$40,000 (which will cost much more in reality). So little use is made of the native of the telephone that he looks on this expense as made for the benefit of the foreigner. One or two schoolhouses have been built and many repaired.

On the arrival of the occupation there were practically no roads for motor vehicles in the country. As a military measure the old French road from Cape to Port au Prince was rebuilt and was thrown open December 1, 1917. January 5, 1918, the President, with other officials, officers of the marine newspaper men, made the journey from Port au Prince to Cape Haitien. The road and the others constructed are dirt roads. There are practically no bridges, so streams must be forded. The Limbe River, near Cape Haitien, is a serious obstacle, and in high water can not be crossed. It has hitherto been a source of revenue to the natives, who have come to demand American money for pulling cars across. Depending upon the weather, for in the rainy season some of the dirt roads can not be traveled by automobiles, one can go from Cayes or Jacmel to Cape Haitien and on to Ouanaminthe on the Dominican border, whence a road leads to Monte Cristi. The road question is discussed

the high construction cost of permanent roads. However, a very beginning has been made.

*representatives.*—To summarize, there are in Haiti to-day, representing the United States, the following: (1) The military force. (2) The gendarmerie. (3) The receiver general and assistants. (4) The visier. (5) Engineers and medical men. (6) Diplomatic and consular.

and that the overwhelming majority of the Haitians are frightfully and wholly occupied in getting the necessities of life, accustomed to lenders without question. Keep in mind also the fact that there is the idle class. Keep in mind the further fact that a very considerable of the educated classes have been occupied either in staying in office, or those in power that they might get in, and it becomes possible to see the reaction of the Haitians to the working of the convention.

demanded by the American officials on the ground that, almost from the beginning of the activity of the Government has been to defeat the purposes of the convention. As evidence of this is offered the refusal of the Government to entertain proposals made to it. On November 5, 1918, the United States demanded the adoption of the plan of the financial adviser to create a national revenue and to establish: (1) Taxes upon certain manufactures, liquor, patent medicine, perfumery, tobacco, matches. (2) A 3% Documentary tax. (4) Business and occupation tax. (5) Tax on Government land and water rights. This was firmly refused.

*Land ownership.*—Reference has already been made to a change in the constitution of 1918 permitting foreigners to own land. The old constitution read: "No person, unless he is a Haitian, may be a holder of land, regardless of what he may be, nor acquire any real estate." As a matter of fact this law was repealed by a mortgage scheme but that did not change the law. The new constitution of 1918 reads: "The right to hold property is given to foreigners in Haiti and to societies formed by foreigners, for dwelling purposes for agricultural, commercial, industrial, or educational enterprises. This right shall terminate five years after the foreigner shall have ceased to reside in Haiti or when the activities of these companies shall have ceased." In 1920, a decree was promulgated practically rescinding this provision giving foreign owners until about the 1st of July, 1921, to dispose of their lands. Meantime, some foreigners had converted their old mortgage under the new constitutional provision and some foreign corporations had acquired a great deal of land for agricultural purposes and had invested considerable money. In the spring of 1921 a tenant of a foreign owner refused to pay the rent for the premises he occupied. The lower court, ignoring the provision of 1918, based its decision on the old constitution and decided in favor of the tenant. If this decision is upheld or the decree is put in force, international complications will ensue.

*Other recent cases:* The receiver general found that certain customs receipts were understamped. Investigation at the bank revealed that one clerk in charge of this matter, without assistance, and that under stamping had been done. The court instantly discharged the accused man and commanded the bank to pay his salary in full, even after he was out of the bank. The bank advised payment. In 1918 a native under arrest was held in a guard, a gendarme, and escaped. He was recaptured but acquitted. The receiver of the Haitian Government said that there was no doubt of his guilt but that no jury would convict in a case involving a gendarme; that is, who was looked upon as an agent of the Americans. These cases show the unwillingness of the courts to cooperate with the Americans.

*American agitation.*—Attention has been called to the necessity of stopping newspaper agitation in the summer of 1921. This had stirred up antagonism that at a public celebration one orator suggested that Dessalines looked toward the sea and indicated plainly that the French might go in that direction. A younger and less subtle man had advocated the resort to force to drive out the invader. It was in Port au Prince that a plot to assassinate the President had been discovered. The President is unpopular because he has drawn a good salary (\$24,000 a year) and because it is felt that he has not always opposed the Americans. The note as follows from a letter from one of the ablest Haitians I met: "The difficulties have come between the two Governments the cause is the Haitian Government was not frank enough. The President of Haiti has frankly accepted the help of the American forces. By obliging

Haiti to live orderly he would have been permitted to inaugurate all the reforms of which the country is in need and which could never have been attempted. Instead of that he showed himself to the Haitian as if he were crucified on a cross. On the other hand, he seemed to have no air of accepting all the American views, discussing them with Americans only in order better to deceive them. The result of this sad system is that we have to be waited for long. On one side the Haitian people encourage the President to continue their political cliques, their disorderly designs, assisted by every means. On the other side, the American officials force the Government kept themselves on guard because distrustful. The result instead of becoming cordial and sincere began to be difficult and became so. The country's interests are harmed. \* \* \* When then will stop the trouble and the revenge? An agitation cleverly led by the city caicos has been started. The politicians, who are in search of power and who believe that the day will come back when as masters they can pillage the public cash box, have encouraged the occupation. They want, under the pretext of defending the country of the people, to make them rise up and try once more to get a better power."

This letter indicates what I know to be true, namely, that the cause against the Americans is not wholly disinterested and that it is not in line with the opinion of some able Haitians. Aside from the newspaper and the magazine, which many Haitians disliked, including the editors of at least one important paper, the anti-American, or "patriotic" feeling, as they prefer to call it, has found expression in the Patriotic Union, founded, I believe, in 1911, which includes many prominent men. This organization raised a fund, sent three representatives to Washington in the spring of 1921, and a memoir, published in the Nation, New York, May 25, 1921, may be accepted as the strongest presentation of the criticisms of the Haitians. Of this memoir I will let one of the most prominent living Haitians speak. I chanced to be talking with him shortly after its publication. He asked me if I had read it and proceeded to point out certain serious errors. I asked him if the memoir knew the facts he stated. He said, in substance: "Of course. They are trying to deceive the American public."

I think it evident that a condition of stalemate has been reached in the relations of the United States and Haiti, which is injurious to the prestige and the name of the former and militates against the welfare of the latter. This passe is the more serious when we recall that the term of President Darcave is nearly over and that a new President will be inaugurated on May 1, 1922. Some betterment of the situation should be sought at once.

Evidence from another side is offered by the fact that Haitian officials persist in the old system of graft wherever possible. Some opportunities remain in spite of the efforts of the Americans. A magistrate at Port-au-Prince barbecued three cattle and gave a big feast. Later it appeared that he had stolen the cattle and that he had also been guilty of other thefts. In addition he had charged a fee of 30 gourdes, which he divided with a gendarme for permitting a voodoo dance that he had no right to condone, for this is prohibited by law. Though he was removed from office, he exercised enough influence to avoid criminal prosecution, being released by the commissaire of the Government. In the budget of the town of Port-au-Prince there has been a misappropriation paid of 5,000 gourdes for street lights, but the Americans have been unable to locate the lights.

At Port au Prince, after a disastrous fire in the spring of 1921 the businessmen raised a fund and insisted that the Government put the fire department under the gendarmerie. This was finally done, and an American fireman had been brought down some time before, but whose services had been refused. A fireman was put in charge. About June 1 it appeared that the funds appropriated to the commune, ranging from one to two thousand gourdes a month, had been embezzled or otherwise secreted. Theoretically there were 14 paid fire engines, some had been unpaid for upwards of two years. There were two steam engines, both in such bad order that one to two hours was required to start them, two chemical engines without equipment or chemicals, a Ford truck, the chief with one wheel gone and no tires, no supply of fuel, no hatchets, or axes; but there were some brass helmets and red shirts. The firemen are now paid about \$15 a month, and regular drills have been established. Steam can now be had in 15 or 20 minutes. The new chief put out the fire reported with chemicals, reaching the house one minute after the alarm was received, and for his reward the papers published the story that it was the fire arranged for his benefit.

to Cuba.—What is considered by some Haitians to be the biggest history of the country has grown up in connection with the migration of men to Cuba to work on sugar plantations, which became important in the war. Thousands have gone, chiefly from the southwestern peninsula to the northern coast. Several plans have been adopted which need not be detailed here. All migrants must have passports to which photographs are attached. As photographs are not easily available, it is said that the Department of the Interior has a number of pictures on hand which are affixed to the passport. The only check kept is on the number of emigrants, no comparison being made of the men with the photographs. The passports cost \$1, but a fee is paid to facilitate their issuance, while a local official gets \$2 for his signature. The captain of the boat must pay to the Haitian consulate \$2 for each person, \$1 of which is supposed to be used for the consulate, the other to be turned over to the Haitian treasury; and that in 1920 nothing was received by the treasury, the Haitian government scheme known as "boxes of cigars" having divided his receipts between himself and the consul in Port au Prince. This consul in Cuba also visits the migrants from time to time on the pretext of supervising the living conditions, and expects to receive checks of from \$500 to \$1,000 to enable him to make a favorable report. These visits are known as "cleaning up the neighborhood" (*rafraichissement de lisière*). (A new consul was sent to Cuba in the fall of 1921, from whom better things are expected.) Meantime the migrants, having no such sums of money, sign notes bearing high rates of interest, such as \$500 at times before they are out of debt, agree to remain in Cuba, and are carefully watched. The money is generally deducted from their wages. Further, the factory or plantation is said to underweigh the migrants by cut to enable it to meet the extra overhead expenses. It is a sad state of affairs and illustrates the tender interest of Haitian officials in the welfare of their poorer neighbors. It must be admitted that with the war in Cuba the workers were better off than they would have been

situation.—I have tried to point out the chief measures undertaken by the Americans and some of the difficulties they have encountered. I think it plain that the fault of the present situation is not wholly on the Americans. Local residents, both native and foreign, complain that there has been a lack of tact and courtesy on the part of American officials, arbitrary decisions and refusals to take advice or be guided by more experienced men. This criticism is not limited to the military men. Some say it is a number of southerners sent down, but my observation does not confirm this. Some of the complaints are humorous, as in the case at C—, where an official, after a heavy flood, waded through the streets barefooted and his trousers rolled up to his knees. The natives said he did it to show his contempt for them, whereas such a thought never entered his head. Another, however, is the case of a civilian official who, finding some land which he wanted to use in the possession of a private firm, peremptorily demanded it. On being refused he said he would send marines to seize the land, alleging that he applied to the commanding officer, only to be rebuffed. He was such a fool. Another official tried to refuse service of papers to a man, on the wages of a servant, as if he were immune to the law. Such men have left bad impressions. Other men have lost esteem by trying to be fair to the natives. A market woman tried to compel a Frenchman to buy a certain piece of meat and finally threw it in her basket, whence it fell. The dealer called a gendarme whom she knew. He seized and arrested the French lady, who demanded to be taken to police headquarters to complain. The young officer who heard the story dismissed the gendarme, saying it was evidently a case of "50-50." This officer is said to have been with a native girl at the time. Later he tried to apologize. On the other hand, many men have gained the thorough respect of all by their willingness to hear complaints before making decisions. The law has since been extended (1917) to cover the second period of 10 years provided for in Article XVI.

## CHAPTER IV.

## THE FINANCIAL PROBLEM OF HAITI.

The treasury of Haiti is in a deplorable condition. The country has, as has been, practically bankrupt. Under normal conditions the income is inadequate to meet the necessary expenses of a well-conducted government. Haiti has not been well conducted and its finances have been handled in a less fashion. It was saddled at the very beginning of its existence, as the result of French recognition, with a debt of 150,000,000 francs (the sum demanded by King Charles Fifth in 1825, of which 30,000,000 was paid, and the balance which under Louis Philippe in 1838 was reduced to 60,000,000 francs). The revolution followed revolution. The Government borrowed money at ruinous rates to fight the revolutionists; the latter borrowed with promises to repay at the national treasury if successful. The merchants—French at first, German later—took the risk and reaped rich rewards. Internal claims piled up. Payment of the loans made impossible oftentimes the payments of salaries. Claims therefor were bought up by speculators, payment assured if they were friends at court. Foreign merchants openly encouraged the pillaging of warehouses during revolutions, knowing that the Government would be forced later to make handsome amends. Meantime the Government was being run down by its officials, and merchants took advantage of their venality to dodge customs duties. To-day it is impossible to state just what the outstanding obligations of the Government are, for there are some important unsettled claims. Roughly speaking, the situation as of December 31, 1920, is as follows:

*Financial situation of Haiti Dec. 31, 1920.*

Foreign loans:		Francs
1875, 5 per cent (interest paid to date) .....	19,250,000	
1896, 6 per cent (interest paid to date) .....	37,500,000	
1910, 5 per cent (interest paid to date) .....	61,250,000	
Total .....	118,000,000	
At par .....	\$23,200,000	
At present price of francs (12.5 per \$1) .....	9,440,000	
Interior debt:		
Principal .....	7,500,000	
Interest due .....	1,500,000	
Total .....	9,000,000	
Total debt at present price of francs .....	18,440,000	
Deducting paper money which is secured (4,057,972 gourdes) .....	5,000,000	
Net total .....	13,440,000	

To this sum must be added the floating debt, many unpaid salaries, the guaranty to the railroads, and miscellaneous claims, whose total I cannot estimate but which the delegates of the Union Patriotique seem to place at \$4,420,920.

The loan of 1875 bore 8 per cent interest at first. The interest was regularly paid, and in 1880 and 1885 readjustments were necessary. It is secured by a duty of 33½ cents on each hundred pounds of coffee exported.

The loan of 1896 was arranged with the National Bank of Haiti. Bonds of a face value of 500 francs were issued at 400 to the bank, which sold them to the public at 450. Some of the bonds were reserved by the Government. Issued on the basis of a 500-franc bond for each 400 of certain existing and floating obligations, some of which were bearing 18 per cent interest. Interest is secured by a tax of \$1.20 on each hundred pounds of coffee exported.

The loan of 1910 was contracted with the Bank of the Parisian Union, Messrs. Hallgarten & Co., Messrs. Ladenburg, Thalmann & Co., of New York, and the Berliner Handels-Gesellschaft, of Berlin. The loan was for 65,000,000 francs. The banks paid 47,000,000 francs (72.3 per cent of face value). 361.50 for each 500-franc bond, which was offered to the public at 442.50. It is reported that the banks paid 5,000,000 francs to the Haitian officials who arranged the contract. Interest on this loan is secured by a tax of \$1 on each hundred pounds of coffee exported and a surcharge of 15 per cent on import duties.

The Paris prices for these bonds have been as follows:

	1875-300 francs, 5 per cent.	1896-500 francs, 5 per cent.	1910-500 francs, 5 per cent.
.....	240-278	500-524	440-475
.....	218-258	475-516	395-447
.....	235-261	455-508	353-434

*oans.*—The internal loans are as follows:  
 horized by law of 1911 to pay debts incurred by revolution which  
 e in power. Face value \$874,000, bearing 6 per cent interest. Sold  
 89 (included 500,000 gourdes set aside for the account of the gen-  
 eured by 5 per cent of the gold surtax on imports.  
 horized by law, June 15, 1913. For current expenses, reconstruc-  
 e public buildings, and relief of fire sufferers. Face value of bonds  
 02 with interest at 6½ per cent. Offered nominally at 94 but real  
 8.8 because gourdes were accepted at 3.5 to the dollar whereas the  
 : that time was 4.17 to a dollar. Secured by 5 per cent of gold sur-  
 orts.

uthorized by law May 29, 1914, to pay debt for revolution which  
 in office and included 400,000 gourdes for soldiers. Bonds to total  
 h interest at 6½ per cent and sold at 80 but gourdes were accepted  
 ollar whereas exchange was 4.72, thus making bonds net 59.4. The  
 : secured about 2,000,000 gourdes. If loan were refunded to-day  
 ue it would cost 3,620,000 gourdes. Secured by 5 per cent of gold  
 mports.

ssued by Zamor for "extraordinary expenses." Face value bonds  
 urdes. Interest, 6½ per cent. Gourdes again accepted at rate of  
 : price was now 5 to a dollar. Issue nominally sold at 80 so real  
 Government was 56. Secured by part of import duty on tobacco  
 already pledged for construction of schoolhouses.

ssued by Zamor on account "extraordinary expenses" caused by  
 Total, 1,200,000 gourdes bearing interest at 6½ per cent. Secured  
 ent of the surtax on importation and by export tax of 0.05 cent  
 ndred pounds of coffee exported.

olidated debt. Law sanctioned November 30, 1915, after interven-  
 bonds bearing 6 per cent to be exchanged for outstanding obliga-  
 : from 1899 to 1911 for salaries, pensions, etc. Amount outstanding,  
 1,284. No specific security pledge.

*accounts.*—These are the principal outstanding internal obligations.  
 unsettled accounts are those of the railroads. The National Rail-  
 iti received a concession to build a road from Cape Haitien to Port  
 in 1907. The first section was completed in 1912. The bonds out-  
 eap to be \$3,544,548, and interest was paid to 1914. The Govern-  
 d to pay deficit if profits were less than 6 per cent plus 1 per cent  
 fund. I have no late figures, but in March, 1919, the deficit was

This is an American corporation with some \$2,500,000 of bonds  
 ance. The French Government has pressed for settlement. The  
 so has claims for damages done by revolutionists.

tral Railroad of Haiti took over in 1909 a road organized by Ger-  
 ans in 1900. It has lines near Port au Prince. Nominally, at  
 now an American corporation. The Government guaranteed 6 per  
 st on \$688,000 of a total capital of \$760,000. Payments were made  
 t none since. The railroad claims that the Government agreed to  
 ating deficits.

ent, save a partial payment in 1916 on the internal debts has been  
 r the financial adviser and the affectation of specific revenues to  
 r this purpose has for some unexplained reason been entirely dis-

This has caused serious hardship to many of the bondholders, for  
 ry like Haiti the Government bonds are almost the only relatively  
 ment a man of small means can make.

me of the Government is almost wholly derived from the customs  
 : internal revenue in 1919-20 yielding only \$373,675. Because of  
 disturbances, followed by the World War, these have fluctuated

Seeing her at home again, a playmate said: "Jennie was sent to an asylum but couldn't pass the entrance examination and was sent back." The fact is that the courage of one young man prevented the Haitian Government from violating its solemn pledge. Incidentally the most prominent Haitian lawyers supported the stand taken by the bank.

*Struggle for bank charter.*—The alleged reason for the refusal of Haiti to transfer the charter of the bank to the City National Bank was the inability of the United States Government upon a clause to read: "To avoid the possibility of any currency crisis during the period of retirement of paper money and as long as such retirement shall be in process the Government reserves the right to prohibit the importation and exportation of non-Haitian money, that which might be necessary for the needs of commerce in the opinion of the financial adviser." I am informed that this suggestion was considered in a meeting in Washington attended by representatives of the State Department, by bankers from different parts of the country and by the French representative, M. Casenave, and agreed on as necessary.

The reason for this is that the Banque Nationale has agreed to issue notes to replace the Government paper money and has agreed to keep gourdes at a rate of 5 to \$1. A combination of hostile bankers or groups free to import United States gold might influence the exchange and make it impossible to keep this rate. No exception was made of the Banque Nationale which was affected by this law as well as the other banks. A violent reaction broke out in Haiti led by the local representatives of the Royal Bank of Canada and many protests were made, signed by some American businessmen, including the American Foreign Banking Corporation. The reason given for opposition was that it would give the Banque Nationale a monopoly of the importation and exportation and force the other institutions to buy exchange rates it might fix. The bank, however, was ready to establish a fixed rate; this argument does not hold.

Inasmuch as the financial adviser had control and not the bank this objection could hold only on the assumption of improper collusion between the bank and the adviser. Some of the American business men and the Minister later stated that they signed this protest under misapprehension of wording and intent. That there was some reason to anticipate such action is evidenced by the fact that when it was known that the Banque Nationale could not get the new bills ordered in the United States as promptly expected one other agency managed to collect 200,000 gourdes of the new issue, or about one-sixth of the total. I suppose they were starting a museum; there may be valid objection to the proposal. I am not an internationalist and do not know. I am satisfied, however, that a large part of this opposition was not disinterested and I believe that antagonism of the Government to the bank and to the financial adviser is the real cause of its objection to the proposal.

The Banque Nationale, besides its headquarters in Port au Prince, has branches in the eight principal towns of the country with agencies in many smaller places. It receives from the Government 1½ per cent on the receipts and disbursements, which is probably much less than the Government would have to pay if it established its own agencies. This payment is less if the new charter is granted. While the banque is a money-making institution, at least I hope it is, it is compelled by its position to do many things which bring no revenue. For instance it has charge of the issuing of postage stamps, supplying the proper agents throughout the country, and collecting money. For this it receives nothing, although this service costs the bank \$15,000 a year for clerk hire. It also tends to the surcharging when it is found that certain issues are too large. Formerly this was done by Government officials at great profit to themselves but not to the country. Owing to the depression in 1921, nickel flowed into the bank until it had something like \$700,000 tied up, on which no interest could be earned, and the bank vaults were overflowing. Finally it had to refuse to receive it. There was no legal objection to so receive it and yet the Government found fault with the refusal.

I have no connection with the City National Bank and have never been president, but, in view of the wild stories that have been circulated by Haitians and some Americans, of the evil character of the bank and its influence on the United States Government, it is my duty to tell what I found. I show that in the proposed charter to be granted the National City Bank a number of modifications have been made in the privileges which are all to the benefit of Haiti. I see no fundamental difficulty in arranging things so that

to avail itself of the banque's services in the future. I must conclude like to see the resident director an American, and this I say out of criticism of the very able director now in charge, Mr. Scarpa. *n loan.*—One of the things confidently expected by the Haitians was a loan. I was frequently told that a loan had been the convention of 1915, but this is an error. As a matter of fact seems to have been expected by the American officials. I am in April, 1917, the secretary asked for bids on a loan of \$30,000,000 were received. It is stated that these negotiations fell through the opposition of the financial adviser to certain suggestions of the Government. There have been negotiations since, but the details have been public. This amount appears to me excessive, but if the proper can be made between the two Governments I should feel that an favorable terms would go a long way not only toward establishing finances on a sound basis, but as an evidence of sincerity on as partial compensation for whatever mistakes and failures we I have already indicated my belief that a reorganization of the Government of Haiti is imperative as a basis for good government.

## CHAPTER V.

### A SUMMARY AND SOME SUGGESTIONS.

*n attitude.*—Haiti is sensitive, oversensitive, perhaps. Her pride over such conditions people are always extreme in their reactions to be hypercritical. Much of the antagonism reported as coming from Haitians is a smoke screen to cover their feelings. With few exceptions are not antagonistic to Americans, but they are critical of our Government. What are these criticisms? The tendency of our representatives.

to settle internal loans of the United States.  
to settle internal loans and to make a new loan.  
by actions of both marines and civilians.

the underlying complaints. Now, to influence the people of the the arguments advanced may be quite different. We must not some Haitians are trying to manipulate the situation to their own to deceive their fellow compatriots as well as us. What, then, is on which the complaints are founded?

Haiti is in a financial depression. Her merchants are overstocked bought at high prices. There is evidence that American firms had deal of merchandise immediately after the armistice and reckoned credit. The price level of the products of the country is very high international financiers, the people listen to the agitators, who is this is the result of the American occupation. The Germans are and we must expect that they will not always be friendly to the forced them to leave the country. The holders of the internal bonds are both because the interest was not paid and because there is no the bonds. The provisions in the loans setting apart certain reserve security seem to have been entirely disregarded by the American. This is one side of the situation.

that she has surrendered many of the attributes of sovereignty in return for corresponding benefits. She points to the work of Wood in the Philippines, and asks why she has not been favored with the same caliber. She forgets the effect of the war upon the United States and the worldwide financial crisis. Nevertheless, while there may be some justice in this complaint, on which I do not pass, for I can not ignore personalities, I may be permitted to add that in my belief no man could have made a success under the existing conditions. That is to say that I believe responsibility for the development in Haiti rests primarily not upon the shoulders of the men sent to Haiti but upon the Government at Washington. The Government of Haiti, while entering professedly upon a program of financial reform on the island, we have indicated a desire to exercise wider control. It has been exploited by politicians to the extent of their ability and by untrained agitators in this country to assist them. Some have attempted to make a political cast and to throw responsibility on the Democratic Government. I think it is time we stated openly that there is no partisan policy in our regard for Haiti.

Haiti was rather inclined to welcome the marines, but she wants to know why they are kept in the country after the problem has ceased to be military. She feels that their presence is a constant pressure to force the Government to accede to any demands made. Leading Haitians do not emphasize "atrocities" of which we hear so much. They believe many occurrences recognize that cruelty is not an American trait or policy. It is not the uniform, the symbol of outside control, which irritates.

*The Haitian dilemma.*—A southern writer on the race problem in the United States once said that there were but two solutions: The first was the removal of the Negroes to some other country, which was impossible; the second, race amalgamation, which was unthinkable. Haiti is in a similar quandary. She is afraid the United States will not remove the marines (this indicates inability to maintain self-control, which is galling). She is equally sure that the marines will be removed (that means revolution). Intelligent Haitians all think, whatever they say for publication, that revolution will occur if the marines leave. They would, however, welcome their removal from Haiti and Port au Prince, say to Gonave Island, a few miles away, where they could appear at short notice and yet be out of sight. My guess is that the free and honest expression of Haitian opinion would show 90 per cent in favor of the continued maintenance of order by the United States, but opinions as to the best scheme.

*American accomplishments.*—To change the viewpoint for a moment, what have the Americans accomplished in Haiti?

1. The maintenance of order.
2. Establishment of the gendarmerie.
3. The honest handling of revenues.
4. The beginnings of roads.
5. The regular payment of Government employees.
6. The cleaning up of the towns and the beginning of sanitation.
7. The maintenance of a fixed exchange rate of gourde and dollar.

Order is fundamental in good government. Even the much-regretted trouble may be of great future value if the people have learned that order does not always pay. The gendarmerie, well paid, is the beginning of an adequate police system. While the roads are far from perfect no one questions their value. Revenues have always been inadequate. Formerly the Government employees were irregularly paid and the bondholders always paid. All employees receive their pay, a matter of no small importance. A small beginning has been made in sanitation, but the first steps are a most difficult. A system of Government employees holds great promise. Haitians seem to have realized what it has meant during the years of their readjustment to have the support of the United States in their efforts. The glimpse of the experience of Europe and South America should be enough in this regard. What would the gourde be worth today were it not for Americans? Incidentally we may note that the presence of 20,000 marines, regular incomes, a large part of which is spent locally, has meant a boon to merchants and workers of the country. Granted these things, the American achievements are not specially creditable to the United States. We have really failed on some of the big things such as emancipation of education. Why, Washington must explain.

*What Haiti wants.*—In all countries there are dissatisfied who are not keen of action accompanied by freedom from responsibility. There are such in Haiti. But such a program will not work in a world of free peoples. We are vitally affected by the actions of Haiti and we should not forget. This the leading Haitians recognize. What they want is to have the United States "make good" in our control of Haiti.

*Present movement.*—Haiti has decided that the present movement is wrong. She has adopted a policy of passive resistance and is making no more of an effort. From this situation what next?

The United States is the starting point for the movement. It is the only one we are working. It is an illustration of the situation in Haiti. We are trying to escape it that by "disposition" we can get out of the trouble and seeking an accomplished mission. In the United States the temporary nature of the situation is clear in the minds of the people and the way prepared for a new movement. It is the United States which governs and we are waiting for the United States to make good. However, we are the failure to do so in the United States is a failure. It is the United States which governs and we are waiting for the United States to make good.

more or less coordinate officials, all representatives of Washington, amenable to no one head. The American minister, the commander of the forces, the financial adviser, the receiver general, the engineers, the military and naval authorities. In actual functioning, regardless of their individual merits and relations, there has been no adequate attempt to achieve common action. No one is carrying out his duties in accordance with his own title in conference with the others and with less clear understanding of the situation is really trying to do. Unless the American Government representatives under some one head—military or civil is unimpaired the head be an executive, gives them a policy and backs them in convention is unworkable. It is doubtful now if modifications could be made. Such modifications are not necessary provided Washington stands and will so organize its efforts that constructive results will be obtained. It is difficult to understand why Washington, having secured the situation, did not proceed to make its will effective.

*Have been.*—Leading Haitians, Americans and other foreigners in Haiti tell me they think that other representatives at the outset voided the present situation. We are, however, confronted by the fact of past possibilities. A change of personnel now is of doubtful value. The other changes be made.

*Conclusion.*—We should not forget that foreigners resident in Haiti, no matter how critical they are of past performances, are practically unanimous in their opinion that the present situation must stay in Haiti until a new generation of Haitians with different ideas of government are ready to assume charge of the ship of state. The selection of these men should be carefully weighed in forming our policy.

*What might be done.*—I have never met an American who wanted to absorb Haiti. I know no one who desires to destroy the Haitian Government. No one has any wish save that in the future it may prosper and be independent. The United States has guaranteed the independence of Haiti and there is no doubt will continue to do so in the future. Hitherto, however, we have been content to let things take care of themselves. Now we are confronted with the necessity of some definite policy. Even the most zealous advocates of a "self-determination policy" might be brought to see that a given self-determined "policy" its present inability to stand alone and maintain its obligations. Our duty to the people of Haiti is not fully met by face value all the statements emanating from its upper classes. Judged by performances, not by words. If we believe that we have a duty to help Haiti we must carry out our belief regardless of the popularity of the policy. If we believe that we have a duty to protect the property of the interested politicians, there or elsewhere. But we must not mix words or a purely negative program of "protection." There are things we might do. We might as a nation refund the Haitian debt. We might treat the products of Haiti on the same terms as those of Cuba, for we discriminate between two islands in almost identically the same manner. What should be our policy regarding our markets?

*Declaration by Congress of our intentions with reference to Haiti.*—The atmosphere there. I do not believe there is any difficulty in our relations with the United States which can not be amicably settled.

*Conclusion.*—No one knows the future. No one can be certain of the accuracy of our predictions. It seems to me that to-day we are confronted with the choice between two courses, simple yet complicated, complicated yet must rest on continuity of program. We can admit the impossibility of Haiti under existing conditions and withdraw, or we can continue our program, organize our forces, and make good. My humble advice to the United States Government is, then: Get in or get out.

## CHAPTER I.

### THE DOMINICANS.

The area of the Dominican Republic is over 18,000 square miles, or more than the combined areas of the States of Vermont and New Hampshire. Running east and west almost in the center is the great central range of highest peaks rise to 9,000 or 10,000 feet and where valleys like the San Juan can be found whose elevation is over 3,000 feet. This range is characterized by a heavy rainfall, and is consequently the starting point of many of the rivers. The general course is north or south; but the streams on the north

all turn east or west, finally reaching either the Yuna to empty into Sa. Bay or the Yaque del Norte to find outlet near Monte Cristi. The dis. each side of this central range are quite different. To the south, in ad. to a wide territory more or less unoccupied, both because of small popu. and distance from market, are areas like that near San Juan, which become centers of general farming some day. There are wide stretch of ground used only for grazing purposes to-day whose soil is not very good.

To the north lies the great valley, 10 to 15 miles in width, known generally together with the hills farther north under the name "Cibao." Just east of the city of Santiago this valley is divided by low hills some 700 feet high. To the west the rainfall is inadequate for agriculture except along the slopes of the hills on each side. There is some grazing land near Santiago farther west the country is quite arid and is the home of countless herds of goats, which range at will. This part of the valley is drained by the Yaque del Norte, which receives numerous additions from the south but not from the north. On some of these side streams land can be irrigated. Mao, for illustration, a Belgian who saw the possibilities has made a small beginning of a rice plantation. Some 12,000 acres here could probably be irrigated at reasonable cost, and the same may be true on other streams in the neighborhood of Guayubin there are some 50,000 acres which could be irrigated with gravity flow from the Yaque itself at an estimated outlay of \$1,000,000. Nothing has been done on this. Between this place and Monte Cristi there are now several sugar plantations which pump the water from the river. Their future financial success is considered somewhat problematical owing to the expensive installations necessary.

Santiago itself is the center of the tobacco-growing district. Its streets are packed at times with horses and burros delivering tobacco to the warehouses. To the east near Moca and La Vega we come to the cacao districts, and to the west to grazing districts. In many ways this appears to be the richest agricultural section of the country. In this region, too, are several sawmills converting native pine into lumber, both rough and finished. I have seen boards 18 inches wide, but the average is much smaller.

North of the Cibao is a low range of mountains with fairly adequate rainfall offering numbers of small fertile valleys. Going east on the coast from Monte Cristi, with the exception of one small area, we find no land of value until we reach Puerto Plata, one of the chief ports of the country, where there are several sugar plantations. East of this city there is nothing of note until we come to the Bay of Samana on the eastern coast. Here are extensive sugar plantations and here also the outlet for much of the cacao of the Cibao.

South of Samana there are some cacao regions and then the low-lying, swampy, or else rough and hilly coast, little utilized at present. On the west side we find again sugar plantations beginning with the enormous development at La Romana. Sugar centrals are found at intervals along the coast as far as Baní, west of Santo Domingo. To the west at the mouth of the Yaque del Sur at Barahona new territory has been planted in sugar within the last five years. The Barahona peninsula itself is arid.

**Population.**—The first census of the Dominican Republic ever taken was completed in the summer of 1921. This showed a total population of 894,000, or a little over 45 per square mile, or about one-fourth the density of Haiti. Of these some 500,000 live to the north of the central range; 394,000, to the south. The crop areas indicated on the map on page 112 also indicate fairly accurately the location of the mass of the population, although there are scattered holdings everywhere. The country can support many times its present population. To the total given above it is stated that three or four thousand should be added to allow for foreign workers at San Pedro de Macoris. Why these were not included is not stated.

**Origin.**—In the Dominican Republic one occasionally sees the high cheekbones and straight black hair, which suggest the Indian. History tells us that the racial antagonisms were never as severe here as in Haiti, nor did slavery take as cruel aspects. The Spaniard mingled his blood freely with Indian and Negro. The Dominican averages a shade lighter than the Haitian; otherwise there is no apparent difference save the suggestion of Indian at times. The percentage of white ancestry is larger, but there are practically no families of pure whites in the country save those of recent immigrants. An American lady of mature years chancing to talk to some young marines one evening in Santiago invited them to have some ice cream with her. They did not immediately respond, and after a bit, thinking they were timid, she repeated

they accepted, asking, however, "You are an American are you?" A restaurant one youth naively said: "You see there are so many who look white in the evening and much darker the next morning to be very careful."

n.—There are a few hundred Spaniards or Spanish colonials in who have come over for business and a handful of other Europeans is. While it is the desire of Dominicans to encourage such immigration to attract, if possible, Spanish farmers, much of the white population temporarily employed who do not intend to remain. To this have been added many thousand laborers on the sugar plantations who come all over the West Indies. Some of them remain, but the rest return home. The only source of present immigration of any importance is that from Haiti. This began about a generation ago. The Haitians do any kind of day labor, but have settled down to remain.

form a very considerable part of the population of some of the islands. I have heard the number in Santiago estimated as 2,500 or 3,000 out of a population of perhaps 20,000. The Dominicans are not keen about this because the importation of oriental or negro labor is prohibited by their laws, but they have always granted permits to the sugar plantations. Their dislike is in part historical resentment against the Haitians first, because they took the territory, and, secondly, because the Dominicans want to be white, while they believe the Haitians to be black.

ship.—The Dominicans are essentially a nation of landowners. The abundance of population, the abundance of land, has given all a chance. This has been kept in mind for out of it flow some important results. The land has never been surveyed. Titles are in great confusion. Not only have the boundaries come down through long periods of time with the boundaries inscribed but there has also grown up a system of money or peso titles which are called. Instead of trying to divide the inheritance, each man gets a certificate that he owned so many pesos' worth of certain land. These certificates have been passed from hand to hand and many titles have appeared. As in Haiti this is a situation calling for trouble. In the south in the cattle and sugar regions the land seems to be held in tracts by relatively few families. In the Cibao while there are many small holdings the average holding seems to be small. One competent observer of the richer portions of the individual family holds about 30 acres of land and probably cultivates 10. The military government has established a high is grappling with this problem.

e.—The methods of the Dominicans do not differ greatly from those of Haiti. The machete is here also the chief tool in agriculture. The great note, however, is that here and there modern machinery is used. It was my pleasure to see one large farm whose owner prided himself on his efforts to follow improved methods of agriculture. He was even able to produce some American fruit trees. He had over 100 of the best on the island. Out of his own money he was building a road to connect the main highway. The Dominican farmers are more prosperous than in Haiti.

One finds here actual plantings of cane, cacao, tobacco, and other crops to a far greater extent than in Haiti. Most of these valuable crops are well handled, and the products are not of the highest grade. For some time prior to the financial depression the military government was employing some 30 agricultural advisers, was maintaining trial plots, was introducing machinery which it sold at cost, and was introducing good seed.

he most valuable crop of the country is sugar. This is grown in the south, although there is a little grown at Puerto Plata and Santiago. The soil and climate are so favorable that replanting is necessary for 15 or 20 years, and I have seen fields said to have remained in sugar for 30 years. Owing to the enormous cost of the mills sugar is chiefly on large plantations. Of these there are about a dozen, which are to-day under American control. Two of the largest are in the east, where the investment is stated to be some \$7,000,000, and one in the west.

acres in cane and a labor force of 7,500, and Barahona in the west. A new plantation which is grinding this winter for the first time. The investment here is said to be over \$10,000,000. A splendid plant has been put up with adequate provision for houses for the employees. The total sugar production is a matter of conjecture, but several times the output can be grown.

*Domestic animals.*—The Dominican appears to have more and better horses than the Haitian. He (and she) are very fond of their horses and are superb riders. Some use is made of the stock for draft purposes. Goats are very common.

*Housing.*—In the Dominican Republic nearly all the houses in rural districts are made of palm boards. One rarely sees a mud-plastered cabin. The roofs are of palm, metal being preferred by the better situated. The homes are at times very attractive, with well-kept yards, decorated with flowering or brightly colored shrubs. If on the main roads, there is often a neatly kept hedge, which gives evidence of considerable pride. It is said that the new roads are having a marked influence in stimulating the care of premises. There are few outbuildings and latrines are almost nonexistent. The running streams are the main water supply, but in the towns there are many cisterns and a few wells. In the towns the architecture is Spanish. The houses are generally directly adjoining the street, giving a passer-by full opportunity to get glimpses of domestic scenes, as doors and windows are wide open till closed at night. In every town is the park, often so elaborately planted that no open place is left. These parks are the center of the evening social life. Late in the afternoon the girls and boys are promenading, and in the evening their parents are also in evidence. There are given the band concerts which everyone attends. The main streets of the larger towns are more or less macadamized. The sidewalks are very narrow, at times 2 or 3 feet above the street level, and not infrequently at different levels in front of two adjoining properties, so great care is needed.

*Sanitation.*—As regards health there seems to be no great difference between the two ends of the island. The prevailing diseases are the same. An American doctor, in charge of a local hospital, spoke of the amount of sanitary work needed in a country with few doctors, none, practically, in rural districts. He also had noted a gain in weight of patients after entering the hospital, thus confirming casual observation as to the inadequacy of food eaten. In the Dominican Republic the French law prevails that a doctor can not prescribe or give medicine; instead the patient must be examined by the doctor, and the medicine then secured from a druggist. This leads to doubling of charges, to much neglect of suffering among the poor, and to hardship in emergencies. While such a law may have its advantages in France, it is worse than foolish under Dominican conditions. The druggists are said to charge about \$4 for simple medicine, which costs but a few cents, and which the physician would probably give the patient. The number of apothecary shops in all the towns and the amount of patent medicine carried, leads the visitor to accept the low estimate that 5 per cent of the total income is spent for drugs.

Epidemics have been rare here as in Haiti, but the country suffered severely from the "flu," and in the autumn of 1921 the smallpox epidemic had crossed the border line from Haiti and was spreading rapidly. Yet an American officer of the administration was condemning it for buying vaccine points. At first the papers and local doctors ridiculed the diagnosis of the disease as smallpox. One Spanish doctor, having first vaccinated his own family, made speeches against the vaccine campaign and condemned the vaccine which he himself had used. By the end of October the papers were condemning the Government for not taking more energetic measures. While there are some good physicians, the towns nurses are scarce and hospital facilities are grossly inadequate. There are no sewers in the town. A new leprosarium is nearly ready for occupancy.

*The family.*—The girls are strictly chaperoned in the better families. Marriage is said to be impossible to one who has fallen. In the lower class concubinage is common. The illegitimate birth rate is high, varying in different regions. No reliable figures can be secured. Formerly one civil officer issued the license, while the ceremony was performed by another or by a priest. Under the present law the priest can issue the license also, while one civil official can issue license and perform ceremony. This change was introduced to try to limit common-law marriage. As a rule marriage is contracted early and large families abound. Prior to June 13, 1918 (executive order No. 14) there seems to have been no legal requirement that parents should support their children.

*Labor.*—In the rural districts the men and women work side by side as both are seen on the roads taking produce to market. In the towns the lower-class women work not only as servants but in the factories. Until lately the higher-class women did no work outside their own homes, and not much the

common report, but now, since a number of young women from the United States have set the example, many Dominican girls are found in Government clerks and stenographers. The Dominican is reputed a rather unreliable laborer. In considerable measure this is said to be the prevalence of land ownership. Having his own land he does not work regularly for others. He likes to take contracts, if not of too long a term, can not be relied on for steady performance. He appears to be averse to machinery. It has long been necessary to bring in outside laborers to work the plantations because of these conditions, and the roads are today maintained by Haitian labor. In some of the poorer districts the Dominican is found to be much steadier as day laborers. Common labor was being paid at a cent a day up in 1921, and it was claimed that few would work for less. In the towns, perhaps as a result of American influence, men were charging as much as is charged in our big eastern cities. The Dominican man rather despises manual labor.

*Customs.*—From the standpoint of culture, there are great differences between the higher and lower classes, for in the Dominican Republic also the same is hardly existent. Both, however, have traits in common. They are proud of their Spanish connection and think and speak of themselves in Spanish. One almost never sees burdens carried on their heads, a characteristic of Haiti. They are kindhearted and generous to their neighbors, though rather indifferent to suffering. Courtesy is a mantle to be worn on occasions. They are outwardly polite regardless of their feelings, and on the sidewalk or street blocking your way, but with no ill will. They are inconvenient to you. Though I was in the country when the agitation was at its height, never once was I treated in dishonor. Among themselves the young men are said to be rather rough. "They are always at it," said one young woman. In pre-war days everyone carried a weapon, and the one most desired was a .44-caliber revolver. Homicide was common.

*Press.*—There are a goodly number of creditable newspapers in the country, and these are sold on the streets more freely than in Haiti. Rumor is more prominent than news. There are more and better newspapers in Haiti, but the stores carry a large supply of Spanish newspapers of the wild-West type or extremely salacious. Reading is not a popular pastime, although the clubs will have well-bound editions of the classics. They are well patronized, but the films are extremely poor, and one must get a sort of an impression they give of America. There are some good different towns.

*Commerce.*—Here, as in Haiti, "big business" is in the hands of foreigners, and the better shops are conducted by Spaniards or Porto Ricans. There are many Syrians, who have not encountered as much opposition as in Haiti. American enterprises have been started, such as the electric light and power system formerly supplying Puerto Plata and Santiago, just after the war of suspended animation owing to inability of the company to obtain rates under war conditions and the refusal of the Dominicans to contract in satisfactory manner. The leading banks are the Inter-American Banking Corporation, which is under the City National Bank of New York, the Royal Bank of Canada, and the Bank of Nova Scotia, the latter a branch of the Bank of Montreal. To save the sugar estates, there seem to be few agricultural enterprises and no big ones.

*Industry.*—Factories are not numerous in this country, but there are a few distilleries where rum is made, which are owned and operated by Americans.

During the war a well-equipped safety-match factory was started at Puerto Plata, which is turning out a good grade of match which finds ready sale throughout the country. There are two cigar factories making excellent cigars, one Dominican owned and operated, in addition to cigarette factories of the same kind. A great quantity of cigars are made up in homes and small shops for local consumption.

—There are only two lines of railroad doing a general business, one of 100 miles of about 150 miles. The Dominican Central Railway runs from Puerto Plata through Santiago to Moca, 60 miles. This was built by private interests, but was taken over by the Government in 1908. It is a single track and climbs up a grade of 11 per cent from the coast in order to reach Moca. The second road, the Samana & Santiago Railway, runs from Puerto Plata to Samana, with branches to San Fernando de Macoris and La Vega. It is of standard gauge, it differs from the first, so no cars can be trans-

ferred. No railroad runs from the northern to the southern part of country, and while the project has often been discussed there is no prospect that such a road could pay expenses. On the sugar estates in the there are 225 miles of private roads. There is also a short line of some connecting Azua with its port.

**Roads.**—Prior to the occupation there were few wagon roads in the although an excellent beginning had been made. Transportation was on horseback. There was no wagon road even between the capital at Cibao, and the journey from Santiago to Santo Domingo was a matter even under favorable conditions. I shall want to speak of the public again, so will only add that it is now possible to go from Monte Cristi capital in an automobile, with the single exception of a gap of some in the mountains, which will be entirely closed in a few months. Even the trip from the capital to Santiago is sometimes made in one long day.

About 1912 an American engineer was put in charge and some were built, but he seems to have encountered much opposition and the priations were irregular and the funds wasted on disconnected bits. To what extent this was due to local politics, to what extent to the who had been trained as an electrical engineer instead of a civil engineer to his lack of tact and uncompromising honesty, I can not say.

**Ports.**—There are docks at Puerto Plata, La Romana (dock belongs to company but is open to others), San Pedro de Macoris, Santo Domingo Barahona; elsewhere lighters are used. There are a number of lights coast. The harbors are not in very good condition, never having been adequately dredged.

**Steamship lines.**—The Clyde Line has had a monopoly much of the trade with the United States. Now at least two other lines send steamers regularly. The French line gives direct connection with France. There is also frequent connection with Porto Rico.

**Commerce.**—The foreign trade of the Dominican Republic estimated by year periods is as shown below.

*Foreign trade of the Dominican Republic, 1905-1920.*

	Imports.	Exports.	Total.
1905.....	\$2,736,828	\$6,888,086	\$9,624,914
1910.....	6,257,291	10,848,622	17,105,913
1915.....	9,118,514	15,208,061	24,326,575
1920.....	46,525,876	58,731,341	105,257,217

This table indicates a very gratifying increase in the total foreign trade a considerable part of the increase after 1914 is due to war-time prices like the terrific slump which came in 1921, and has little relation to production. The production of sugar has been doubled from 85,000 tons in 1910 to 185,000 in 1920. A large part of this commerce is with the United States. For instance, in 1919-20 the United States trade represented 77 per cent of the imports and 87 per cent of the exports; 13 per cent more of the imports were from Porto Rico and to Porto Rico went 2.6 per cent of the exports.

For the year 1918, which can be taken as typical, the chief imports and exports were as shown in the table on page 173.

**Economic situation.**—The rapid increase in commerce brought prosperity to the country. The crops were good; the prices were high. In the war there was no special shortage of anything. Those who had previously eaten white bread did not have to make substitutions. The money income was great, both for the individual and the State. The merchants seemed to expect the boom to last forever. They were given extremely liberal credit by banks and by American houses. After the war there seems to have been a good deal of "dumping" here as well as in Haiti. It was not until 1921 that the significance of the war came home to the Dominicans. Suddenly there was no market for their goods. Merchants could not sell because no one could buy. In the summer of 1921 the Dominicans did not declare a moratorium. It was not necessary. They simply stopped paying their bills. I saw many settlements for 85 cents on the dollar. A banker told me that the banks had failed to foresee the crash and were caught with large loans outstanding. He

ss was that the loans of very doubtful value to-day ran from about and \$7,000,000 to \$2,000,000 for the three largest banks. The ware- loaded with goods bought at high prices which can not be sold for fraction of the original cost. This situation and the uncertainty re have greatly increased the discontent against the Americans a mysterious way are held responsible. The Government tried to acco growers by buying crop at a price above the market. It has on its hands and the outcome is uncertain.

*orts and exports of the Dominican Republic for the year 1918.*

ts:	Per cent.
ffs-----	22.46
	18.46
ry and apparatus-----	9.57
eel and manufacturing-----	7.61
vegetable and manufacturing-----	5.51
skins, and manufacturing-----	3.97
oils-----	3.14
and manufacturing-----	2.41
ts:	
including cane and molasses-----	61.90
	21.64
(leaf)-----	7.39
(cattle)-----	1.30
	1.05
	1.02
ns-----	.85
x-----	.80

re.—In time the crisis just mentioned will be met and conditions nal. The country is relatively undeveloped. The climate and soil though one needs to be very careful of the exaggerated statements

Probably not more than 10 per cent of the soil is really first class. ing season practically 12 months long and a soil of average fertility, he water supply is ample, accomplishes wonders. Schoenrich is speaking of Santo Domingo as the country with a future. Nature r part. What will man do?

-In 1915 the Dominican Republic did not own a single school tural schools were almost unknown, not exceeding 84 in number, tendent told me. The total school enrollment was about 18,000. e were some public schools in rented buildings, dependence seems to placed on the private subsidized schools, the subsidy depending political influence. The teachers were paid very little and very

There was little supervision of the schools. Diplomas and cer- are given with very little reference to qualifications. Numerous ndary schools existed, "all issuing diplomas, none of which required paration therefor and most of which required practically none." e two institutes of social studies and one professional institute tions seem to have been to furnish salaried positions and a poorly nd inadequately supported university. The Government sent some d abroad, but there was complaint as to method of selection. On e was a comprehensive system, but, as Mr. Lane once wrote, "the ication was a pompous collection of inane provisions." Probably the of measuring the efficiency of the school system is the fact that r cent of the population was illiterate. The children of the well-to-do ted abroad, often in the United States if light enough in color to lite. There was little interest in general education save in limited ere as elsewhere were individuals, prophets of a new order like the n, Eugenio M. DeHostos, whose name is spoken in reverence by the s.

—The Roman Catholic Church is dominant in the country. To a it its churches have been built from public funds, and there is some to whether the buildings are or are not the property of the State. xception of a small handful of Spanish Franciscans, all the priests s. The present archbishop is very popular, but the priests as a body

are despised rather than respected, both by foreigners and educated natives. Rome appears to have little control of the situation. The local priests openly with their women, and their families are not limited to one. Immorality is frequent among them. The French priests of Haiti are disgusted with them. Judging by appearances, the Dominican men have only a formal contact with the church, the great mass of attendants at meetings being Protestants. The Protestant churches in the country are few and feeble. A number of denominations maintain missions. Except among the immigrants, one finds traces of the voodooism so dominant in Haiti.

**Government.**—The constitution establishes a representative form of government. The Senate is composed of 12 members, 1 from each Province, elected for 6 years. The Chamber of Deputies has 24 members, 2 from each Province. Suffrage is extended to all males over 18 years of age. The Congress is composed to meet each year on February 27 for a period of 90 days, which may be extended 60 days if necessary.

The President is elected for six years. There is no vice president. He may choose his successor in an emergency. The cabinet consists of the secretaries of the seven departments:

The department of the interior and the police, which oversees the administration of the Provinces, the municipalities, and the police force, and has charge of the archives.

The department of foreign affairs, which has charge of the consular and diplomatic corps and foreign relations.

The department of the treasury and commerce, which collects and disposes of public funds and prepares statistics.

The department of war and navy, which attends to all matters of defense.

The department of justice and public instruction, which has in its jurisdiction courts and prisons, matters of education, and all things pertaining to the Catholic Church.

The department of agriculture and immigration, which title is self-explanatory but whose accomplishments have never been very striking.

The department of promotion and communications, which controls all telegraphs and the granting of patents, trade-marks, and mining claims.

There are 12 Provinces, each with its own appointed governor, who is directly responsible to the secretary of the interior and police. In actual fact these governors have often ruled as petty kings and have sought to overthrow the President. Their powers are considered too large by even the ablest Dominicans. The Provinces are divided into communes, with necessary local officials.

**Courts.**—In each commune there is at least one local court (alcaldia) presided in all. Each Province has one court of the first instance. There are courts of appeal at Santiago and Santo Domingo (possibly a third at La Vega, but the authorities are conflicting), the number of whose judges can be increased or diminished by the President, and a supreme court at Santo Domingo. The last consists of a presiding judge and six assistants, according to the situation: "During Santo Domingo's 70 years of national life 19 constitutions have been promulgated."

The legal codes are almost literal translations of French codes of the early part of the nineteenth century, with few adaptations to local conditions. The books are usually French. The courts have been poorly equipped either with furniture or books. There has been little supervision of judges or lawyers, the average standard is not considered very high.

The Dominican courts seem to have aroused much less antagonism than those of Haiti. There is little evidence of discrimination against the foreigners. There are, of course, curious decisions. On one of the sugar plantations an automobile driven by a man probably intoxicated and carrying the driver also intoxicated, attempted to cross a railroad track one night at 11 o'clock. It was struck by a train which was being backed down the track. The engine at the farther end, a brakeman carrying a lantern on the footboard. Damage suit was brought and the court held that the chauffeur, brakeman, engineer, and fireman were equally responsible and imprisoned all of them while it fined the sugar company \$500. This was paid, as the company refused to fight. This case probably indicates an attitude toward corporations unknown elsewhere rather than an attempt to penalize the foreigner. Incompetency rather than crookedness is the burden of the criticisms.

ward the law.—As regards the attitude toward constituted government need be said. One recent writer has thus summarized the During Santo Domingo's 70 years of national life 19 constitutions promulgated and there have been 53 Presidents, but 3 of whom have terms of office for which they have been elected. Two were killed, and the others resigned more or less willingly." There were 35 between 1863 and 1916, 13 between 1899 and 1917, and 7 between 1916. It is evident that the central government has never been any

The fact is that most of the time there was active revolt in some country. Although the President appointed the governors, he had strongest men even though these were opposed to him. At one time a governor controlled part of the city of Santiago, while the rest by the commandant of the fortress there. Here another governor had his own army and handling revenues with little regard for the law, while elsewhere a private citizen owning a great territory ruled as a lord, gathering to himself criminals and malcontents from other parts where the opposition did not dare come out into the open, guerrilla banditry flourished, often supported by politicians in the towns. These political bandits and roaming criminals no hard and fast line between them. I am informed that even the strongest of the rulers like the Caceres, dictator from 1881 to 1889, of Caceres, who was assassinated, never entirely suppressed the brigands, particularly in the eastern part of the country. The Dominicans have never attained that respect for law without which government is impossible.

Even in a republic, the actual government has been a despotism. There have been political parties as we understand them. There have been elections after their leaders but their programs have been identical—that is, to get to office. It is difficult to point to any measure undertaken by any government for the benefit of the country. There have been no free elections, and the same name, though there have been contests between these personal interests.

The voting has been under direction.

In a country so managed it must be expected that officials will try to make private profit out of their positions. This is freely admitted. The government has dodged his taxes as have other influential men. For instance, in the north, some 66 stills operating in the north, the internal revenue from these was less than \$15,000 a month, but when in 1919 an American was put in charge

the stills reduced to 9, the revenue increased to \$35,000 a month. In the province of Santiago, with from 22 to 28 stills operating, between 1912 and 1913 the total revenue was about \$55,000, but in the first 7 months of 1918, the province of Santiago paid \$57,000 revenue. A competent observer said that his

that the graft in the civil pay roll was not more than 5 per cent, but that money was made on supplies for the army and in financing revolutions. The last was the origin of a large part of the old fortunes of the country.

Everywhere the people believe that the officials are grafting. Every cigar had to have a separate revenue label and it was forbidden to remove this until the cigar was partially consumed. Now each box of cigars must have a label, and I was told in Santiago that probably three-fourths of the cigars smoked had paid no dues, as only the larger factories could

observe the law. I cite this to show the attitude of the common man. I believe that any official is honest, and knows that he would not have similar opportunities. Bonding companies are significantly absent. I have often told that the revolutions were practically bloodless and were more than counterparts of our electoral campaigns, with rifles and fireworks.

Aside from the fact that the natives say the revolutions were becoming more violent, this statement ignores their industry. "The peasants have never had any inducement to save," said a Dominican woman to me one day. It was useless to try to accumulate their property when to-morrow, or next week at the latest, some gang would come along and seize everything. No continued industry is possible if "volunteer forces" might appear at any time looking for plunder.

The handicap to the country was enormous. I am content that there are certain fundamental resemblances between Haiti and the Dominican Republic in spite of equally obvious differences. The Dominican Republic is a bit farther along the road to civilization, but is still

overcome by some of the same obstacles. The necessity of an inner change in the attitude of the leaders is just as acute.

## CHAPTER II.

## THE MILITARY GOVERNMENT.

After the flight of Morales in 1906, Caceres became President of the Dominican Republic and was reelected in 1908. He was assassinated on November 1911, and replaced by Victoria, who was elected constitutional President February 27, 1912. Revolution broke out, and the United States sent a commission which helped effect an agreement between the leaders of the oppositions. The Dominican Congress assembled and accepted the resignation of Victoria, electing the archbishop, Adolfo A. Nouel, as President. In spite of his personal popularity he was not a strong executive, and, after a brief reign, resigned in disgust. Bordas became provisional President April 14, 1913, served for one year. There were other revolutions, and another came down from Washington. The resignation of Bordas was arranged. Baez became provisional President August 27, 1914. In October Jimenez was elected President, taking office in December. For a time all was quiet. In April, 1916, Arias, the Secretary of War, deposed Jimenez and assumed power. With the consent of Jimenez, American forces were landed on May 1, 1916, on orders to support Jimenez, and Arias was notified that he would not be recognized as President. The Dominican Congress then chose as provisional President a prominent physician who had given up his profession to enter politics and who had lived many years in Cuba, Dr. Henriquez y Carvajal.

As a condition of its recognition of the new government the United States suggested a convention similar to the one with Haiti (which is reprinted on page 152). This the Dominicans absolutely declined. The American authorities then refused to turn over to the Government the revenues collected. Finally Washington resolved to end the trouble and order the naval forces to take entire charge. So on November 29, 1916, there was set up "The Military Government of the United States in Santo Domingo," which has remained in complete control since. The governor has been an admiral of the United States Navy, more correctly a series of them. All the high officers of the administration have been Americans.

*Lack of definite reasons.*—So far as I can learn, Washington has never given either to the Americans or to the Dominicans a definite statement of the reasons leading to the intervention, except the brief statement in the Knapp Declaration that the intervention was to help establish stable government in accordance with that treaty obligations might be kept. It is not publicly known just what advised such intervention. Until some of the inner facts are revealed it is difficult for the outer world properly to evaluate the courses followed or to assign praise or blame. The Dominicans understood at first that a legation guard was to be landed; then that men were being sent to prevent damage by revolutionists; but the subsequent demands of the United States make these seem like excuses.

I have indicated that from the American standpoint the Dominicans have perhaps because they could not, lived up to the pledge not to increase trouble without the previous consent of Washington. The preceding paragraph indicates a great deal of internal turmoil. In all of this, however, neither American lives nor property were jeopardized so far as known.

Prominent Americans and Dominicans have told me that they believe Washington knew of certain plans of Germany to use the island if opportunity offered and, inasmuch as we were not then at war, thought it better to stall such a possibility. If this were the main reason it is difficult to understand why President Wilson waited until December, 1920, before proposing to withdraw the troops. Some Dominicans believe that Washington carelessly identified the Haitian situation with the Dominican and failed to appreciate the differences. It may be that European countries urged our government to intervene. So I was told by one of the highest officials near President Wilson. There is no evidence whatever that this action was due to any unscrupulous or grasping motives. This the Dominicans admit for they can believe it was done in good faith as a matter of necessity. I should not know, nevertheless, just what the reasons were. Admitting, then, that the strongest arguments could have induced Mr. Wilson to order an action seemingly so contradictory to certain principles emphasized by him in admitting good faith, it is possible that the action was a grave mistake. Then, is the fundamental question which makes all the problems of the administration of our trust insignificant but upon which we must pass judgment until all the facts are known.

*of policy.*—Whatever the facts prove to be in regard to the occupation, there is no evidence that Washington had at the outset developed since, any well-thought out policy or program. It prepared for a new treaty as already mentioned. When this was anarchy threatened, Washington, finding its hands forced, ordered assume full control. Under such circumstances one would naturally expect that the officials in the Dominican Republic would be given a fair trial. No trace of any such policy can be found. Seemingly the occupation has drifted along in a hopeful attitude, settling problems as they come but holding no clear vision of what it wants to do. The government has been left to their own devices. Admiral Knapp interfered as little as possible and Washington was satisfied. Admiral Knapp, who is reported to have said that he "would be damned if he was and damned if he didn't," decided on the former course and as just as satisfied. Whether the State Department and the government saw eye to eye is a matter of doubt. Certain important interests of both military and civilian representatives were quite contrary to the policy of withdrawal announced by Mr. Wilson and I am told the officials knew nothing of this decision until they received the final order to publish. If it be true that Washington had no reflection on our methods. It has put our representatives on the unfair position for they are supposed to be the executors of our policy. I have sought to make this point clear before the occupation has done, because of its bearing on our final

hard to find a more responsible or more anomalous position than the admiral called on to serve as governor of the Dominican Republic. Immediate assistants were fellow officers, many of whom, in American traditions, did not know the language of the country. They were the old native officials, the governors, the communal judges. The old system of courts with native judges existed. Congress If new laws were needed there was no way to get them except by executive orders, and 589 such had been issued by December 31, 1920. The courts recognize and enforce these new laws? It is obvious that the governor might obtain the best native advice on modifications of laws (which was often asked) he could not count on the hearty cooperation of the people, particularly of the educated class, which was most likely to be critical. Regardless of the wisdom or the necessity of his decisions he was to be sharp criticism. As a matter of fact, he has been commending orders which affect nearly all departments of the national life. The question to consider all of these and we can only indicate some important changes made and describe some of the new programs and the nature of the criticisms. I should add that the policy has been to employ Dominicans wherever possible.

*of order.*—While there was some armed opposition to the military entered the country this was speedily overcome. The military was a police problem. There had always been armed individuals and armed bands in various parts of the country whose suppression was difficult, both because of the nature of the country and because they were less supported by public sentiment. As already stated there was a close line between the roaming criminals and the revolting political "villeros" as they are locally called. The peasants feared to oppose them and their fear was justified. Even the big sugar estates depended for protection," and I am told that they have continued this under the military government. To assist in suppressing such activities were required to surrender all arms and it has been very difficult to permit to possess even a shotgun. One result of this policy, overlooked incidentally by all thinking Dominicans, has been a great increase in crime. A prominent man told me that in the Province of San Pedro the occupation there were about 300 homicides a year and that there have been only 50 a year. Many Dominicans freely admitted the statement. This means that over a thousand Dominicans are killed each year, who would have been dead had the old conditions existed. In number, let us note, is many times the total of all the atrocities against all the Americans in the entire country.

There was an increase of banditry in the summer of 1921. About the end of September I heard that arms from Mexico, via Jamaica, had been landed at Monte Cristi, their delivery having been arranged by prominent men. Pedro de Macoris. I was not greatly surprised to learn that in the meantime made at the end of the month, after the English manager of a sugar estate in this town had been kidnapped and held for ransom, brand new Smith & Wesson arms with new ammunition were captured. The politicians in the town, for the early departure of the Americans, were starting their old game.

Barring such local affairs, the entire country has been at peace since a foreigner as well as the native can go about freely without fear. Even a changed order is seen in the fact that many peasants who had previously hidden their cabins away from the main roads are coming out of the brush building new homes on the highways. Everywhere I found that now the people are safe and have no fear either for themselves or their possessions. The people appreciate the substitution of order for the old revolutions. Of course arms and ammunition are smuggled in once in a while. In one case the crew of the Clyde liners had planned to deliver a considerable quantity, which could have sold at great profit, but the shipment was discovered. Nevertheless, few arms of any account in the hands of the public.

*Police force.*—The military government has built up a local force at first as the "Guardia," and still so called except in official papers. (For this reason the name was changed in June, 1921, to *Policia Nacional Dominicana*.) This consists of some 800 men, officered by Americans, and is very similar to the Gendarmerie of Haiti, although its duties are more limited. The pay of privates is \$15 per month. It is criticized by the Dominicans just as the Gendarmerie is by the Haitians. Its officers, however, feel that it is to be a valuable asset to the country. I suspect that much of the local opposition is due to its control by Americans. Some of the papers in 1921 tried to move to condemn as traitors those who served in it.

*Internal revenue.*—While on the island I learned that after 1904 when frauds grew up in connection with the internal revenue. In the meantime committed in November, 1920, by Lieut. Commander A. H. Mayo, the then ministering the Department of State and Commerce. I find ample confirmation of this statement, and from his report I take the statements in this paragraph. The total internal revenue collected in 1916 was \$72,144; in 1917, \$125,000; in 1918, \$1,697,163; in 1919, \$3,014,230; and in 1920, about \$4,000,000 (I have the exact figure at hand). The amount collected on alcohol, which averaged about \$210,000 per year from 1909 to 1916, rose to \$511,000 in 1917 and to \$800,000 in 1919. In July, 1917, the largest distillery was sued for default and paid out of court the sum of \$64,340.10 to settle the case. (Com. Mayo adds:

"The frauds committed in the administration of the alcohol tax were exceeded by the illegal traffic in stamps and stamped paper. Government stamps and stamped paper had been used by the Government, or by agents of the Government, to barter for the purpose of obtaining ready cash, and were often sold in large quantities at an almost ruinous discount. Officers of the Government frequently collected commissions on such sales."

Elsewhere he states:

"Enforcement of the old license law has been in the hands of the municipal governments. Due to poor methods and the practice of selling the right to collect taxes, it was not a success. Of the many taxes imposed and collected by the municipalities, it is doubtful if more than 70 per cent of the taxes due and payable were ever collected, and in all cases the cost of collection was enormously high, often reaching as much as 50 per cent."

It is estimated that the municipal collections did not exceed \$300,000 in 1919 under the new system \$630,305 was secured. These changes, however, to the advantage to the country, have been brought about largely by the system of the work, the discharge of a large number of dishonest men, the introduction of a local bonding system supported by the employees themselves and an increase in the taxes themselves.

*Direct taxation.*—The tax on land created by executive order No. 2, April 10, 1919, is in many ways the most important change made by the Americans. The original order contained some foolish provisions, such as the attempt to graduate the tax on the amount of land held, not on its productivity, which had to be changed. Leading Dominicans admit the value of the change and there is little chance of its future abolition. The rate of the tax is now half of 1 per cent on the assessed valuation. This law compelled the

orce of assessors, and Porto Ricans seem to have been selected at is much complaint of the way they did the work, but it is difficult e the justice in the complaints. As a fact, the difficulties were han one would anticipate, and experience will show what changes

has succeeded already in destroying many fraudulent titles. The nation of the real property was \$141,000,000. The tax collected \$740,924 and in 1920 something over \$900,000. The collections considerably behind this sum. This was due in part to the finan- on; in part it was the result of the belief that the Americans would aw and that a native government would repeal the law. As a rule and accepted the law without much objection, but some, of course, nistic. One former provincial governor, for instance, refused to en the privilege of paying within 24 hours or going to court.

*of funds.*—The American officials deserve great credit for their work g the financial methods of the government, in introducing system, honest employees, and in avoiding the least suspicion of any graft ty on their own part. For once at least the Government funds onestly administered. It is to be hoped that the Dominicans appre- facts. So well have affairs been administered that all obligations net, in spite of the fact that the salaries of employees have been ncreased, and by 1920 there was a surplus of some \$4,000,000 in . Just now the situation is changed. The officials do not seem to d the near approach of a financial crisis in the world's affairs, d involve the Dominican Republic. It is now common to condemn ls, but we must not forget that the local banks were equally short- am inclined to the belief that some people in the United States ter informed.

—The Dominicans freely state that the impetus given public edu- e of the best things done by the Americans. Rufus H. Lane, who ge of the school work, appears to have been one of the best men it down; at least the Dominicans are enthusiastic about him. No iastic over the schools is his Dominican successor. Since the ame the number of rural schools has increased from 84, with about n enrolled (average attendance 40 per cent) to 489. The salary of ; has increased from \$5 and \$10 a month to \$55 and the salary is id. (After the financial crisis the salary was reduced to \$40 as an easure.) There are to-day 489 rural primary schools, 49 primary 69 graded schools, 6 industrial schools, 4 special schools, 2 normal well as the university which has been somewhat reorganized. The nent has increased to 100,000. It is estimated that some 60,000 to ren have learned to read and write. In some rural districts the ed that 20 per cent of the population could read and write, and that f these were children under 16.

was there is a school day of five hours. In the country there are ; of three hours each for different groups of children, thus enabling ; to do double duty. In the hurricane of September, 1921, many ; were wrecked and many of these were among the first buildings ed. Even the bandits are alleged to have forced such repairs. Local nizations have been started even in rural communities, which have schoolhouses. Five excellent buildings have been erected by the , two in Santo Domingo, two in San Pedro de Macoris, and one in is had been made to erect many others but there were many diffi- untered. Some towns refused to give sites. No reliable contractors ured in the north, and by the time outside contractors were ready slump came and all projects had to be abandoned. Meantime, ex- er buildings to be ready and knowing the delays incident to im- school authorities had made large purchases in the United States d other supplies which must now be stored.

enough it was in connection with the schools that one of the ychological blunders of the Americans was made. Owing to the isis the school year 1920-21 was shortened by two months. This eat furore. It seems to have been a regrettable mistake but the must not forget that in the old days most of these schools were not

Such shortening of the school year is not unknown in this country ar conditions. I trust this new interest in education will not be is not encouraging to hear in Santo Domingo the common rumor that

when the Americans leave one of the fine buildings will be used as a residence and not as a school.

**Public works.**—To the question of permanent public improvements mention has been paid. It is understood that Admiral Knapp at first favored the construction of a railroad from the capital to Monte Cristi, but later that a system of roads was preferable. There was also a crying need for construction of schoolhouses, for the repair of existing wharves and warehouses and the building of new, for the creation of correctional schools, asylums for lepers and the insane, and for hospitals. After long study a program was developed, whose estimated cost was some \$16,000,000. It was proposed to meet this cost by using some \$3,000,000 available in a fund for public works, by setting apart another \$3,000,000 from the accumulated surpluses of Government income and by borrowing the balance.

This program was indorsed by the second Pan American financial conference. I am informed that it was also approved by the State Department; at least such is the understanding of the officials in Santo Domingo. In substance the State Department is alleged to have said: "Go ahead and spend the \$16,000,000 and when the balance is needed a loan will be approved." At the beginning of 1921 the officials asked Washington for the loan and were astonished to find that it would not be approved. Finally a loan of \$2,500,000 was allowed in order to meet certain existing obligations and to complete some of the building program. Doubtless this change of heart was due to the belief that the Americans would soon withdraw, but its effect on the program is easily seen.

**Roads.**—Meantime work under way when the Americans entered had been carried on. Many difficulties were encountered. In November, 1917, for road work were advertised in the United States and Porto Rico as well as locally. Two or three American contractors went over the ground, but one bid had been made by April, 1918, and the price submitted was so high that it was immediately rejected. Admiral Knapp wisely decided not to award construction on a "cost-plus" basis. In 1918 two American contractors submitted a reasonable bid for the construction of 50 kilometers of the new road between Monte Cristi and Santiago, the rest having already been laid. This was accepted and the work done. In August, 1918, the department of public works was ordered to start another road. The question of labor now arose. The Dominicans had opposed the introduction of Haitians for road building and had been supported by Knapp. But other labor was not available in sufficient numbers. Admiral Snowden became military governor in March, 1919, and shortly thereafter gave his consent to the importation of Haitians. By October, 1920, sufficient engineers had been found and enough labor secured together with necessary machinery, to create the belief that the main part of the roads could be completed by May, 1921. In January, 1921, owing to the failure to secure the loan above mentioned, it was necessary to discharge 50 per cent of the engineers and all of the laborers and stop work entirely. There was no resumption of the work until July 1, 1921, when part of the \$2,500,000 loan became available. The small sum at the disposal of the department enabled it to finish the main road after a fashion, but that is all. Temporary wooden bridges 9 feet wide over some torrential streams must be left in place instead of the permanent concrete structures planned. The local officials can be blamed for the failure of the original program.

From many standpoints this road building has been the most important thing undertaken by the Americans, more important, in my own opinion, than the building of schoolhouses, and we are making a great mistake in not finishing the job. One Dominican said to me: "You are making a serious blunder in failing to grant the entire sum needed to complete permanent roads. The Dominicans would howl and the people grumble at first but the roads would be valuable that in a few years the cost would be a minor matter and they would be grateful to you for leaving a structure they could not hope to build for themselves." In one community when the work stopped, the people gathered together and did a great deal of work to put the road in usable condition. Only one who has gone over the country can appreciate either the value or the difficulties encountered. I sincerely hope that some solution will be found. That the Dominicans appreciate the roads is evidenced by the use of automobiles they have purchased in recent years. Regular bus lines connect all accessible towns about Santiago and the capital.

**Wharves.**—A new concrete wharf with an adequate warehouse has been built at Puerto Plata replacing an insignificant wooden pier formerly used. The wharf at Santo Domingo has been much enlarged and a fine concrete

1 Pedro de Macoris a concrete wharf is under construction to re-wooden structure. The wharf at Barahona has been enlarged. *ice.*—In olden days it took from 10 to 14 days to get mail across. This service has been greatly improved and will be further expedite roads are completed. The graph on page 184 will show the advance the last year. The monthly fluctuations are almost wholly due to conditions.

As it is impossible to go further into the details of the work accomplished may be presented in comparative form by the sketch on page 185 the department of public works.

It is impossible even to attempt to sketch all the activities of the officials in administering the government. I have hardly mentioned the public health work. I can only summarize by saying that it is an endeavor to establish such programs as we have found necessary in our country. Before attempting any general estimate of these attempts I wish to consider briefly one or two other matters.

*of the press.*—In an order issued November 29, 1916, it was declared that any comment on the attitude of the United States or with reference to the United States must be approved in advance of publication, and the publication of inflammatory articles or those counselling hostility or resistance to the military government were prohibited. There has never been freedom of the press in the Dominican Republic, as we understand the term, and the restriction is not without necessity. Its execution, however, and some of the sentences pronounced caused much feeling. Censorship is seldom either wise or just and probably many blunders were made. The funniest story, for which I can not vouch, but which was told me by an educated American, was that the censor had passed an article in which was described the government in Russia, and was called to account by a higher official. He received an article signed by the same writer and rejected it because it happened to be an article on the Red Cross written by a

Dominican law recognized two types of offensive statements—"diffamation" or "injurias," an allegation of an act affecting the honor or reputation of an individual, and "injurias," an offensive statement not imputing a specific act. The "diffamacion" against the representative of a foreign country was punished by imprisonment from eight days to three months and a fine of \$10. The publisher was not directly responsible if the offending article was signed by another. "Injurias" was a simple police-court matter for one peso (25 cents). After the removal of the censorship it was no longer a protection to be given, to change this law, and so executive order No. 572 and No. 573 were issued December 6, 1920. The first of these (No. 572) prohibited the publication of (a) any article advocating anarchy or bolshevism; (b) any proposal to overthrow by force the military government or resistance to its laws and legal orders; (c) any article in which the military government, of the United States, its representatives, or any person in such form as indicated an intention to provoke disorder or (d) any discussion of conditions in the Dominican Republic couched in such a way as to show an intention to provoke disorder or revolt. The second (No. 573) provided punishment for the libel or slander of civil or military representatives of the United States or similar publications against the United States. Statements against an individual, if true, are neither libel nor slander. It is difficult to find just criticism of these laws, but they have been repealed for reasons unknown to me by executive order No. 100, issued in 1921, which practically limited itself to the prohibition of "anarchy" or "doctrines and practices contrary to public morals and good customs by all civilized nations."

It may be true that the local officials could not count on the backing of the United States and that they were discouraged by the many reversals of verdicts. But the fact that Dominicans in Washington wrote home that the papers could do as they chose and could practically laugh at the military government. In 1921 the Dominican papers became not only free in their editorial conditions but filled with violent, abusive, and insulting comment on Americans. Protests to Washington brought no relief. Dominicans often expressed regret to me that this should be tolerated. I am not drawing on my imagination let two illustrations suffice. Taken from the first (and last) issue of *El Machete*, published at August 4, 1921.

## "EULOGY TO THE DOMINICAN MACHETE.

"Dedicated to Lulu Rodriguez, who knows how to interpret the dance edge of the machete on white flesh.

"Hail to Thee! thou flammiferous cutlass, which in times past in the hands of Luperon and Valeirio dulled your edge lopping off the head of the invader of '83.

"Hail, Machete! which on other occasions solved the problem of an independence, without restrictions, by one act effected in a sure and hitherto manner.

"Oh, Machete! your work, effective, regenerative, and immediate, has been replaced by an act of conservation which at the present time is called 'conservation.'

"What is prudence? What is its interpretation? Is it to put up with the opprobrium of a shameful occupation—of an occupation which is the civil death of the Republic?

"Oh, Machete! Hail a thousand and one times! because thou, burying in skulls, describing a circle of vindication in space, art the only one who gives that which a people not enslaved aspires to—their liberty.

"Machete! thou who are temporarily sleeping the sleep of death, come again, brave and triumphant, swift and avenging, in order that thou mayest bring a lethargic state at the present time may be moved; in order that thou mayest act of honor thou mayest revive the fine tradition of '44, kept down to the ill-omened cetacean of North America which from its maritime post surrounded by the waters of the Pacific, kills with one stroke the weak reprobate of the Caribbean Sea."

The writer, one Jorge A. Gonzalez, lacking the courage of his convictions meekly explained that it was written as a fanciful conceit and that he was doing nothing by it. The military authorities decided to sheath the Machete.

From the same office and under the same men there appeared another on August 27, 1921, entitled *El Dogal* (The Halter). I quote the last paragraph of an article on "Woman."

"Our women are treading a miry path; and I see the mire already on their fair skins.

"It appears as if the women in my country had allowed themselves to become more imbued with the fatal consequences of the morbid and corrupt influence of the Yankee than the men. In the United States there are no moral utes for the women. The women, enjoying absolute liberty, are in a state of moral bankruptcy. The women there lead a very free life; hence the enormous gashes that cut the heart of morality in two. Our girls copy, unconsciously, some points presented daily before their eyes at the picture shows and in the lives of the mercenary women who come to us from the North, and go smiling toward a sad destiny, prepared, perhaps, for the infamous intentions of this nefarious intervention."

Nothing whatever was done to the writers or publishers of such statements save to warn them and suppress the papers. The regular press was at the same time attacking every move made by the American government or its representatives, asserting the most corrupt motives for action or decision. Yet the local authorities felt powerless. The reader will not forget that much less offensive utterances in Haiti had resulted in the proclamation of May 26, 1921. It is but another indication of a lack of program at Washington.

*The Dominican reaction.*—Ask the intelligent Dominican for the best done in the country by the Americans and he is likely to reply: (1) maintenance of order; (2) development of schools; (3) the tax on land; and (4) the taking of a census. Some would give the road building an importance, but more feel that this is but a continuation of an older program. There is no one who would suggest that the establishment of accounting systems or an emphasis on honest administration deserved attention. Can it be that they are skeptical of the permanency of such efforts?

Ask the same man for a bill of complaint and he will say: (1) cruelty; (2) arbitrary actions; (3) inferiority of officials; (4) multiplications of law; (5) great increase in salaried positions; (6) failure to understand the Dominican psychology.

With reference to the charge of cruelty it must be admitted that there have been many instances, particularly of what the boys would call "rough justice." However, very few men in reality are charged with these offenses.

admits that they are as nothing compared to the number in the may say, as one did to me, "But that change is not due to the the result of taking away the arms from the people." I still on. There is another side to the story too. There have been a faults on peaceful marines. The Dominican youth have a pleas- throwing stones when they feel relatively safe, and this has led new one fine young marine who was stabbed and killed one ently because he stopped to speak to some women on the street. r cases where men had been killed and bodies mutilated.

pers tell only one side of the story. When two drunken marines y to wreck a drug store full accounts are given, but when a a prominent family is arrested for assault the papers mention the efforts of good citizens to rescue him, but make no mention

One of the officers accused of cruelty has lived as a private veral years in the very community in which the offenses are e happened and seems to be well liked. At least, when last sum- ported that certain men were trying to "get him," some 200 i horseback rode into the town to protect him. I have known rs to disturb an entire hotel most of the night; I have seen rs on the trains and heard the vilest of language uttered with ference to the possible presence of ladies who might understand here were such. In fact, these pettier (?) things are more im- actual cruelty. They are the mosquitoes which torment and irri- re the excuses given for the deeper feelings underneath. One d scathingly condemned the marines for cruelty, when asked for esitate and finally replied: "Five years ago two marines entered killed a chicken." It was the only case he knew.

cts and decisions, particularly of younger officers, have caused nt. At the town of — two marines on mischief bent entered of a well-known man. He ordered them to leave, and when they l two Haitian employees put them out. A little later they returned l arrested the Haitians. The owner followed the party to head- chanced that the provost marshal was absent, and the man in ler marine, locked up the owner and the Haitians. On return of rshal all were instantly discharged and the marines were ordered t-martial. I tell this story both to illustrate the kind of things ven great offense and to illustrate the fact that the officials have a guilty men whenever the evidence was to be had.

been both competent and incompetent officials. All I care to say is that I believe the military officials have compared very favor- civilians. Let me add the testimony of an old civilian official. He

"Here in the Dominican Republic I have seen what I long hoped, e despaired of seeing in the United States, that is, a body of men heir energies to governing a community to the best of their ability, h interests at stake. It has been an inspiration to work with re his sentiment, though my personal information is meager.

It to pass an opinion on the claims that too many laws have been o many positions created. Only actual experience will demonstrate Americans have been too anxious to create in another country and it conditions the machinery in use at home. Doubtless some mod- be necessary. The officials tell me that one problem which has i is to secure anything approaching the work done by individuals ountry.

likely that in many instances native psychology had been ignored ood. It is difficult for men accustomed to the giving of orders to it they are in another country trying to help, not to supplant, the I have met many men who displayed a most sympathetic interest tions. It is also true that many natives have not wanted to help, ntrary have tried to make the occupation a failure. Conditions for thoroughgoing cooperation.

*in criticism.*—My own criticism of the operations in the Dominican old lie in other directions. I have indicated that it is foolish to viduals unless they are failing to carry out some clearly defined e can pass on the work of the collectors of customs, but how can the success of a governor who must issue as orders all the laws ountry, unless he has men of wide knowledge and experience under eling about our administration, then, is that its weakness is likely

to lie in the organization and in the excess of devotion which each man has to have for his own special work. The governors have been changed too for the best results, and I do not know how much attention was paid to the peculiar fitness for the position. There seemed to me to be a lack of coordination between the different departments. For instance, I understand that Navy officials, feeling that a new dredge was needed, bought one. This, however, was turned over to the public-works department, which is connected with its operation, without previous consultation as to the type of dredge department thought desirable. An agricultural college was started and it has no connection with the department of education. If we name the military governor, what is the function of a minister of the state department? If the governor comes from the Navy, why should the receiver of customs be responsible to the Army? In other words, we have assembled parts of men on the island and have told our representatives to put them together and let it run. We can not expect to be satisfied with the results regardless of the ability of the individual men. We are to blame, not they. Finally, we made a lot of beginnings, but we have carried nothing through to completion. The result is not creditable to the United States.

## CHAPTER III.

## THE FINANCIAL SITUATION.

The gold standard was adopted by the Dominican Republic in 1904. A new coin was coined, but a considerable amount of debased silver currency was in circulation. The rate of exchange fell to 5 pesos for \$1, and this rate was accepted by the Government in 1905 when the American gold dollar was accepted as the standard. The older paper currency has disappeared, but some of the silver coins and fractions is still in circulation. Taking advantage of recent high prices in the year 1919, about \$150,000 of this currency was shipped and sold for profit to the Government of \$55,000 over all expenses. American currency is gradually replacing the native, and large amounts of American paper currency are in circulation.

*Debt.*—The total debt as of June 30, 1921, was \$12,572,290 (I believe there are some unsettled claims not included) made up as follows:

Balance of the \$20,000,000 loan of 1908.....	\$2,372,290
1918 bond issue for payment of floating debt.....	1,730,000
1921 loan.....	2,300,000
Total.....	12,572,290

*Financial history.*—In 1904 the Dominican Republic found itself in a difficult financial situation, the interest on the debt being in default. Foreign creditors had been made recklessly and the creditors were pressing for settlement in accordance with the provisions of one such loan, the United States loan (October, 1904) the collection of customs at Puerto Plata. This led other countries to the idea of taking over other ports. To avoid this, the United States and the Dominican Republic entered, on the request of the latter country, in February, 1905, into a protocol taking effect April 1, 1905. An American commission sent down who examined the outstanding liabilities of the country which amounted on paper to over \$30,000,000 but which were scaled down to \$17,000,000. The two countries entered into a new convention in 1907. In 1908 a refunding loan of \$20,000,000 was secured in the United States. The principal features of this convention were that all the Dominican revenues should be collected by a receiver general appointed by the President of the United States. Not more than 5 per cent of the receipts should be allowed for the expenses of collection. The receiver general was to pay on the 1st of each month to the fiscal agent of the loan (the Guaranty Trust Co. of New York has served in this capacity) the sum of \$100,000 with the additional proviso that, if the revenues collected in any year amounted to over \$3,000,000, half of the surplus should be applied to the sinking fund for the redemption of bonds. The balance collected was to be turned over to the Dominican Government or put in the sinking fund as the said government might direct. The first sentence of Article III is very important: "Until the Dominican Government has paid the whole amount of the bonds of the debt its public debt shall not be increased except by previous agreement between the Dominican

the United States." This convention has been carried out and the reduced as the statement above indicated. Should normal conditions, the entire loan will have been paid by 1925 and the financial terminate.

*sensions.*—Internal turmoil in the country, however, coupled with practice of Government officials of buying supplies without special looting the offices of everything movable and the failure to pay as, created considerable obligations. The Dominicans appear to se obligations had nothing to do with the convention but it is derstand, much less accept, such reasoning. In 1912 the United forced to consent to an additional loan of \$1,500,000 which was ff in 1917.

l dissensions increased rather than diminished and at the time ention in 1916 there was a deficit in the treasury of some \$14,000 ing claims amounting to about \$16,000,000. A claims commission l in 1917 and the claims cut down. To meet these obligations the rnmment authorized the issuance of bonds bearing 5 per cent inter- exceed \$5,000,000. Actually, the bonds issued totaled \$4,161,300. were for 20 years and were secured as an additional charge on collected by the receiver general. In 1920 this loan had been so it looked as if it would be all paid by the end of 1922, but the up will probably delay final settlement.

ter the United States had announced its desire to withdraw the es, it became necessary to float a loan of \$2,500,000 at 8 per cent n obligations and finish some of the public works. This loan was ighest bidders, the Equitable Trust Co., and Speyer & Co. at 964. m was made of the high cost of this loan but comparison with of about the same date shows that the interest rate was not The Literary Digest for September 17, 1921, contains the table d issues found below.

*Recent bond issues.*

Country.	Amount.	Rate.	Ma- turity.	Offered at—	Yield.
		<i>Per ct.</i>			<i>Per ct.</i>
.....	\$100,000,000	7½	1941	95	8
.....	30,000,000	8	1941	100	8.10
.....	24,000,000	8	1941	99	8.21
.....	50,000,000	8	1941	97	8.25
o.....	10,000,000	8	1936	97	8.47
blic.....	2,500,000	8	1925	100	8

mal conditions the financial outlook of the country is very good, l financial methods are adopted it may look forward to an era r. Some discussion of the internal revenue will be found on

financial depression it is doubtful if the governmental revenues uate for the present budget. Many Dominicans recognize this that loans may be necessary, and that they can be secured only in ates. As already indicated, there are many who would welcome g of funds sufficient to finish the public-works program as well as nt expenses.

CHAPTER IV.

PROPOSALS FOR WITHDRAWAL.

xclamation of November 29, 1916, made on the entrance of the s into the Dominican Republic, it was stated: "The occupation is with no immediate or ulterior object of destroying the sovereignty ningo, but is designed to assist the country to return to a con- ditional order which would enable it to observe the terms of the treaty th the United States in 1907 and the obligations which rest upon the family of nations." The only possible interpretation to be is that the United States planned to withdraw its forces at the ble moment.

December 23, 1920, a proclamation was issued by President Wilson which stated that the United States was ready to withdraw and suggested various means. Into the detailed suggestions we need not enter as they were not followed. Dominican opinion was not ready for action. Many felt that the plan was a political device of Mr. Wilson to embarrass the incoming administration. Nearly everyone thought that less could be secured from the administration which had ordered the intervention than from a new one politically opposed to the first. Certain remarks of Mr. Harding had been taken to indicate a friendly feeling on his part. Moreover, there was a widespread feeling that the United States was drifting into war with Japan and that much could be gained by waiting. Hence the "Wilson plan," as they call it, produced other results than to start into activity the local politicians.

*Harding plan.*—On June 14, 1921, what is now known as the "Harding plan" was proclaimed by the military governor. The essential features of this plan were:

"Ratification of all acts of the military government; validation of the loan of \$2,500,000; the extension of the duties of the general receiver of customs to cover this loan and to handle part of the internal revenues should customs revenue be at any time inadequate; the Dominican Government to ask the United States to organize the Guardia Nacional to be organized by Dominicans and by Americans (for such time as may be found necessary to effect the desired organization)."

When a treaty covering these points had been drawn and accepted, the military forces would be withdrawn. To make a beginning the military government called for an election, but the Dominicans refused to put the matter to a vote, and on July 27, 1921, a second proclamation was issued stopping further procedure "until such time as the success of an election may be ascertained. No action has been taken since. The last sentence in this proclamation was:

"By instructions of the Government of the United States, announced hereby made to all concerned that the procedure of evacuation of the Dominican Republic, outlined in the proclamation of June 14, 1921, and the terms of the proposed convention of evacuation were fully and carefully considered by the United States prior to the issuance of the proclamation, and the Government of the United States sees no reason for any departure therefrom."

This statement must be considered as the answer of the United States to the violent protests which were at once made in the Dominican papers. Entirely the whole country was opposed. There were meetings and demonstrations galore. It was demanded that the troops be instantly removed and control turned over to Dominicans at once and without any restrictions. An enthusiastic speaker at Santiago suggested wringing the neck of the American eagle and throwing the carcass in the dust. Others claimed that the act of calling the elections was unconstitutional and that it would not do to hold an election as long as the marines were in the country. In order properly to evaluate this protest, we shall have to consider what was taking place at the scenes. Let us begin at Washington.

Whatever the new administration thought of Mr. Wilson's policy to the extent that it disagreed, it would be careful not to make further mistakes. Inasmuch as the United States could care nothing about the specifics of the plan for removing the military forces, it must have sought to ascertain things which it considered fundamental. Naturally it would discuss the plan with prominent Dominicans. Of these there was a committee at Washington headed by ex-President Henriquez y Carvajal. It is natural to suppose that they told the State Department that the proposed plan was fair and satisfactory and would be accepted by the Dominicans. One of them told us such was the case. Naturally, therefore, when the plan as issued was proposed there was no reason to change it for what assurance could be given another plan would be more acceptable.

*Native opposition.*—I have reason to believe that the plan, in general at least, was known to the Dominican press and politicians in advance of publication. It was decided to reject it; hence, when issued, the opposition was already prepared. I suspect that some of this grew out of a desire to make impossible the later election of Henriquez y Carvajal as president which might easily happen if he could pose as the man who influenced the American to withdraw. It may be merely coincidental that he soon announced that he would not be a candidate. The real local difficulty seems to have lain not in the method of calling an election but in the uncertainty as to the outcome.

which Americans preserved order. No political leader dared he deadlock. When, therefore, the United States "stood put" politicians were nonplussed, for the net result of their antagonistic indefinite postponement of the departure of the marines, the most wanted to accomplish. After publicly proclaiming abstinence as a patriotic duty, it was not easy to come out and ask for although the leaders by October had agreed to the election, it asked for up to the time of my departure. As a matter of fact, Dominicans were ready to ratify the acts of the de facto Government to grant all the other things with the possible exception of having officers in the guardia. They felt that this would mean not for but foreign control.

I take too seriously the arguments used in the heat of discussion, in talking to me demanded the immediate removal of the mail that I wished they could leave the next day and never return and, "you mustn't do that; all my property would be destroyed." I asked, but he grew strangely silent. Thinking Dominicans all believe government must be in existence before our troops are moved, I inferred from what has just been said that all the Dominicans agree. Many do. Many say that they have learned their lesson out of revolution is over. Others are not so certain. There are able Dominicans who want the United States to keep control of for 25 years. These men are not talking for publication for us. They do not hesitate to criticize the Americans, but they are careful and honest administration by their fellow countrymen, just as I believe them, that there are plenty of Dominicans with ability, but that it is impossible to get these men into office.

—I met only one foreign resident (and he was an old Irishman from a year in Ireland) who did not believe that continued foreign control was necessary if the country was to prosper. Some of them were likely to run quietly for a few years, but that if we left the question of a short time only until we should be compelled to return, it seemed better that we should stay and finish the job rather than begin all over again later on. When I recall that among these Irishmen, Germans, Italians, and Spaniards as well as Americans, I had lived a generation in the country and had married native women, I am compelled to believe that their almost unanimous opinion should be followed. The reader should remember that I am not here expressing my own national policy, but that I am trying to state all the facts of the given situation.

I am permitted to summarize my impressions. The Dominicans are not so much as Americans. Quite the contrary. They are, however, critical of our Government. They feel that it sent the troops either under some error or through error. They admit that the military government has done good things as well as some bad things and that the cases of violence are incidental. It seems worse, however, to have offenses committed by foreigners than by natives. They argue that, even accepting our violation of the convention by allowing an internal debt to arise, we did not give the United States any right to intervene as long as foreign obligations were maintained. They recognize the growing dependence on the United States and they will welcome better trade if we assure us that if we guarantee them freedom from foreign interference they will willingly enter into offensive and defensive alliance with us and assure us that no territorial rights will be granted to other powers at least they can make out an excellent case.

—The Government of the United States has pledged itself to the Dominican Republic within a short time, provided certain conditions are met. Inasmuch as there is little fundamental objection to these conditions, I believe that the opinion they will be accepted. In that case we shall have no reason, for any reason the Dominicans refuse to accept the conharmonious phrasing is discovered which will satisfy both parties to decide on our policy and program. Unless we then withdraw I think it obvious that we should replace a military by a civil government that we should select competent men, and maintain and support a government that will consider the advisability of changing our tariff relations with the United States. Such a course has long been recommended by the present administration. It is, however, not within the scope of my report to enter

into such questions. I am glad to say in closing that in my opinion we can find a solution to present difficulties and shall be able to develop the most harmonious relations with the Dominicans.

#### SOME REFLECTIONS ON OUR POLICY.

Hitherto I have limited myself as strictly as possible to a statement of conditions as I found them, giving but the minimum of historical background. In closing the report I must state a few of my own conclusions.

In so far as I can see there are but three general policies which have been adopted by the United States with reference to Haiti and the Dominican Republic:

(1) Withdraw and refuse to accept any responsibility for what has happened in either country; refuse to intervene again and refuse also to let any other country intervene.

(2) Withdraw and refuse to intervene again, but let other countries do as they please in regard to the collection of debts or the establishment of military bases.

(3) Continue the intervention, promising to withdraw as soon as it becomes possible to make possible the restoration of autonomy.

When I went to Haiti I was inclined to feel that the first course was the best, but I left convinced that it was not. There are many who believe that it is, but they have often weakened their case by impugning the motives of those who differ from them. They are inclined to claim that everything that our Government is doing for selfish reasons and dominated by deep-seated cruelty, while accepting all claims of other nations at their face value.

The fundamental cause of the muddle in which we find ourselves in Haiti is the Dominican Republic is a lack of a clear understanding of the situation and our relation thereto. The older concept of the Monroe doctrine is negative. We said to Europe "hands off," but accepted no definite responsibility for ourselves. This attitude on our part was and is a guaranty of independence to the two other countries without which it is doubtful if they could have maintained themselves. More recently we have encountered a rising tide in Europe that we should assume responsibility or else permit other countries to intervene as they might deem best. Under this pressure we have intervened in a half-hearted sort of way. Unless we are prepared to surrender the Monroe doctrine—and of this I see no sign—the time has come for us to assume definitely the responsibilities it entails and to work out some definite policy. Unless we do this it might be better for us to get out and stay out.

A century ago men, sensing an idea a little beyond their powers of expression, spoke glowingly of "individual rights," as if they arose and existed apart from society. We know to-day that rights flow from society and are determined by it. To society the individual is responsible, and when the commands of society are violated the individual is punished; that is, his rights are limited. Society judges the individual by his actions, not by his size. It recognizes that individuals differ and that the rights granted must be proportionate to the amount of responsibility developed by the individual. The insane man must be guarded. When we deal with defective persons we do so not to punish but to assist them and to protect others—that is, society.

*Intergroup relationships.*—Just now we are passing through a similar development of thought and practice as regards intergroup relations. "Self-determination" in international relations corresponds to the "inalienable rights" of individuals a century ago. Just as our ancestors learned that they had to draw a line between the normal and defective individuals before the law, so we are learning that international law must distinguish between groups of individuals primarily on the basis of their actions; that is, their development of responsibility. The analogy is not perfect, for we must assume that each group has the inherent capacity to develop, an assumption which is not always true of the individual.

In earlier days a man might take to the wilderness or the woods and lead an isolated career almost independent of society. Such a life is decreasingly possible to-day. Tribes, races, countries in the past have had at times but little contact with other groups; but that, too, has become almost impossible. We are living to-day in a world of closely related groups, and our philosophy of international relations must change to fit the facts. It was said of old, "No man lives for himself," and to-day we must add, "Nor does any people." The old idea that each group should be allowed to struggle along by itself, regardless of the

It learned self-control, has become as absurd as the idea that a group of people will be allowed the exclusive jurisdiction of any unless they so conduct affairs that the welfare of others is concerned. It will take a long time to standardize these new relations is freely there are dangers is equally evident. The point is that now nations must ask, "Am I my brother's keeper?" The welfare of Haiti as much on the tariff laws of the United States as on the labors

of the world is to intervene, the questions of when, where, how, will be decided. The individual is most affected by the actions of his neighbor. On the adjoining place begins to shoot indiscriminately with a rifle. I am immediately involved regardless of whether he intends to harm or not. In an organized society I invoke the law. Under frontier conditions I solve the problem myself. In the present state of world organization I follow the program of the frontier. The important thing is the recognition that each community must so conduct itself as to offer no threat to the safety of others. The large groups have rights as well as the small. Each nation which desires to be considered as nations must show themselves in the responsibilities of nations.

Haitian friends say, "But we have long been recognized as a free nation by the United States." True. The whale was long hunted, but its real nature was not changed by the mistaken classification. The difference between you and the whale is that you can become independent if you will, and that is what we should like you to do. You are outsiders. You are a part of our problem because of your location. We have been confused in our attitude toward you, as is shown by our desire to call your island Haiti or Santo Domingo. We have regretted the past and for this we accept our full measure of blame, but we believe that the future shall tell another story. Your old programs of indiscriminate borrowing of money must stop, not only because of overdevelopment but because it has become a source of danger to us. Be sure, there is little danger of interference by another nation, but we know what 50 years may bring forth and we have decided that we will keep other nations out than to put them out.

We can with whom I have talked would prefer to let the island go without interference. I have never met anyone who desires to destroy the independence of either Government and no one ever suggests that the island be absorbed into the United States. America is ready to continue its dependence, but it seems ready also to insist on certain reforms. We grant the sincerity of the Government at Washington, and I see no objection to it, what shall we do, for it is evident that we will not let Haiti intervene.

*policy.*—I believe the United States should again declare to the

that we will maintain the integrity of Haiti against itself as well as against the rest of the world.

Haiti asks for no territory from Haiti, but assumes that in any future treaty the United States will grant the use of any facilities needed as a return for the United States to protect it against invasion.

For the time being the United States proposes to maintain law and order and to try to put the country in a position which would make possible a healthy future development.

Such a development should at once be followed by the sending of a proconsul to Haiti with full authority, to whom all other American representatives should report. Provisions should be made for the refunding of the Haitian money. Personally we feel that our tariff laws should be modified to permit the Haitian (and Dominican) goods on the same terms as those of

as to this policy, as generally stated, are that the Haitians do not want that we should find that closer economic relations would lead to a permanent control, which would be for the interests of the super-capitalists. In my opinion, the great majority of the Haitians desire such a program and the fact that some would not should not be a determining factor in our actions. I do not think that Haiti is fitted for self-government at the present time. I do not ignore the dangers of this policy, but

I think they are less than those of the opportunist program. The claim that our intervention in Haiti was dictated by financial can be made only by those who are ignorant of the facts. It is overly difficult to prevent improper exploitation in the future. Just needs capital and needs it badly. The fact that we have not achieved that we should in Haiti and that we have done some bad things are ourselves no arguments whatever that we should now withdraw.

*Difference in the Dominican situation.*—The situation as regards the Dominican Republic is different in that we have offered to withdraw under conditions, and we must keep our pledge if the conditions are accepted. The Dominicans are further advanced than the Haitians their future what problematical and we may find ourselves forced to intervene. I hope not, but I am not certain. I must confess that I find difficulty standing the offer to withdraw. The fact is that the United States first great blunder when it allowed Caceres to be overthrown and set a revolutionary government. The second blunder came when it repaid \$1,500,000 internal debt under Nouel. These two facts convinced the politicians that they could do as they pleased. We did not intervene should have done so. Assuming, as I have, that Washington felt justified in the original intervention it is not easy to see what changes have which now justify withdrawal. If we entered to enable the establishment of a stable government in order that treaty pledges might be kept, before such government should be more in evidence than it is now. If we because of disturbed conditions during the war why did we not withdraw ago? As for myself, as elsewhere stated, I wish we might finish the works program ere we leave. With this idea I know many Dominican agree.

If the United States decides that it must adopt a more constructive with reference to these countries to-day, to others to-morrow, perhaps try to remedy certain weaknesses in our home situation. For instance should be very careful how we send to Haiti as our representatives Negroes, regardless of their personal qualifications. Such action is resented by the Haitians. They do not want to be mixed up in the affairs of this country.

A more serious matter grows out of the fact that five and six years ago the request of the State Department, our marines were sent to the country. During all this time Congress has never directly approved or disapproved. It is foolish to claim as has been done that Congress has not intervened, for it has known the facts and has voted the necessary appropriations. I feel, however, that no department of government should be allowed to run the entire country in such fashion without the express approval of Congress.

*The selection of leaders.*—It seems to me also that we should devise means to attract into the State Department able men who might have permanent careers. It does not make for our peace of mind to find immediate control of such important matters in the hands of a succession of men. An inexperienced man should not be in a position to determine the report of the commanding officer in Haiti or the Dominican Republic should or should not be shown to the Secretary of State. The man should be vastly better informed of actual conditions than any officer we have, but we can at least make sure that a man of corresponding experience sees his recommendations. It is, of course, the system of individual men that I have in mind.

Furthermore, I believe that more attention should be paid to the selection of civilian and military leaders with special aptitude for the particular duties which they are assigned. The Marine Corps is intended to be a fighting force and we should not ask it to assume all sorts of civil and political responsibilities unless we develop within it a group of specially trained men. It is a foolish and dangerous thing to send raw recruits, whether men or women, into places where their actions have definite and important political consequences. I know that military men are not always to blame for the blunders which they work. Because of some law the marines in Haiti are required to spend thousands of dollars for tents which rot out in a year instead of at a fraction of the cost simple cabins of palm boards which are more permanent and convenient.

*Our increased responsibility.*—One of the results of recent years is the increased responsibility of the United States. I have tried to point out the difficulties we have encountered in the formulation of policies.

s responsibility. I have tried to be both honest and fair. While critical both as regards our activities and those of the Haitians as, I trust I have not been either hypercritical or hypocritical. I have pleasant memories to my months on the island, and I look for the coming of better and more cordial relations between the two peoples. Everyone must sympathize with the desire of the Haitians to be free and independent, and our constant effort should be to realize their desires by the cultivation of that sense of rectitude without which freedom and independence are empty terms.

# BOOK NOTES.

This is a brief list of the best books on Haïti and the Dominican Republic, fortunately, a number are out of print and are hard to find. Two exceptions they deal with the economic, social, or political aspects. No attempt is made to list the many magazine articles of which but a few reprints, in pamphlet form, are included. One who has details of recent events will not need to be told to look in the reports of the Navy, State, or Commerce, the bulletins of the United States, in our country; or similar publications of the other

## HAITI.

Notes:

Mery, M. L. E. Description Topographique, Physique, Civile, Historique de la Partie Française de L'Isle de Saint Domingue, Philadelphia, 1797. A mine of information.  
 Tappan. The French Revolution in Santo Domingo. New York. Knickerbocker Co., 1914.  
 Monod, F. A. S. de Saint Domingue à la Veille de la Révolution. Albert Savine, Paris, 1910. (Louis Miebaud.) An English edition published in London, 1797, under the title, A Voyage to Santo Domingo in 1788, 1789, 1790. Probably the best contemporaneous account.

Books:

Louis Gentil. Die Insel Haiti, 2 vols. Leipzig, 1892. In many ways the best book on Haiti where the author was born and lives.  
 M. L. E. Mery. Haïti, or the Black Republic. 2d edit., N. Y., 1889. Excellent. Author an English official long resident in Haïti.  
 M. L. E. Mery. En Haïti, Planteurs D'Autrefois, Nègres D'Aujourd'hui. Paris, 1889. or formerly French minister to Haïti. One of the very best recent

V. H. White. Where Black Rules White. London, T. Nelson & Sons, 1910.

Mar. Le Pays des Nègres. Paris. 1881. Good, illustrated account with many historical references.

La République D'Haïti, son Present, son Avenir, Économique. Berger Levrault et Cie.

Haïti. Boston, R. C. Badger. 1921. A sympathetic sketch of a

Following books by Haitians may be considered attempts to answer John Brown for they attempt to portray the best in Haitian life and at least laudatory.

Hubert. De la Réhabilitation de la Race Noire. Port au Prince, 1901.  
 Haïti, Her History and Her Detractors, New York. The Neale Co., 1907. There is a French edition also. Author was very active in Haïti.

Hubert. La République D'Haïti (Telle qu'elle est). Bruxelles, Société d'Imprimerie, 1910. Illustrated description of country with many

which are less general and deal with more detailed aspects. All were by Haitians.

J. Haïti, Ses Guerres Civiles-Leurs Causes, Leurs Conséquences, Leur Conséquence Future et Finale. Paris, A. Rousseau, Ed. 1910. A class by itself as a calm, critical study of fundamental political

- Féquièrre, Fleury. *L'Éducation Haïtienne*. Port au Prince, 1906. A survey of social and family matters. Last part on schools.
- Marcelin, Frederic. *Bric-a-brac*. Paris (Société Anonyme de Imprimerie Kugelmann) 1910. Political notes of about 1904 at the time of the scandal. Author was considered one of the ablest men of the country.
- Magloire, August. *L'Erreur Révolutionnaire et Notre État Social*. Port au Prince, 1909. A thoughtful work.
- Vival, Duraciné. *La Littérature Haïtienne (Essais Critiques)*. Paris et Cie., 1911. Good brief account of Haitian writers.

There are a number of stories by Haitian writers which give an excellent account of Haitian society and which have decided literary merit as well as best that I have read are:

- Marcelin, Frederic. "Epiminondas Themistocle Labasterre."
- Hilbert, Fernand. "Les Thazar," 1907; "Romulus," 1908; "Sensations et Visages" (short stories), 1910; all published at Port au Prince. Author is now, 1921, minister of public instruction.
- Finally there remains to be mentioned a book which is anathema in Haiti, which is a collection of facts, largely humorous, collected by the author, a teacher in Haiti, and which is worth reading:
- Texier, C. *Aux Pays des Généraux*. Paris, C. Lévi, 1891. Haiti, chapters in larger books, pamphlets, etc.
- Frank, Harry A. "Roaming Through the West Indies." New York, Century Co., 1920. The best recent sketch.
- Inman, S. G. "Through Santo Domingo and Haiti." Pub. by Committee of Cooperation in Latin America, 25 Madison Ave., New York City, 1920.
- Johnson, James Weldon. "Self-Determining Haiti." (A reprint of four clc.) The Nation, New York, 1920.
- López, J. "La Civilización en Haiti." A very critical article on U. S. intervention. La Reforma Social, New York, Agosto, 1921.
- "Renseignements Financiers, Statistiques et Économiques sur la République D'Haiti." Issued by the Banque Nationale de la République D'Haiti. Tabulated statement of loans, etc.

- Secretary of the Navy. Annual Report, Washington, 1920. Reviews of phases intervention.
- Union Patriotique d'Haiti. Memoir of delegates on the political, economic and financial conditions of existing in the Republic of Haiti under the American occupation." New York, The Nation, May 25, 1921. The most complete statements of Haitian complaints.
- "Exposé Général de la situation de la République D'Haiti. Issued yearly. Port au Prince.

#### THE DOMINICAN REPUBLIC.

##### Early period:

- Del monte y Tejada, Antonio. *Historia de Santo Domingo*. Santo Domingo, 1890. (First pub. Habana 1893.) Contains journal of Columbus and early history down to 1794.
- García, José Gabriel. *Compendio de la Historia de Santo Domingo*. 2 vols. Santo Domingo City, 1893, 1894, 1896.
- Nouel, Carlos. *Historia Ecclesiastica de Santo Domingo*. Rome, 1913.

##### Recent period:

- U. S. Commission of Inquiry to Santo Domingo. 42d Cong., 1st sess. U. S. Senate, Exec. Doc. No. 9. Washington, Gov't Prt. Office, 1871.
- Hazard, Samuel. *Santo Domingo, Past and Present, with a Glance at Haiti*. New York, Harper & Bros., 1873.
- Schoenrich, Otto. *Santo Domingo, A Country with a Future*. New York, The Millan & Co., 1918. Beyond doubt the best recent work.
- The Dominican Republic. Issued by office, Naval Intelligence, of U. S. Navy Department. Washington, 1916. An excellent illustrated handbook, "confidential" for some nonapparent reason which should be made generally available.



As indicated above, with the exception of the first and last items, they do not include amortization.

The first item is an external debt; the last item is an internal debt. The CHAIRMAN. Which is that; the railroad?

Mr. McILHENNY. No; that is the paving construction company.

The CHAIRMAN. Have you included the railroad company in here?

Mr. McILHENNY. Not in this; no, sir.

In the case of the debt to the Banque Nationale, a note due December 1921, no provision was made for amortization payments and there were no funds with which to meet it at maturity; and in the case of the others there is no way of determining the amount of amortization which would be required any one year, as the amount of amortization depends upon the amount of the pledged revenue during that year. It is upon such figures as are made which make no provision for the amortization of the greater portion of the external debt, that is based the assertion that the proposed refunding would increase the fixed charge.

In properly computing the present cost of the debt service, it must be taken into consideration that the arrears of interest on the funded debt are capitalized and interest must be computed on that part of the debt which is not now bearing interest, and adequate provision for amortization on the same must be made. Interest on a portion of the internal funded debt is 6½ per cent. Funded and floating debts bear 6 per cent, and others are not specifically interest-bearing; for purposes of computing the cost of debt service a flat rate of 6 per cent is figured on the total internal funded and floating debt with arrears of interest and estimated amount of allowable claims as of February 28, 1922, to \$10,769,431.79. In the above statement about those who assert that the refunding plan will operate to increase the fixed charges, the cost of service of the external loans is figured on the basis of the present and temporary depreciation of the franc, which is incorrect. Computing the service of the external debt with the franc at par and the internal debt on the flat rate of 6 per cent interest and 1 per cent amortization and including in the internal debt the arrears of interest and estimated amount of allowable claims to a total amount for the internal debt of \$10,769,431.79 the annual debt service is:

Service of internal debt; interest, 6 per cent; and amortization.

1 per cent.....

Service of external debt, 6,952,097.21 francs at par, 19.3 cents.....

Total approximate cost of present debt, service at par.....

The CHAIRMAN. Why do you say "at par"?

Mr. McILHENNY. Because, in setting out the cost of this present debt, it is not possible to take the depreciated franc as the basis of the debt, but it should be taken as it is based on the normal value. That is covered by and explained, Senator.

The CHAIRMAN. Very well.

Mr. McILHENNY. Service of debt under refunding plan, \$16,000,000 external series, \$1,110,000.

That is the interest and amortization of the first year. It is proposed to increase the amortization portion of that charge by \$5,000 a year to maturity.

Senator POMERENE. Bonds to mature in 30 years?

Mr. McILHENNY. In 30 years; yes, sir.

Service of debt under refunding plan:

\$16,000,000 external series.....

\$5,000,000 internal series, interest 6 per cent and amortization

1 per cent.....

Total cost of debt service under refunding plan.....

If the service of the external debt on the present basis be figured at the current rate of exchange for the franc the figures are as follows:

<sup>1</sup> Increasing at the rate of \$5,000 per annum to maturity.

Mr. McILHENNY. Each 20 kilometers of road has bonds issued by the company, and the Government of Haiti, under its contract of concession the railroad, guarantees that interest.

The CHAIRMAN. How many miles of track are there now, about? Told?

Mr. McILHENNY. Oh, no. I am afraid to say. I don't know.

NOTE.—The par value of the outstanding bonds is \$3,544,581.60, which a prescribed rate of \$20,000 per kilometer means that a little more than 177 kilometers of main-line track have been constructed.

The CHAIRMAN. I was wondering whether it would not be a goal set for the Haitian Government to get out of, if it could?

Mr. McILHENNY. I have had fully under consideration the revision and modification of that contract, Senator. I think it would be very beneficial to the Haitian Government to have the road completed as it is projected.

The CHAIRMAN. I understand that the engineers have decided that originally selected the wrong route.

Mr. McILHENNY. They did.

The CHAIRMAN. And they now propose to go up the Artibonite.

Mr. McILHENNY. Yes; that is a part of the modification I had under contemplation of the original charter, and I think an arrangement can be arrived at with the company by which the charter will be modified, both as to the provisions which are unacceptable or injurious to the Haitian Government, and the provisions which bear too heavily on the railroad. I think it is desirable that we should have a railroad connecting the two principal agricultural sections of the State.

The CHAIRMAN. Well, I am not prepared to subscribe to that.

Mr. McILHENNY. I will go on and state what the annual charge or amount.

The CHAIRMAN. Yes.

Mr. McILHENNY. I gave you for the arrears of interest, \$1,700,071.25; arrears of sinking fund is \$230,407.77, making a total of \$1,930,479.06.

Now, the annual interest charges amount to \$212,674.90 for interest; \$5,445.81 for amortization.

Senator POMERENE. Then it is in arrears practically for five or six years, is it?

Mr. McILHENNY. Yes; making a total of \$248,120.71 per annum.

The CHAIRMAN. The road never has earned the interest on the investment.

Mr. McILHENNY. No, sir.

The CHAIRMAN. And it has been a charge on the Treasury from the beginning?

Mr. McILHENNY. Yes, sir.

The CHAIRMAN. When was that concession made; about four years before the occupation?

Mr. McILHENNY. I think about, sir.

Senator POMERENE. What was the interest rate on that?

Mr. McILHENNY. The interest rate is 6 per cent.

Mr. HOWE. Mr. McIlhenny, what would be the proportions of the customs receipts applied to the revenue service, if article 5 of the treaty were observed?

Senator POMERENE. Suppose you insert into the record here article 5 of the treaty.

Mr. McILHENNY. Article 5 of the treaty provides as follows [reading]:

"All sums collected and received by the general receiver shall be applied, first, to the payments of the salaries and allowances of the general receiver, assistant, and employees, and expenses of the receivership, including the salaries and expenses of the financial adviser, which salaries will be determined by the previous agreement; second, to the interest and sinking fund of the public debt of the Republic of Haiti; and third, to the maintenance of the customs service referred to in article 10, and then the remainder to the Haitian Government for the purpose of current expenses.

"In making these applications the general receiver will provide for the salaries and allowances monthly and expenses as they arise, and on the first of each calendar month will set aside in a separate fund the quantum of collection and receipts of the previous month."

I have here, Mr. Chairman, a memorandum prepared by the receiver of customs in September, 1920, "Application of customs receipts for the months of July, August, and September, 1920, and for the fiscal year 1921, if made in accordance with article V of the treaty."

Mr. HOWE. That gives the percentages, does it not, Mr. McIlhenny?

Salaries for hospitals.....	\$7,000
Supplies for hospitals.....	1,200
Rations for hospitals.....	4,000
<b>Total</b> .....	<b>13,200</b>

The treaty provided in article 13 that Haiti should undertake and such measures as might be necessary for sanitation under the supervision of an American engineer. The former hospitals of the department were taken over by the gendarmerie under military administration transferred to the sanitary engineer on his appointment. Additional hospitals were established, adequate systems of municipal sanitation inaugurated, and in general a thoroughgoing sanitary system placed in operation throughout the Republic for the first time in its existence. There is no record in Washington of the amounts expended yearly for this purpose prior to the fiscal year 1916, but it is estimated that during 1916-17 about \$60,000 was expended. In 1917-18 the expenditure was \$177,974.15; in 1918-19 it was \$191,751.34; in 1919-20 it was \$267,718.26; and in 1920-21, \$308,296.46. The expenditures last year were abnormally high, due to a smallpox epidemic, in fighting which it was necessary to expend \$49,000. The appropriation for the present year for the sanitary service is \$268,200.

## PUBLIC WORKS.

The appropriation for the department of public works in 1914-15 under the Haitian régime was \$201,680. There is no way of determining how much this was actually expended. From the monthly allotments which are available here it is estimated that the following amounts were expended for specified purposes, the figures given being in round sums and for purpose of comparison with the present scale of expenditures for like purposes:

Repair of public buildings.....	\$
Repair of public roads.....	1
Repair of prisons.....	1
Repair of bridges.....	1
Repair of wharves, etc.....	1

It will be noted that nothing was appropriated for construction. In respect to the item "repair of prisons," funds for this purpose are included in the amounts allotted to the gendarmerie for maintenance and repair of prisons. The principal current items of the public works appropriation the last year were:

Construction and repair of public buildings.....	\$24,000
Repair and maintenance of streets, etc.....	8,000
Irrigation, etc.....	2,000
Ports, harbors, wharves, and quays.....	5,000
Public roads, bridges, etc.....	18,000
Construction of school buildings, etc.....	22,000

"Current" items refers to ordinary expenditures and does not include special projects as the reconstruction of the streets of Port au Prince and the building of a new national palace, both of which have been completed by American intervention. The total appropriation for public works last year was \$667,160, and the total expenditures during the past four years for public works have been as follows:

1917-18.....	\$329,476.81	1919-20.....	\$267,718.26
1918-19.....	451,288.07	1920-21.....	308,296.46

Mr. HOWE. May I interrupt to ask if these figures include construction and maintenance both; expenditures for public works for construction and for maintenance?

Mr. McILHENNY. Yes, sir; with the exception that it does not include the allotment made to the gendarmerie for the maintenance of prisons.

It was necessary last year to curtail public works expenditures much more than the appropriations in order to keep within the revenues, and the appropriation for the current year has been cut to \$518,760 pending improvement in the revenue or the flotation of a loan.

## HAITIAN GOVERNMENT PROPER.

This includes everything other than services under the jurisdiction of the officials—that is, including public instruction and the judiciary, as well as the ministerial departments, but excluding debt service and services under gendarmerie, the engineer in charge of public works, and sanitary service. In 1919 the salaries of all the ministerial employees were increased 19 per cent.

I may say there the cabinet called to my attention that the cost of living in Haiti had very greatly increased; that the salaries of the clerical service of the Government were very low, and that by reason of the increased cost were put to very serious hardship. I therefore approved an increase of salaries of 19 per cent, which has been continued ever since.

Senator POMERENE. That was a horizontal increase of 19 per cent, was it?

Mr. McILHENNY. Yes, sir.

There are no figures here upon which to base a calculation of the expenditures prior to the American intervention. After intervention, during the administration of Admiral Caperton and during the year 1919 allotments were made to the Haitian Government for current expenses at a rate of \$100,000 a month, or \$1,200,000 per annum. The expenditures in succeeding years have been as follows:

1917-18.....	\$1,109,577.77	1919-20.....	\$1,606,000.00
1918-19.....	1,161,374.28	1920-21.....	1,401,100.00

Mr. HOWE. Mr. McIlhenny, have you had the opportunity to read the report of Dr. Carl Kelsey on his investigations in Haiti and Santo Domingo?

Mr. McILHENNY. I have read that portion of the report which has to do with Haiti; I did not read it as to Santo Domingo.

Mr. HOWE. Are you prepared now, or will you be prepared to submit a memorandum form later, any comments that you may have to make on much of his report as affects the finances of Haiti?

Mr. McILHENNY. I have not prepared any memorandum on his report based on the finances of Haiti. I would ask the privilege of submitting, if it is desirable, a report at some later date.

Mr. HOWE. A memorandum?

Mr. McILHENNY. A memorandum.

The CHAIRMAN. Without objection, the committee will receive the memorandum of Mr. McIlhenny later.

Senator POMERENE. Let me suggest that you do that with as much promptness as you can.

Mr. McILHENNY. Yes. I am not at all certain that it is necessary to make such a memorandum. My first impression of his report was that it did not call for any definite statement from me as to the direct finances of Haiti.

Mr. HOWE. If you would, however, look over his figures and see if there are any substantial inaccuracies there. When he was before the committee the chairman will recollect that Doctor Kelsey invited corrections. And I believe that the financial adviser, with his superior facilities, may find things should be corrected.

Mr. McILHENNY. Yes; I will review it, and with your permission I submit it later.

The CHAIRMAN. Very well.

(The memorandum afterwards submitted by Mr. McIlhenny is printed in full, as follows:)

"I have read Professor Kelsey's report with much interest. His conclusions are well considered and eminently fair, and I find myself very nearly in complete accord with him. I desire only to call attention to a few minor inaccuracies and to discuss briefly some of the matters to which he alludes in order in which he discusses them.

"Page 119: Reference is made to the installation of two rat catchers to enforce quarantine regulations against bubonic plague, which then exists at Gulf ports of the United States, and to instruct Haitian employees in special quarantine measures necessary to prevent the introduction of the disease) and to the exceptional danger which confronted Haiti therefrom because of mosquitoes and rats. When the bubonic plague appeared in the United States ports an absolute quarantine was established in Haiti against the coming from those ports; this led to serious representations on the part

presence of the financial adviser in the United States has materially far-  
 them. I do not desire to be understood as of the opinion that the fin-  
 adviser should absent himself unnecessarily from Haiti for extended pe-  
 or that the present incumbent prefers to remain away from his post of  
 but the exceptional conditions which have prevailed have justified the  
 exceptionally long absence, which, moreover, has been under instruction  
 the Department of State. As to his recommendations, while they may be  
 been acceptable to the Haitian Government, they have all been made with  
 entire approval of the Government of the United States.

The first financial adviser secured from the Haitian Government infor-  
 mation as he could regarding the various debts and reached the conclusion  
 for the purpose of determining their validity a claims commission should  
 appointed. This decision was approved by the Department of State.  
 A protocol for the establishment of this claims commission was signed in  
 1919, under which all debts and claims other than four debts specified  
 were to be submitted to this commission for decision as to their validity.  
 The protocol also authorized a loan from the proceeds of which the awards  
 be paid. Because of the impossibility at first of floating the loan, and  
 when proposals were received, because of the efforts of the Haitian Govern-  
 to attach unacceptable conditions to its flotation, the commission has not  
 appointed and the validity of the debts and claims has not been finally  
 mined. In December, 1920, upon my recommendation and according to  
 repeatedly expressed desires of the Haitian Government, the Depart-  
 State decided that the internal funded debts should be removed from the  
 dictation of this commission and might be paid or served without submis-  
 it. In pursuance of the intention to resume payment as soon as the re-  
 should be sufficient to permit resumption, the general receiver was instructed  
 February, 1922, to resume payment of interest. Thereupon the minister  
 finance requested that resumption be deferred until he could have a confer-  
 with the holders with a view to recapitalization of these debts on the basis  
 rates of exchange which prevailed at the time the debts were issued inste-  
 the fictitious rates of exchange fixed in the loan laws. This postponement  
 been granted. The flotation of the loan and the appointment of the  
 commission is still a subject of negotiation between the Governments of  
 United States and Haiti.

The conversion of the \$3,000,000 into francs and its application to the pay-  
 of interest on the foreign debt has been discussed elsewhere in my report.  
 The conversion was effected in accord with written instructions of the H.  
 Government, and the application of the francs thus obtained to pay  
 arrears of interest on the foreign debt was with the approval of the H.  
 minister of finance, and such application was later formally sanctioned by  
 law of December 24, 1920. In spite of this the Haitian Government has  
 so far as I am aware given me discharge for this amount.

"Page 148: One of the most pressing needs incident to the financial re-  
 tation of Haiti is a revision of its revenue system and the installation of  
 efficient collection of the internal revenues, together with the creation of  
 sources of internal revenue which will permit removal or reduction of the  
 ous customs export and import duties. My predecessor, in the fulfillment  
 his duty under the treaty of 1915 to 'aid in increasing the revenues' and to  
 mend improved methods of collecting and applying the revenues, presented  
 Haitian Government a project of an internal revenue law, and this project  
 was officially commended to the Haitian Government by the Department  
 State in November, 1918. It was rejected by the Haitian Government on the  
 grounds: (1) That it placed the administration of the internal revenue  
 under American control; (2) that the schedules of taxation proposed were  
 high. After I became financial adviser a counter project was submitted to  
 Haitian Government under which collection was to be under Haitian control  
 exclusively and with much lower rates of taxation. Both projects were  
 submitted to detailed study by the office of the foreign trade adviser of the  
 Department of State, and a memorandum prepared suggesting the adoption of  
 most desirable features of the two projects, in general the American over-  
 collections and schedules of taxation somewhat lower than those originally  
 proposed. A copy of this memorandum was handed to the Haitian Minister  
 the United States, who laid it before his Government. No action was taken  
 During last year, when there appeared to be a probability of deficits in the  
 sums available to meet current expenses, the Government of the United States  
 proposed a law embodying the American supervision of collections and

Mr. HOWE. Consular fees are included when you refer to the internal revenues of Haiti, are they not, sir?

Mr. McILHENNY. The budget estimate of consular fees for 1919-20 is also upon the opinions of the Ministers of Foreign Relations and Finance is \$2,000 for the entire consular service of Haiti. The product was \$9,000.

Senator POMERENE. Mr. McIlhenny, your statement a moment ago reached my mind the account of your interviews with one of the ministers, in which you asked him for a memorandum showing the amount of rentals, etc., which were collected from time to time, and he offered it, but you, as you explained, never got it. Did you find in the course of your investigation that he sent any report to the President or to any department of the Government of Haiti with respect to those rentals?

Mr. McILHENNY. No; I dropped my investigation; my investigation ended there. I have never gone into it thoroughly. I accepted his statement on those fees. The only records which I have any knowledge of, sir, are those which are maintained by the consul in his capacity as treasurer.

Mr. HOWE. You were commenting on the receipts from consular fees.

Mr. McILHENNY. Yes. While in Cuba in October of that fiscal year 1919-20, that enormous sums were being collected by the consuls. During the fiscal year 1919-20, 29,181 Haitian laborers went to Cuba to work in the plantations there. From each of these laborers a fee of \$2 was collected in Cuba before the consul before the laborer was permitted to disembark. The law established which this was collected establishes a fee of \$2 for issuance of a certificate of registration or identity, of which one half accrues to the Government of Haiti, the other half belonging to the consul. There was turned into the treasury of Haiti as the product of this source of revenue for that fiscal year the modest sum of \$1,984 instead of the \$29,181 belonging to the Government of Haiti the consuls are known to have collected.

The CHAIRMAN. At the rate of \$2 per capita?

Mr. McILHENNY. Yes.

Mr. HOWE. Do you know that those collections were made?

Mr. McILHENNY. There is in the files of my office a copy of a letter of the Minister of Foreign Relations to the consul of Haiti at the principal port in Cuba stating that numerous persons had reported the practice of making these collections to the department and citing newspaper articles regarding it. It is a matter of common knowledge, in Cuba, as well as Haiti.

Mr. HOWE. What action was taken to secure the turning in of these collections?

Mr. McILHENNY. In an endeavor to secure the turning in of these collections the matter was repeatedly brought by me to the attention of the Haitian Minister of Foreign Relations, who engaged in a correspondence with the principal port in Cuba.

Mr. HOWE. What was the result?

Mr. McILHENNY. There was no result, so far as concerns turning into the Treasury any part of the deficit. The principal delinquent was finally relieved.

Mr. HOWE. Was he prosecuted?

Mr. McILHENNY. No, sir; he was not prosecuted.

Mr. HOWE. Why not?

Mr. McILHENNY. It was several times suggested by my office, after I returned to Haiti, to the minister of foreign relations, who is also minister of justice, that prosecution would be appropriate. I am not informed why there was no prosecution.

Mr. HOWE. Does the same practice now continue?

Mr. McILHENNY. The practice continued until suspension of labor emigration last year. There are no emigrants, and, consequently, no collections, unless restrictions upon emigration have been removed recently.

Mr. HOWE. Was this practice extended to any other class of Haitians traveling abroad?

Mr. McILHENNY. The practice was not extended to any other class of Haitians traveling abroad.

Mr. HOWE. Why was it applied to the emigrant laborers only?

Mr. McILHENNY. It was applied to the emigrant laborers only, because of the fact that they were traveling in large consignments on sailing and other small vessels, which carried only emigrants, all of whose expenses were paid by a representative of the emigrant broker, and this being one of the expenses which he was compelled to pay.

(The correspondence referred to is here printed in full, as follows:)

BUREAU DU RECEVEUR GENERAL DES DOUANES  
Port au Prince, August 11

From: General Receiver.

To: Financial Adviser, Port au Prince.

Subject: Passports; exclusive privilege in favor of A. Pierre-Paul and Bon-

Inclosures: (a) Letter of general receiver to minister of finances, August 1919; (b) letter of A. Pierre-Paul to general receiver, August 1, 1919; (c) letter of general receiver to A. Pierre-Paul, August 6, 1919; (d) letter of minister of interior to general receiver, August 9, 1919; (e) telegram of general receiver to collector of customs, Cayes, August 11, 1919; (f) letter of minister of interior to general receiver, July 15, 1919; (g) telegram of general receiver to collector of customs, Cayes, July 17, 1919; (h) letter of general receiver to minister of interior, August 12, 1919; (i) *moniteur*, No. 10, August 2, 1919.

(1) Above inclosures are submitted for your information and all other purposes.

(2) This office is of the opinion that the department of the interior is giving special privilege to Pierre-Paul and Bonnefil, which are contrary to the spirit of laws and rules agreed upon for the control of emigration of labor from Cuba.

A. J. MAUMUS  
General Receiver

[Translation.]

AUGUST 13, 1919

TO THE SECRETARY OF STATE FOR FINANCE AND COMMERCE,

At his office.

MR. SECRETARY OF STATE: I send you under this cover, to have your attention to its subject matter, copy of the correspondence exchanged between the department of the interior, Mr. Antoine Pierre-Paul and this office.

The department of the interior having twice requested me to permit Pierre-Paul and Bonnefil, always by way of exception, to embark emigrants without having to me their names, contrary to what is done for the others, I believe I am giving this procedure a privilege to the exclusive profit of Messrs. Pierre-Paul and Bonnefil; and, moreover, by a notice, inserted in the *Moniteur*, the department of the interior advises the interested parties that applications for passports will not be considered if the prescribed formalities are not observed.

As you will see by the documents, which I communicate to you, it has been agreed with the department of the interior that it must forward to me, at the expedition, a list of passports by name which it shall have delivered, to facilitate the control which must be made by the collectors of customs. (Annex H.)

In bringing these facts to your knowledge for all useful purposes, I ask you to believe that if this office, in accord with one of your predecessors, has to correspond directly with the department of the interior, it was for the purpose of more rapidly expediting this service.

Awaiting your early communications, please accept, Mr. Secretary of State, my distinguished salutations.

A. J. MAUMUS, General Receiver

PORT AU PRINCE, August 1, 1919

MR. GENERAL RECEIVER OF THE CUSTOMS OF THE REPUBLIC.

MR. RECEIVER: My correspondents at Cayes, Messrs. Bonnefil Brothers, have written me on the subject of the difficulties from which they suffer and which impede them in executing their obligations toward the sugar companies of Cuba.

They lack a balance of 300 emigrants to be furnished to fulfill entirely the conditions of their contract with these companies which ends the next month.

In view of the short period which separates them from this date of August 1st and the delay which results in the sending of documents by mail, they request

This authorization having been given by exception by telegram, we L. yet the names of the voyagers. They will be transmitted to you upon receipt.

Pending this, I request you to give the necessary orders to the collector Cayes to permit the embarkation of these voyagers.

Please accept, Mr. General Receiver, my distinguished salutations.

B. DARTIGET.

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[Translation—Telegram.]

JULY 17

COLLECTOR CUSTOMS, *Cayes*:

You are authorized to permit Mr. Bonnefil to embark 40 emigrants according to the list furnished by commissary of the Government.

A. J. MAUMENÉ  
General Receiver

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[Translation.]

AUGUST 12

TO THE SECRETARY OF STATE FOR THE INTERIOR.

MR. SECRETARY OF STATE: Referring to your letter dated July 15 last, requesting me to authorize the embarkation by Mr. Bonnefil of 40 emigrants destined for Cuba, in taking the engagement to send me the names of the emigrants, I would thank you to cause to be sent to me, for the control office, this list of names as soon as possible.

Please accept, Mr. Secretary of State, my distinguished salutations.

A. J. MAUMENÉ  
General Receiver

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[Translation.]

OFFICE OF THE FINANCIAL ADVISER  
Port au Prince, August 25.

MR. MINISTER OF FINANCE AND COMMERCE,

*Ministerial Palace.*

MR. MINISTER: I have the advantage to inform you that the general receiver of customs has communicated to me the letter of April 13, 1919, which was addressed to you on the subject of authorizations granted, by exception, by the Department of the Interior to Messrs. Pierre-Paul and Bonnefil, to embark emigrants without previously forwarding to him the list of names and passports to facilitate the control which must be exercised by the general receiver of customs on the departure of emigrants.

Taking into consideration, first, the notices inserted in the *Moniteur* by the Department of the Interior, indicating to emigrants the procedure to follow to obtain their passports; second, of the control which the collectors of customs must exercise at the departure of the emigrants over the passports, and that the circumstances do not require a change in the procedure traced by the Department of the Interior for obtaining a passport by the emigrants, I propose to you to suggest to the Department of the Interior not to accord any authorization for departure of emigrants without the list of the passports to be sent to the general receiver of customs to facilitate the control, and to request the authorization granted to Mr. Pierre-Paul for the embarkation of the emigrants, pending the regular issuance of passports and the sending of the list to the general receiver of customs.

Please accept, Mr. Minister, the assurance of my perfect consideration.

JOHN A. McILHINNA  
Financial Adviser

Relations abroad, but the accounts which have been transmitted to your department by your colleague of Foreign Relations as provided by the law.

Permit me to express the opinion that in the case of nonreceipt by your department of the monthly accounts of the consuls and agents abroad a reasonable period after the date fixed by the law measures should be taken by the Department of Finance for the suspension of payment of their salaries and expenses, until they have fulfilled the formalities required by the law.

Receive, Mr. Minister, the assurance of my perfect consideration.

A. J. MARTEL  
Acting Financial Adviser

[Translation.]

OFFICE OF THE FINANCIAL ADVISER  
Port au Prince, April 9, 1921

MR. MINISTER OF FINANCE AND COMMERCE,  
Ministerial Palace.

MR. MINISTER: I have the advantage to send you under this cover a statement of Haitian emigrants who have left Haiti for Cuba, provided with their passport, during the fiscal year 1919-20.

I have been informed that it is understood between the superior authorities and he or those who engage the emigrants that they will advance a portion of the amount of the passport and of the cost of the voyage, etc., of \$2 to cover the immatriculation tax provided by law to be paid to the consuls at the port of debarkation, as is required by the Department of Finance in its notice which appeared in the *Moniteur* of February 6, 1919.

I have also been informed that for the purpose of controlling emigration the immatriculation of the steamers or sailers on which the Haitian emigrants are obliged to disembark them in a Cuban port where there is a Haitian consulate, and that on the arrival of these vessels the Haitian consul goes aboard and makes the immatriculation on the spot in his registers before departure is authorized.

No doubt can be raised on the collection of the taxes of immatriculation by the Haitian consuls at the Cuban ports during the fiscal year 1919-20, even now a tax which is paid to the Haitian consul by the officers of the vessels transporting the emigrants to Cuba before the debarkation of the emigrants.

The office is in possession of some certificates of immatriculation issued by the consuls of Haiti at Cuba during the last fiscal year; and it is a matter of notoriety that of the \$2 paid for immatriculation the part belonging to the public treasury has not been paid to it for the fiscal year 1919-20.

Taking into account that according to the consular law—

(b) Of the product of the immatriculation tax which amounts to \$29,181, the half belongs to the State for Cuba alone.

(c) That according to the accounts of the Banque Nationale de la République d'Haiti relative to consular fees, there figures no amount coming from the public treasury paid by the consuls for the fiscal year 1919-20.

I hereby, in calling your attention to the facts above mentioned, respectfully request that a scrupulous investigation be made to find what has become of the portion provided by the law, in favor of the Haitian Government, in respect of the tax of immatriculation, fiscal year 1919-20, collected by the agents authorized by the consular law and not paid to the public treasury.

Second, the reason or reasons why the amounts collected for the fiscal year 1919-20, produced by this tax, have not been paid to the public treasury during the period provided by the said law.

Third, and for all useful purposes.

I avail myself of the occasion to confirm to you my letters Nos. E. 1122 of February 8 and of March 4, 1921, which have remained without response. I would thank you to issue new instructions in order that the necessary measures be done.

Receive, Mr. Minister, the assurance of my perfect consideration.

A. J. MARTEL  
Acting Financial Adviser

[Translation.]

OFFICE OF THE SECRETARY OF STATE FOR FOREIGN RELATIONS  
*Port au Prince, May 12, 1920.*

THE SECRETARY OF STATE FOR FINANCE.

MR. SECRETARY OF STATE: From the letter which the acting financial adviser has addressed to you, in response to my dispatch of April 19 last, on the subject of the check for \$398 (consulate of Haiti at Antilla) retained at this moment, awaiting the detailed statement requested to be transmitted to the consul, I quote the following passage:

"I think it my duty to call your attention to the fact that the check retained at the department awaiting the statement requested to be transmitted to the consul is contrary to article 8 of the law fixing the budget of ways and means for the fiscal year 1919-20, prorogued for the fiscal year 1920-21, and I thank you to lend me good offices in order that a mandat d'encaissement be issued, in order to permit the payment of the sum of \$1,456 into the treasury without delay."

The article which the acting financial adviser cites is as follows:

"All the other revenues of the Republique classified in the budget under the general title 'Divers receipts' shall be paid to the bank conformably with the mandates d'encaissement issued by the administrators of finance and according to the declaration furnished by the agents concerned in their assessment section."

"These mandates carry in their body the names and surnames of the functionaries who make the deposit, the nature of the receipt, the mention of the budgetary fiscal year and of the month to which they correspond," etc.

And the fourth paragraph of article 33 on the consular service provides:

"During the first half of the month there is transmitted to the department of foreign relations, who shall transmit it to that of finance, the accounts and taxes collected."

Now, the department of foreign relations, in receiving from our consul at Antilla the check for \$398, accompanied by the letter of which copy is attached, had as its obligation before any transmission to require of the account which must accompany in support of the check, and thus conform to the provisions of article 33 on the consular service, because the latter question has made no mention as to the month and the budgetary fiscal year.

Transmitting you now the said check on the demand of the acting financial adviser, I accompany it with a copy of the dispatch which I have addressed to the consul of Haiti at Antilla on the subject of this business.

Please accept, Mr. Secretary of State, the assurances of my high consideration.

J. BARR

[Translation.]

OFFICE OF THE SECRETARY OF STATE FOR FOREIGN RELATIONS  
*Port au Prince, December 2, 1920.*

MR. CONSULAR AGENT: I acknowledge receipt of your letter of November 18 last, accompanied by a check for \$398, amount of the part belonging to the public treasury of the receipts collected by your consular agency.

In conformity with the law on the Consular Service, a statement of receipts should have accompanied the said check, which would have permitted the department to establish statistics of general and monthly receipts of the consular agency and by budgetary fiscal years.

However, in awaiting the transmission of this document, the department basing itself upon your letter of June 30, 1920, and on that of November 18 above mentioned, notes that you have collected from March 4 to November 18, 1920, the sum of \$790, of which the half, or \$395, belongs to the public treasury instead of \$398.

These \$790 are composed as follows:

- |   |         |
|---|---------|
| 1. 372 certificates of identity during the period from Mar. 4 to June 30, 1920..... | \$11.00 |
| 2. 5 passports to foreigners, from July 1 to Nov. 16, 1920.....                     | 2.00    |
| 3. 2 birth certificates, from July 1 to Nov. 16, 1920.....                          | 1.00    |
| 4. 12 other certificates of identity, from July 1 to Nov. 16, 1920.....             | 2.00    |
| 50 per cent in favor of the public treasury.....                                    | \$11.00 |

[Translation.]

OFFICE OF THE FINANCIAL ADVISER  
*Port au Prince, May 5.*MR. MINISTER OF FINANCE AND COMMERCE,  
*Ministerial Palace.*

MR. MINISTER: I have the advantage, in accordance with the last par. No. E-15-21 of May 12, to send you under this cover the accounts of the consulate of Haiti at Santiago de Cuba during the fiscal year 1919-20 comm.

Receive, Mr. Minister, the assurance of my perfect consideration.

A. J. MAUMON  
*Acting Financial Adviser*

[Translation.]

OFFICE OF THE SECRETARY OF STATE FOR FINANCE AND COMMERCE  
*Port au Prince, June 6.*The FINANCIAL ADVISER,  
*Port au Prince,*

MR. ADVISOR: In response to your letters of May 12 and 24 last, Nos. E-15-21 and E-15-22, both regarding the amounts collected in Cuba for immatriculation tax, I send you under this cover, with the document which accompanies it of the dispatch dated June 2 which has been addressed to me by my superior of foreign relations.

Please accept, Mr. Advisor, the assurance of my perfect consideration.

J. CHARLES PIERRE

[Translation.]

OFFICE OF THE SECRETARY OF STATE FOR FOREIGN RELATIONS  
*Port au Prince, June 2.*

The SECRETARY OF STATE FOR THE DEPARTMENT OF FINANCE.

MR. SECRETARY OF STATE: I acknowledge receipt of your dispatch of May 21 accompanied by a copy of the letter of the 12th of the same month addressed to you by the acting financial adviser, on the subject of receipts of our consular posts at Cuba.

Responding to the second paragraph of the letter in question relating to the difference which would exist between the sum of \$1,456, shown by my department for certificates of immatriculation, collected by the consul of Haiti at Santiago de Cuba, and that of \$1,498, which according to the accounts of the same consul (communicated) should have been paid, I inform you that the statement inclosed attests, the consulate of Haiti at Santiago de Cuba collected for certificate of immatriculation \$2,912, of which the half of the sum is \$1,456. There is also carried \$42 for immatriculation in the month of December. Thus is explained the difference mentioned in the communication addressed to your department.

The office of the financial adviser informs you that it is in possession of a certain number of certificates issued by the consulate of Haiti at Santiago de Cuba, bearing numbers which would permit the establishment of a balance in favor of the public treasury.

I would be very obliged to you to request of that office if it can furnish a statement of amounts based on the documents—documents which he possesses not only in so far as concerns the certificates of identity but also in what refers to passports delivered to foreigners.

Relative to the passport of the Haitian who returns to the country, the department had not failed to notify our agents that it was their duty to deliver simply the document delivered by the Minister of the Interior to the consul at the moment of his departure. On this point our consul general at Santiago de Cuba writes:

"I confirm that generally the emigrants do not conserve their passports a year or two of stay, and that most frequently those who engage themselves who are like their general mandatories do not return them, the consul, on the other not paying any attention to them. Under these conditions the consul can only deliver new passports."

because he obliges the emigrant to obtain a new passport for his return. I suggest that this practice is an evil and abuse which should not be allowed to continue.

Concerning the \$2 paid to the consul, for each emigrant debarked in Cuba, under pretext of immatriculation, two cases must be considered when the consul collects them: First, he has no right to collect them, or secondly, if he receives a tax provided by law for a certificate of immatriculation, he receives it for the act indicated in the second case he has two obligations to fulfill: Firstly, to pay to the public treasury the half pertaining to the Government, secondly to issue the certificate of immatriculation and deliver it to the emigrant. If he receives this money for the execution of a document which he has not the intention of executing and which is in fact executed, or if he does not pay the portion belonging to the State of the public treasury, in either of these cases he has failed in the performance of his duties and should be properly punished; he can not excuse himself in contending that the certificate for which he has been paid has not been issued.

For the year 1920 we know the number of emigrants who have debarked in Cuba, and the number of those who have debarked in Cuba. We know that under the system existing \$2 are paid to the consul for each of the emigrants debarked in Cuba, or a total of \$58,362 of which the half, \$29,181 belongs to the Government, and we know that of this sum the consul has paid to the public treasury \$1,984. This is a scandalous business. As far as the accounts of the amounts collected for the present fiscal year have been examined, the same practice is followed by the consuls in Cuba at the present moment.

So far as concerns specially the ex-consul at Santiago de Cuba, his accounts, including the month of March, 1920, show the collection of \$1,438 for certificates of immatriculation of which the half has been paid by him to the public treasury. Therefore, according to his accounts, he had issued 719 certificates at the end of March, 1920. The certificates which he has in the possession of this office are dated March 15, 1920, and bear the numbers 1328, 1330, 1331, 1334, 1335, 1339, 1341, and 1342. This demonstrates that on March 15, 1920, the consul at Santiago de Cuba had issued at least 1,541 certificates, while at the date of March 31, 1920, there figure in his accounts only 719 certificates. The preceding is not given in the idea that the Government will content itself with the payment of the difference between the number of the certificates issued and the smaller number which figure in the accounts of the consul. This would be absurd and puerile. It is simply to declare that his accounts are not correct, even so far as concerns the certificates. The certificates issued represent only an infinitesimal part of the sum of \$2 per head of emigrants debarked at Santiago, amount which he has received and he should be compelled to account for the amounts actually received. There is no doubt that your colleague of foreign relations who is also a member of justice can find the legal and adequate measures of compulsion.

But the preceding is not the worst of the situation. That the Government has been defrauded of an enormous amount in consular taxes is as well known in Cuba as it is in Haiti. If this fraud should continue to be practiced, there would be every appearance of justice in crediting it to the acquiescent and criminal negligence of the authorities who have in their power the means of putting an end to this fraud. No doubt the Government has been cognizant of this situation, and that it is still, as is demonstrated in the following letter from your colleague of foreign relations to the consul at Santiago de Cuba on November 6, 1920:

"MR. CONSUL: The newspaper *Le Nouvelliste*, of Port au Prince, has mentioned abuses which are committed in Cuba, on the subject of immatriculation of emigrants and of the delivery of certificates of immatriculation.

"You know that the immatriculation must be made without any expense, and that the tax collected for the delivery of the certificate, when the Haitian Government demands the certificate, must be divided between the collecting agent and the State.

"Now, according to what appears in the *Nouvelliste*, and also according to the information which the department has collected, the Haitian Government in Cuba require not only immatriculation but also that the emigration agent cause to be delivered immatriculation certificates, at the rate of \$2 per certificate. And all those from whom my department has had information are unanimous in declaring that this requirement is imposed upon them.

[Translation.]

## OFFICE OF THE SECRETARY OF STATE FOR FOREIGN RELATIONS

*Port au Prince, June 21.*

The SECRETARY OF STATE FOR THE DEPARTMENT OF FINANCE.

MY DEAR COLLEAGUE: I acknowledge receipt of your letter of June 13, 1921, under the cover of which I have found a letter of the financial adviser of the 16th instant, No. E-15-22, relative to the amounts collected by our agents at Cuba for certificate of immatriculation, visés of passports, etc.

This document has been transmitted to our chargé d'affaires at Haiti, who is making an investigation on this subject.

With my sincere cordialities.

J. B.

[Translation.]

## OFFICE OF THE FINANCIAL ADVISER

*Port au Prince, August 21.*

MINISTER OF FINANCE AND COMMERCE,

*Ministerial Palace.*

MR. MINISTER: I have the advantage to send you under this cover a "Statement of Haitian emigrant passengers leaving ports of Haiti with passports in due form viséd by the collectors of the ports during the period from October 1, 1920, to March 31, 1921, inclusive," communicated to me by the office of the general receiver, which demonstrates that there were 1,200 emigrants having left the ports of Haiti for Cuba during the period from October 1, 1920, to March 31, 1921.

According to the laws in force, the Haitian treasury should have collected:

(a) Passport duties 21,057 at \$2.....	\$42,114
(b) Immatriculation taxes belonging to the treasury, 21,057 at \$1.....	21,057
Total.....	\$63,171

I believe it my duty to call your attention to the fact that in the Monthly Statement of July 2, 1921, is shown in the table "Product of internal taxes" the amount of \$3,193.62, collected for the account of the Government from October 1, 1920, to March 31, 1921, collected for the account of the Government:

(c) Passport (duties).....	\$3,193.62
(d) Or a difference between the amount which should have been collected and that collected of.....	\$3,193.62

While immatriculation duties do not show in this table, I am inclined to believe that this tax is comprised in the said table under the title "Consular taxes," which figure for \$3,193.62,

(e) Or a difference between the amount which should have been collected and that collected of.....	\$17,977.38
--	-------------

If other consular taxes and other amounts collected by the different collectors are not taken into account.

In bringing these facts to your knowledge, I would thank you to be good enough to send me all information which can explain this deficit.

I believe it my duty to remind you that the tax "passport duty" is levied 48 hours after the departure of vessels from the companies, and that the collectors who collect the immatriculation duties must render account through the Department of foreign relations during the first half of the month for the previous month, and that the law of August 26, 1870, on the responsibility of public officers and all other laws not contrary to the provisions of the said law, are in effect, as provided in article 32 of the law fixing the budget of expenditures for the fiscal year 1919-20, prorogued for the fiscal year 1920-21.

I suggest that the department of finance request the general receiver to instruct the collectors of customs not to permit any sailing vessel to leave the neighboring islands unless the consignee of the sailing vessel presents to the collectors of customs the receipt attesting that he has paid the "passport duties," in view of the fact that these sailing vessels have no definite destination and therefore do not present the guaranties which can be presented by the

measures adopted to put an end to the irregularities hereinafter noted at the time of issuance of passports by the Department of the Interior.

Instructions having been given by the general receiver to the captains of the ports:

(a) That a rigorous identification be made between the photograph to the passport, "photograph certified authentic by the seal of the Department of the Interior placed partly on the passport and partly on the photograph," and the person in favor of whom the passport is issued. The reports communicated, like many others, have not been acceptable on account of the impossibility of making any identification, as the photographs are nothing except a black smear on a piece of paper, though bearing the seal of the Department of the Interior.

As a result of the issuance of passports in such condition it goes without saying that the holder can not be authorized by the captains of the ports to take passage on a vessel, even though that may be prejudicial to the interests of the country as well from the point of view of the delay in departure necessary for the issuance of a new passport as well as from the pecuniary losses which the holder suffers for the purchase of a new stamp for the issuance of a new passport and the expenses incurred while awaiting other transportation.

The office thinks that the Department of the Interior, in requesting the captains of the ports to exercise an efficient control over departures, a control which can not be exercised unless the photograph permits the identification of the person who requests the issuance of the passport.

To attain this end it is indispensable that the practice of affixing to the passport a square of smeared paper bearing the seal of the Department of the Interior, for the purpose of avoiding disagreeable surprises to the traveler at the moment of embarkation, because the captains of the ports have formerly refused to issue passports from the general receiver who, to respond to the expectations of the Department of the Interior, gave the order not to permit embarkation without a rigorous comparison between the photograph and the bearer of the passport. Since such instructions were given by the general receiver, the reports of the captains of the port constantly note the number of voyagers who have been refused embarkation by reason of impossibility of identification.

(b) Likewise in the reports of the captains of ports, mention is made of the refusals of embarkation, for the reason that the photograph affixed to the passport, though bearing the seal of the Department of the Interior, has no resemblance to the bearer of the passport.

In support of the facts mentioned in paragraph (a), I inform you that of 250 passengers which were to leave Cayes on May 26 on the steamer *Manati* 52 were refused.

Likewise in support of the facts mentioned in paragraph (b), of 24 passengers who were to leave Cayes on June 7 on the same steamer 26 were refused.

To these irregularities it must be added that the seal of the Department of the Interior is affixed to the contracts of engagement in blank, not bearing the name of the contractor nor the central where he is to be employed.

The Department of the Interior in prescribing that the contracts of engagement must be submitted to it at the same time as the application for a passport, there can be no doubt that this requirement is made with a view to the control to be made by that department, control which can not be made unless the contract fulfills all the conditions required at the time of its delivery to the Department of the Interior with a view to the issuance of a passport, and to avoid the presentation of passports with contracts not bearing the seal of the Department of the Interior.

In bringing these irregularities coming from a branch of the public administration to your knowledge, I would thank you to take up the question with your colleague of the Interior and advise me what means the department will adopt to avoid a recurrence of such unhappy events which are due to carelessness in a public service whose duty it is to exercise a strict control over a document such as a passport of which it is not necessary to state the importance.

I will thank you to return the communicated documents to the archives of my office.

Receive, Mr. Minister, the assurance of my perfect consideration.

A. J. M.   
 Acting Minister

it is proper to control the number of Haitians residing outside of the country, notably the laborers who emigrate to the adjacent islands and to accord them the greatest protection on the part of our agents abroad; in view of the law of August 27, 1912, on the organization of the consular service as well as the tariff annexed thereto; on the report of the Secretary of State, the Department of Foreign Relations, and with the advice of the Secretaries of State, has proposed, and the Council of State in its deliberations has enacted the following law:

ARTICLE 1. The tariff of notarial acts annexed to the law of August 27, 1912, on the organization of the consular service is modified as follows:

#### CHAPTER 1.

##### COMMERCIAL DOCUMENTS.

1. (a) For the manifest of each port of departure of a loaded vessel.....
- (b) For the manifest of each port of departure of a vessel in ballast.....
2. For the health patent of each vessel with or without load.....
3. For the original of consular invoices.....
4. For the certificate of origin of merchandise, legalization, or visé of this certificate.....

##### ADMINISTRATIVE DOCUMENTS.

5. (1) Passports of Haitians.....
- (2) Visé of passports of Haitians.....
6. (1) Passports of foreigners.....
- (2) Visé of this passport.....
7. Certificate of matriculation at the consulate or other.....

ART. 2. The second paragraph of article 33 of the law cited is modified as follows: The expenses to be collected are determined by the tariff annexed. One half of all the taxes provided in the said tariff shall be paid into the treasury, the other half shall belong to the agent.

Nevertheless, in so far as concerns the tax coming from the delivery of certificates of matriculation, hereafter made obligatory for every Haitian residing abroad, the half of the part belonging to the consular agent shall be paid to the legation from which he depends.

For purposes of control, the consular agents shall forward during the first half of each month a statement of matriculations to the legation from which they depend.

ART. 3. In the case where the Haitian arriving in a foreign country has not been matriculated immediately in the nearest consulate to his place of residence, the matriculation tax shall be collected at the moment when he shall present his passport for visé or otherwise when he demands a new passport to re-enter Haiti.

Mention of matriculation shall be written on every passport of a Haitian voyaging abroad.

ART. 4. The present law repeals all laws or parts of law which are contrary to it and shall be executed at the diligence of the Secretary of State, the Department of Foreign Relations.

[Translation.]

OFFICE OF THE FINANCIAL ADVISER  
April 21

MINISTER OF FINANCE AND COMMERCE,  
*Ministerial Palace.*

MR. MINISTER: I have the advantage to acknowledge the receipt of your letter No. 137, of April 19, 1921, transmitting to me a project of law forwarded by your colleague of foreign relations relating to consular taxes.

The project submitted can not have my approval, because its principal object would be to enrich the minister of Haiti to Cuba and the Haitian treasury without any important augmentation of receipts in favor of the treasury.

5. Every consul is obliged to keep a detailed account of all the taxes collected and to furnish directly to the department of finance a copy of the account that sent to the department of foreign relations, containing in detail every collected by him. This account must be deposited in the mail five days at latest after the end of the month to which it pertains, and must be accurate by the amount pertaining to the Government collected during the month.

6. Adequate penalties should be fixed for violations of the provisions mentioned in the fourth and fifth paragraphs above.

7. And this applies to all functionaries, including those who issue passports in Haiti. Every functionary who, for any reason, shall have received, required, directly or indirectly, an amount greater than that provided for the receipt or issuance of a consular document or passport or other document, shall be removed without prejudice to the imposition of the penalty provided by law.

The adoption of the suggestions made will increase the revenues of the Government to a much greater degree than the project communicated, and indicate also that the Government is really desirous of departing from the disastrous and unjust system of taxation, on which system the present laws are based.

The existing system of taxation only strikes a multitude of poor peasants and laborers for the benefit of the rich landholders, merchants, and others who do not even pay the insignificant taxes established by law.

Notwithstanding, I consider the project of law proposed by your department of foreign relations still worse than the principle which has served as a basis for the laws on existing taxes, because it provides a method which will enrich a half dozen of individuals at the expense of a class of taxpayers already suffering from supertaxation.

I would thank you to note that the views above expressed are the views of the acting financial adviser, based to a great extent on the views expressed by the financial adviser at one of the conferences which he had with the secretaries of state at the time of the discussion of the project of budget for the current fiscal year, when a law similar to that now proposed was submitted to him by the Minister of Foreign Affairs. Therefore I feel that it is my duty to communicate to the financial adviser at Washington the project of law submitted, accompanied by a copy of the present letter, for his information and all useful purposes, which I will do at the first opportunity.

I avail myself of the occasion to request you to lend your good offices to your colleagues of foreign relations to have a reply to my letter, No. E. 100 of April 9, which, according to your communications, has been transmitted to the department of foreign relations for this purpose.

Receive, Mr. Minister, the assurance of my perfect consideration.

A. J. MAUMEN  
Acting Financial Adviser

[Translation.]

No. 141.

OFFICE OF THE SECRETARY OF STATE FOR FINANCE AND COMMERCE.

Port au Prince, April 23, 1902.

To the FINANCIAL ADVISER, *Port au Prince*.

MR. ADVISER: I have the advantage to transmit to you, under this cover of the dispatch of my colleague of foreign relations, dated April 19, 1902, the receipts collected in Cuba for immatriculation tax. It is responsive to the same subject transmitted to my colleague.

Hoping that the documents communicated will shed light on this subject, I present you, Mr. Adviser, the assurance of my high consideration.

J. CHARLES PIERRE

[Translation.]

OFFICE OF THE SECRETARY OF STATE FOR FOREIGN RELATIONS

Port au Prince, April 19, 1902.

To the SECRETARY OF STATE FOR FINANCE.

MY DEAR COLLEAGUE: I am in possession of your dispatch of the 15th inst. under the cover of which you communicate to me two letters which have been addressed to your department by the acting financial adviser, including

Source indicated by the letter of the acting financial adviser (inclosed in the despatches of the department, marked "A" and "B").

At the expiration, about the month of December last, the incumbent of Santiago de Cuba has been relieved from his functions and replaced by Mr. Louis Saint Aude.

Such is the information which I hasten to furnish your department. Accept, my dear colleague, my best sentiments.

J F

[Translation.]

OFFICE OF THE SECRETARY OF STATE FOR FOREIGN RELATIONS  
*Port au Prince, February*

Mr. CONSUL: It is only yesterday that your report of July 28, 1912, reached the department. The envelope bore the following notation: "This has been found in a city box out of use Cayes, January 30 of this year."

I have well noted the considerations which you have made on the matter of the Haitian emigrants have in registering at the consulate. But in fact, I can only confirm to you the text of the letter of the department of August 27 last. It pertains to the agents of the Government in Cuba to examine Haitians who go to the neighboring island to work of the utility of having themselves matriculated. That is the duty of our consuls and consuls in their respective jurisdictions.

I hope that since that time many of our compatriots have been in the consulate of Haiti at Santiago de Cuba. Please send to the department an extract of these immatriculations accompanied by a statement of the certificates which you have delivered. The letter of November 27 contains necessary instructions on the subject of inscription for which no fee is collected. So far as concerns the certificate, the emigrant who must not be obliged to require it. The option is left to him to request it of the department. And only the delivery of this certificate is subject to the application of the law of August 27, 1912.

The Government accords all its attention to emigration, becoming more important, of Haitian laborers to Cuba, and expects its agents to ensure them the protection to which they have right.

Accept, Mr. Consul, the assurances of my distinguished consideration.

J F

Mr. EMMANUEL NAZON,  
*Consul of Haiti, Santiago de Cuba.*

[Translation.]

OFFICE OF THE SECRETARY OF STATE FOR FOREIGN RELATIONS  
*Port au Prince, April*

Mr. CONSUL: I confirm to you my letter of February 14 last concerning the immatriculation of Haitian emigrants.

You will please send, as has been requested, an extract of the certificates made at the consulate, accompanied by a statement of the certificates which you have delivered. This duplicate list should go back to the time when in charge of the consulate and finish at the month of April current.

The department expects these documents immediately.

Accept, Mr. Consul, the assurances of my distinguished consideration.

J

Mr. EMMANUEL NAZON,  
*Consul of Haiti, Santiago de Cuba.*

[Translation.]

OFFICE OF THE SECRETARY OF STATE FOR FOREIGN RELATIONS  
*Port au Prince, May*

Mr. CONSUL: I am in possession of your letter of April 27, respecting the dispatch of the department dated the 5th of the same month, confirming the letter of February 14, by which you were requested to send us an extract of the immatriculations made at the consulate accompanied by a statement of the certificates.

The department desires that this tax be punctually executed by the officers of the Government. The accounts to be sent are the extracts from the books which they keep and which must show in one column the totality of the tax and in another the part belonging to the public treasury.

Accept, Mr. Consul, the assurance of my distinguished consideration

J. R. A.

Circular addressed to all the consular agents of Haiti abroad.

[Translation.]

OFFICE OF THE SECRETARY OF STATE FOR FOREIGN RELATIONS

Port au Prince, July 5

To the SECRETARY OF STATE FOR FINANCE.

MR. SECRETARY OF STATE: I send you, under this cover, with request the necessary steps near the financial adviser with a view to his payment of receipt for \$300, inclosed, issued in favor of Mr. Fernand Dennis, sent on his mission to Cuba by the department of foreign relations.

This amount will be regularized at the vote of the douzieme of July. Please accept, Mr. Secretary of State, the assurances of my high consideration.

J. R. A.

[Translation.]

OFFICE OF THE SECRETARY OF STATE FOR FOREIGN RELATIONS

Port au Prince, July 17

To the SECRETARY OF STATE FOR FINANCE.

MR. SECRETARY OF STATE: In response to your dispatch of the 14th instant, 627, I have the advantage to inform you that Mr. Dennis, chief of division in the department of foreign relations, is to go to Cuba for an inspection of consulates and a control of their books of collection of different consular taxes, notably in so far as concerns the delivery of certificates of immatriculation to Haitian emigrants.

Please accept, Mr. Secretary of State, the assurances of my high consideration.

J. R. A.

[Translation.]

OFFICE OF THE FINANCIAL ADVISER

Port au Prince, April 5

MR. MINISTER OF FINANCE AND COMMERCE.

Ministerial Palace.

MR. MINISTER: I have the advantage to acknowledge receipt of your letter No. 141, transmitting to me the letter of your colleague of foreign relations relating to the amounts collected for certificates of immatriculation.

I have noted from the letter of the department of foreign relations that the product of consular taxes collected by the public treasury during the fiscal year 1919-20, the following amounts figure as collected for certificates of immatriculation, divided as follows:

Santiago de Cuba	.....	\$ 1,084
Guantanamo	.....	
Antilla	.....	
Total	.....	\$ 1,084

or a total of \$1,084, instead of \$29,181, the amount which should have been collected according to the calculations of my office based on the number of emigrants having left Haiti for Cuba during the fiscal year 1919-20.

Your colleague gives as a probable reason for the nonrecovery of the whole totality of the taxes for certificates of immatriculation estimated at \$29,181.

I would thank you to lend me your good offices near your colleague of foreign relations to know if, by virtue of the instructions of the department of foreign relations, the necessary diligences with a view to the registration of the consuls has been made, and in case of affirmative reply what amount has been paid for each registration of contract.

I have also noted that efforts have been made to obtain from Mr. Nazon account of taxes collected during his administration as consul at Santo Domingo, efforts which apparently came to and end with the letter of July 1, 1920, which the department of foreign relations addressed to him.

I would thank you to lend me also your good offices near your colleague of foreign relations to inform me if following the correspondence with the consul he received from Mr. Nazon the list and statements demanded in his letter of July 1, 1920, and if they have not been received what has been done to obtain them.

I profit by the occasion to call your attention to article 32 of the law of September 2, 1919.

Receive, Mr. Minister, the assurance of my perfect consideration.

A. J. MAUMUS  
Acting Financial Adviser

[Translation.]

OFFICE OF THE SECRETARY OF STATE FOR FINANCE AND COMMERCE

Port au Prince, May 4, 1921.

The FINANCIAL ADVISER,

Port au Prince.

MR. FINANCIAL ADVISER: I have the advantage to acknowledge receipt of your letter dated April 27 last, No. E-15-22, relating to the receipts collected by consuls and consular agents in Cuba for immatriculation tax.

I have communicated this letter to my colleague of foreign relations.

I have requested the administrator of finances to send me, to be sent immediately, according to the request contained in the last paragraph of the above cited, the accounts of the consuls and consular agencies of Haiti in which have been sent to him to be mandated in receipt, accounts received by the department of finance from that of foreign relations, conformably with the law organizing the consular service.

Please accept, Mr. Adviser, the assurance of my perfect consideration.

J. CHARLES PRINCE

[Translation.]

OFFICE OF THE FINANCIAL ADVISER

Port au Prince, May 6, 1921.

MINISTER OF FINANCE AND COMMERCE,

Ministerial Palace.

MR. MINISTER: I have the advantage, referring to my letter No. E-15-22 of April 27, to inform you that I have noted the following paragraph of the letter of April 19, 1921, of your colleague of foreign relations to the department of finance:

"From a note of the accounting section of my department, it results the following amounts have been paid for certificates of immatriculation in Santiago de Cuba, \$1,456; Guantanamo, \$130; Antilla, \$398 (check retained at department awaiting the detailed statement requested to be transmitted to the consul)."

I think it my duty to call your attention to the fact that the check retained at the department awaiting the statement requested to be transmitted to the consul is contrary to article 8 of the law fixing the budget of ways and means for the fiscal year 1919-20, prorogued for the fiscal year 1920-21, and I thank you to lend your good offices in order that a mandat d'exécution be issued in order to permit the payment of the sum of \$1,456 into the public treasury without delay.

Receive, Mr. Minister, the assurance of my perfect consideration

A. J. MAUMUS  
Acting Financial Adviser

Complying with your request to return the documents communicated. I assure you that they will be returned to the department of finance and that they will not be kept by the office except for the time necessary to permit copies to be made.

Receive, Mr. Minister, the assurance of my perfect consideration.

A. J. MAUMEN  
Acting Financial Adviser

[Translation.]

OFFICE OF THE SECRETARY OF STATE FOR FINANCE AND COMMERCE  
Port au Prince, May 14

THE FINANCIAL ADVISER,  
Port au Prince.

MR. ADVISER: Referring to my dispatch dated May 4, No. 156, and in reply to your two letters of the 3d and 6th of the same month, No. E-15-22, I have the advantage to send you under this cover copy of the dispatches of the 12th instant, which have been addressed to me by my colleague of foreign relations with respect to the receipts collected by the consuls and consular agents at Cuba.

The check of \$398 mentioned in the last paragraph of the dispatch of the 12th to the department of foreign relations is transmitted to the Bar. tionale de la Republique d'Haiti, for all useful purposes. Pending the statement of taxes collected requested from the consul by the department of foreign relations, I shall not fail to direct the administrator of this arrondissement to issue a warrant for the cashing of this sum of \$398.

Please accept, Mr. Adviser, the expression of my distinguished consideration.

J. CHARLES PRINCE

[Translation.]

OFFICE OF THE SECRETARY OF STATE FOR FOREIGN RELATIONS  
Port au Prince, May 12 1920

MY DEAR COLLEAGUE: I am in possession of your dispatches of the 10th of this month covering, the first, a copy of a letter of April 27, last, acting financial adviser regarding the receipts collected by our consular agents at Cuba; the second, copies of two other letters following the order indicated above.

The office writes:

"Concerning the proposition suggested by the department of foreign relations to send Mr. Denis to Cuba, I have to state that the Haitian Government maintains a diplomatic representative in that island and that is why the expense (that of \$300) was not necessary in the opinion of the financial adviser."

The minister of foreign relations knew so well that the Haitian Government maintained a diplomatic representative at Cuba, that on May 27, 1920, he wrote to Mr. Fernand Hibbert, at that time chargé d'affaires, the following telegram:

"Advise immediately if you can go immediately to control and make an inventory on all the receipts collected by category taxes since commencement administration present consul, Santiago de Cuba."

But Mr. Fernand Hibbert, who had just obtained a permit to go to Cuba to undergo an operation, had already charged the consul of Haiti at Santiago de Cuba with the direction of the service at Habana during his absence. It seemed to us that this agent could not be his own controller. It is therefore by reason of the absence of the chargé d'affaires of Haiti at Habana that the department had decided to delegate Mr. Fernand Denis at Santiago de Cuba. So far as concerns the present situation of this post, the department was happy to have at its disposition the information of which it is a question in the letter from the office of the financial adviser. In so far as concerns the list bearing for each certificate issued the number, the date, the names of the beneficiaries, the department does not possess such a list. The sending of the part of the receipts pertaining to the public treasury is accompanied in practice by a statement which the minister of foreign relations transmits to that of finances.

In his letter of May 3 the acting financial adviser requests: (1) If the receipts have been registered at the consulate of Haiti, and in the affirmative

(b) To this deficit it is proper to add the amounts collected for immatriculation, which are \$1 belonging to the public treasury on the 25,086 emigrants conformedly to the law and to the instructions of the Department of the Interior to the consuls in Cuba, or, \$25,086.

Probable deficit-----

unless there is comprised an amount for immatriculation taxes in the year 1921 under the head of consular fees shown in the accounts of the bank on January 31, 1921. In that case, I would thank you to inform me of the amount immatriculation to be deducted from the \$11,282, in order to determine the exact deficit for passport and immatriculation duties during the fiscal year 1920-21 so far as concerns emigration.

(c) To this deficit it is proper to add the passport duties on passengers of first and second classes going to Cuba, in the West Indies and outside the West Indies, during the fiscal year 1920-21; this list can be made by the Department of the Interior, which will permit the fixation of the exact amount. "Passport and immatriculation duties for the fiscal year 1920-21."

I would thank you to be good enough to lend me your good offices near a colleague of the interior to send me the list of passports issued during the year 1920-21 mentioned in paragraph (c) of the present, in order to determine the exact figure of the deficit.

So far as concerns the established deficit of \$2,396.15 mentioned in paragraph (a) of the present, I think it my duty to remind you that the tax of "passport duty" is due 24 hours after the departure of vessels by the companies.

As the proprietors and consignees of sailors which transport emigrants to Cuba can not be considered "navigation companies," in view of the fact that they pay neither patent nor license in that quality, and as their solvency in the State in so far as concerns the passport duties and the fines which they incur is doubtful, I suggest that the department of finance, with a view to safeguarding the interests of the public treasury, request the general revenue to issue instructions to the collectors of customs and commanders of ports to let any sailing vessel leave for the adjacent islands, unless the proprietors or consignees of these sailors present to them the receipt evidencing that they have paid the passport duties to the Banque Nationale de la Republique d'Haiti.

So far as concerns the companies, I suggest that they be reminded by the department of the provisions of the law relative to "passport duties." I suggest also that all measures be taken with a view to recovery of the \$2,396.15 of "passport duties" mentioned in paragraph (a).

With regard to the deficit mentioned in paragraph (b) of the present, I draw your attention to the fact that the law provides that the consuls must render account through the department of foreign relations, in the first half of the month for the preceding month, and that the law of August 26, 1870, is the responsibility of public functionaries, and all other laws not contrary to the provisions of the said law, are in effect, as provided in article 32 of the law fixing the budget of expenses of the fiscal year 1919-20 prorogued for the fiscal year 1920-21.

In view of the preceding, I suggest that the department of finance in concert with the department of foreign relations take the necessary measures with a view to the collection of every amount due to the public treasury mentioned in paragraph (b) of the present.

Receive, Mr. Minister, the assurance of my perfect consideration.

A. J. MAUMUS, Acting Financial Administrator.

*Statement of Haitian emigrant passengers leaving ports of Haiti for Cuba, with passports in due form raised by the collectors of the ports during the fiscal year 1920-21.*

	October.	November.	December.	January.	February.	March.	April.	May.	June.	July.	August.
Port de Paix.....	5			2,688	2,069	611	5				
Port au Prince.....	115	48	262	193	392		1,000				
Petit Goave.....				142	132	80					
Miragoane.....							56				
Aux Cayes.....	2,836	3,278	4,071	2,196	1,017	880	1,342	716	843	42	
<b>Total.....</b>	<b>2,956</b>	<b>3,326</b>	<b>4,333</b>	<b>5,221</b>	<b>3,640</b>	<b>1,561</b>	<b>2,405</b>	<b>716</b>	<b>843</b>	<b>42</b>	<b>2</b>

Total, 25,086.

1. On the communication made to your office by the department of the interior of the copy of the letter of Mr. Urbina, agent of the United Fruit Co., in which letter he offered certain guaranties to the Haitian laborers who desired to engage for account of his company, did you reply to the office of the secretary of state for the interior "that the letter of Mr. Urbina constitutes no proof that he was engaging in emigration, and that this traffic, being prohibited now by the Haitian Government as well as by the Cuban Government, the collectors of customs would not permit the departure of the emigrants until Mr. Urbina had engaged at Port de Paix"?

In reply, while referring you to my letter No. 534, of January 16, 1922, addressed to your department in reply to your letter of January 12, 1922, I read as follows:

"I hasten to acknowledge receipt of your letter No. 35, dated January 12, 1922. This office will not oppose the departure of Haitians with Cuban passports within the conditions of the law on passports, but it will be understood that the passports must be submitted by the holders personally to the control of the captains of the ports.

"However, I will request you to suspend the departure of these Haitians for the purpose of permitting this office to confer with the financial authorities suggestions which may be made with a view to an efficient protection of Haitians in Cuba.

"I shall insist all the more on this point as Mr. Barnave Dartigues, secretary of state titulaire of the department of the interior, agreed in conference with this office that a project of law would be submitted to the sanction of the council of state, a law establishing the conditions of Haitian emigration.

"Public opinion, justly desolated by the disastrous conditions imposed on Cuba by the employers upon our fellow citizens, has demanded for a long time that a law on emigration protecting the emigrants be adopted by the Haitian legislators, and this office strongly believes that no emigration should be permitted until the Haitian laborers shall be efficiently protected against the fulfillment of engagements such as those of Mr. Urbina, representative of the United Fruit Co., as mentioned in your letter which is the subject of this correspondence.

"The hard lesson of the past, Haitians thrown on the Cuban coast, debarked in Haiti in a disgraceful situation, are there to demand that the public powers in Haiti themselves establish the conditions of Haitian labor and strictly see to their faithful observance?

"This office requests of you in the special case of Mr. Urbina to require of this agent deposit at least \$25 for each Haitian who agrees to work in the establishments of the United Fruit Co.

"The consuls of Haiti in Cuba should be well instructed in their obligations toward Haitians, and the Government should require of them the accomplishment of their duties.

"Please accept, etc."

I inform you that my opinion has not since changed; that is, the letter addressed by the department of the interior to Mr. Urbina, No. 11 C. S., of January 12, 1922, of which you were good enough to send a copy under the cover of your letter, No. 33, of January 12, constitutes a reply to that he desired to engage in emigration. In effect this letter reads as follows:

"The office of the secretary of state for the interior acknowledges receipt of your letter of January 9, soliciting in your capacity of authorized representative of the 'United Fruit Co.' authorization to engage during the next harvest for account of that company, and on its responsibility and agree to express conditions the Haitian laborers necessary to the operation of sugar centrals in Cuba.

"The office of the secretary of state for the interior notes the formal declaration which you make in the name of the United Fruit Co. and by virtue of your powers to offer to the Government of Haiti all the securities and guaranties which may be required of you to assure good treatment, equitable remuneration, healthful food, and return to their respective homes of all those who wish to engage to go to work in your centrals, and who shall remain under the protection of the United Fruit Co. until the completion of the work.

"The office of the secretary of state for the interior notes also that the United Fruit Co., which you say has never failed in its engagements with Haitian laborers, does not come to establish a recruiting agency nor to make any gilded offer to the said laborer, but comes solely and exclusively to place its large ships at the disposal of those who desire voluntarily to contract

"It is well understood in this case that passports must be submitted personally to the examination of the captains of the ports.

"These requirements are adopted in awaiting a law regulating emigration.

"Please accept, etc.

"P. S.—The office of the secretary of state for the interior not having had occasion to deliver to Mr. Urbina, agent of the United Fruit Co., the letter which it had written on January 12 and of which it sent you a copy, request you to be good enough to consider it as null and void."

So far as concerns paragraph (b), in response to the request of your division, I replied that your letter formed part of my records; that I thank him to make this communication officially to me in writing, that it was done by your letter No. 330 R 11 C. S. of January 20, above reproduced.

And so far as concerns paragraph (c), the "P. S." of your letter No. 330 R 11 C. S., above mentioned, if it did not recall formally the said letter, informed me that it must be considered as null and void, which to me is sufficient to recall, the letter having become without purpose by the fact that the conditions of engagement proposed by Mr. Urbina, accepted at first by the department of the interior under certain conditions, had just been revoked by the said department.

Before this new situation, which brought about a return to the situation mentioned in the first paragraph of my letter No. 534 of January 16, above reproduced, I wrote you my letter No. 889 of January 24, 1922, which reads as follows:

"I acknowledge receipt of your letter No. 330 R 11 C. S., dated January 20, 1922, by which you inform me that the secretary of state for the interior had occasion to deliver to Mr. Urbina, agent of the United Fruit Co., the letter which it had written to him on January 12 and of which it had sent you a copy, and you request me to be good enough to consider this letter as null and void.

"Following therefore your request contained in the third paragraph of your letter of January 12, No. 33, I would thank you to send me the lists and numbers of the passports from time to time as they are issued in favor of Haitians to Cuban destinations, for the purpose of giving to the collector at Port de Paix the necessary instructions to permit the embarkation of these men.

"Please accept, etc."

To that letter the department of the interior wrote me, under date of January 23, 1922, the following:

"I have the advantage to send you under this cover list No. 1 of passports issued in favor of free travelers who are to go to Cuba by the steamer *Las Damas*, of the Preston Co. (Cuba).

"It commences from No. 260 to 1259 (Port de Paix).

"Please accept, etc."

In accordance with its letter, by the mail of January 27, 1922, I wrote the collector of customs at Port de Paix my letter No. 893, as follows:

**THE COLLECTOR OF CUSTOMS AT PORT DE PAIX:**

**Subject:** Departure of Haitians with Cuban destinations.

**Reference:** Telegram of this office to your office, dated January 25, 1922.

1. I transmit to you under this cover list No. 1 of 999 passports sent to the secretary of state for the interior to the court of Port de Paix for Haitians with Cuban destinations.

2. This list has the names and surnames of the passengers and the numbers of their passports. (Nos. 260 to 1259.)

3. This office confirms its telegram of January 25, 1922, requesting you to inform it by virtue of what authority you permitted the embarkation of these men according to your telegram of January 22, 1922.

A. J. A.

You will please note that the telegram mentioned in the reference letter reads as follows:

**COLLECTOR CUSTOMS,**

*Port de Paix:*

Emigration being prohibited, you will rigorously apply the law to all those who desire to travel abroad. You must assure yourself that the passport has been delivered directly to the interested party by the department of the interior and require that he present himself personally at the

search in the books and office registers, and relating to the periods demanded by your letter of last month.

"I send you herewith the statement, in order of date and number. Consul St. Aude has just sent to me, relative to the immatriculations, that the department will find there something useful. Consul St. Aude's letter dated July 9, of which a copy will be sent to the department, he has not found the account book of the consulate, adding that it is his registration which has opened a book of receipts.

"So far as concerns the other consular services I have just addressed to their different chiefs; I will not fail to inform the department of the results when they shall be made.

"I must not fail to say to the chief of the department that I remain at the orders of the Government to leave my post if necessary and to go to very sites of the different posts, to proceed to an investigation more and more conclusive.

"If the department judges it necessary, I permit myself to say to it to forget the indispensable expenses of traveling.

"It is only yesterday, July 13, that I have been able to collect my salary for the month of June, \$305, order of the bank at Port au Prince, from which have even been deducted \$3.80 for expenses of cabling, the bank here had on my insistence to request orders."

The statement in question was sent to you under the cover of my letter September 15, 1921. I remit to you herewith a new copy of this document. With my distinguished sentiments.

J. RICHARD.

[Translation.]

STATEMENT OF INSCRIPTIONS MADE IN THE REGISTERS OF IMMATRICULATION IN MARCH 24, 1919, TO JANUARY 13, 1921 (ON THE REQUEST OF THE CHIEF OF AFFAIRES).

First register, from March 14 to September 19, 1919, Nos. 1 to 1,013 : from Sept. 30 to Dec. 17, 1919; from December 18 to 23, 1919, Nos. 1,014 to 1,494; from January 1 to March 9, 1920, Nos. 1 to 4,900.

Second register, from March to August 18, 1920, Nos. 1 to 10,000.

Third register, from August 18 to September 30, 1920, Nos. 1 to 1,695 : this date the numbers do not follow in order and recommence at the arrival of each boat; total, 18,092; Nos. 1 to 51, 158, 41, 46, 58, 152, 44, 38, 51, 34, 49, 39, 34, 81, 12, 49, 127, 244; total, 19,828.

Third register, from September 1 to 30, 1920, Nos. 1699-1749, 51 (in series of numbering).

Third register: The first quarter of the fiscal year 1920-21 shows : October 1, 1920, to January 13, 1921, 3,679 (none from Jan. 14 to 16 : 23,558 (according to record of inventory 77 bundles of certificates of immatriculation prepared have not been claimed by the interested parties; the voluminous contains 204 and the smallest 120).

Certified in conformity to the registers, the present statement prepared on July 9, 1921.

DENIS ST. AUBE,  
Consul General at Santiago de Cuba.

Mr. HOWE. Have you got any memorandum for the committee covering question asked on last Thursday as to the nature of the taxes put into effect for the first time last year, the date of the laws which imposed these taxes, an estimate of the amount which could have been collected under those laws if they been enforced?

Mr. McILHENNY. Yes; I have it here somewhere.

The CHAIRMAN. While Mr. McIlhenny is looking for his papers, I have several communications, one from Mr. McIlhenny and one from the Secretary of the Navy, which are germane to this hearing, and which I ask leave to be incorporated in the record. Without objection it will be so ordered.

# 1392 INQUIRY INTO OCCUPATION OF HAITI AND SANTO DOMINGO

Dr. L. S. Rowe, October 29, 1919, to July 1, 1920.

Mr. Sumner Welles, July 1, 1920, to date.

Sincerely yours,

SUMNER W.

Hon. MEDILL McCORMICK,

United States Senate, Washington.

DEPARTMENT OF STATE  
Washington, February 23,

Hon. MEDILL McCORMICK,

Chairman of the Committee to Investigate the

Occupation and Administration of Haiti and Santo Domingo,

United States Senate.

DEAR SENATOR McCORMICK: In response to your letter of February 11 received February 21, I have the honor to submit the following information: I state that where the information for any year is lacking it is because there is no record in Washington and that I have taken steps to obtain it and present it as soon as possible:

## Haitian revenues.

Year.	Customs.	Internal.	Total.
1913-14.....	\$5,018,801.32		\$5,018,801.32
1914-15.....	3,311,48.14		3,311,48.14
1915-16.....	4,559,002.14	\$108,878.28	4,667,880.42
1916-17.....	3,796,364.88	128,378.68	3,924,743.56
1917-18.....	3,178,022.53	154,365.14	3,332,387.67
1918-19.....	5,757,117.43	216,762.47	5,973,879.90
1919-20.....	6,421,000.41	374,920.28	6,795,920.69
1920-21.....	3,606,173.00	380,102.42	3,986,275.42

There are no separate figures for internal revenues prior to the fiscal year 1915-16.

## Haitian expenditures—Debt service.

Year.	External.	Internal.	Other.	Total.
1916-17.....			\$3,350,471.54	\$3,350,471.54
1917-18.....			2,922,980.69	2,922,980.69
1918-19.....		\$281,409.25	2,815,488.94	3,096,898.19
1919-20.....	\$3,000,000.00	40,000.00	4,080,371.25	7,080,371.25
1920-21.....	2,896,789.47	187,989.29	3,519,625.70	6,594,404.46

Data for the three years preceding will be furnished as soon as possible.

**Haitian trade.**—There are no figures as to the value of exports and imports prior to the first fiscal year of the customs receivership. The following summary of trade for that and for the following years:

Year.	Exports.	Imports.	Total.
1916-17.....	\$7,220,288.68	\$6,008,001.79	\$13,228,290.47
1917-18.....	6,276,320.90	10,120,001.02	16,396,321.92
1918-19.....	21,400,044.60	17,117,001.01	38,517,045.61
1919-20.....	18,990,002.00	27,380,411.00	46,370,413.00
1920-21.....	4,953,570.00	11,957,386.00	16,910,956.00

article 5 of the treaty, a sufficient amount from the customs revenues for the service of certain debts, including all of the external debts. All since September 30, 1920, have been met on the due date. Briefly, the service of the external debt was due to insufficient revenues for the debt service and the current running expenses of the Haitian Government. In order that those current expenses might be paid the debt service was suspended.

You ask "Why under the contemplated loan provision was made foreign but not Haitian claims against the Haitian Government." The of October 3, 1919, authorizes a \$40,000,000 30-year 6 per cent loan. It could have been floated at that time, would have been sufficient to a cash all indebtedness, foreign and Haitian, including claims. From the the intervention a loan for that purpose had been a part of the program economic rehabilitation of Haiti. It was considered and discussed during administration of Admiral Caperton; my predecessor, Mr. Ruan, made unsuccessful efforts to float it in the United States; and I spent some in the United States immediately following the conclusion of the program effort which was likewise unsuccessful, in that no proposal for a loan could be obtained on terms which I considered advantageous. The bankers with whom I conferred at that time were unanimously of opinion that it would be impossible to sell a 30-year 6 per cent Haitian loan but stated that they thought it possible to float a loan in the form of 5-year bearing interest of 7½ per cent. I therefore returned to Haiti in 1919, and discussed the matter with the Council of Secretaries of State decided in January, 1920, to abandon for the time being the idea of a loan and endeavor to float a short-term loan which would enable Haiti to fund its foreign debt and thus avail itself of the enormous depreciation in franc, profiting to the extent of approximately 66⅔ per cent of the nominal value of the external loans, and similarly reducing the future interest on this portion of its public debt by converting that portion of it from franc to dollars. It was also the desire of the Haitian Government not to extend its internal funded and floating debt, which would be the result if the were paid in cash from the proceeds of a bond issue floated abroad.

For these reasons it was decided to endeavor to float a short-term loan secured by bonds of the long-term loan authorized by the protocol, in an amount sufficient to freund the foreign debt, to pay a short-term note to the E. Nationale due December 31, 1921, which there was no prospect of paying from current revenues, to pay the arrears of interest guaranty due on the railroad bonds floated in France, and to leave a small amount for payment of cash of claims and for urgently needed public improvements, and to do so by an issue of \$5,000,000 in internal 30-year bonds the internal funded floating debts and the majority of the claims which might be adjudicated being in accord with the policy of not exteriorizing the internal debt if it be avoided. Efforts in the early part of 1920 to float such a loan were wise unsuccessful and were suspended pending an improvement in the market, whereupon I returned to Haiti in May. In September, 1920, the Department of State having expressed the opinion that the time was now ripe for resuming loan negotiations, and the desire that I come to Washington that purpose, the matter of the terms of the loan and its size were taken up with the Haitian Government, which indicated its willingness to authorize the flotation of a short-term loan similarly secured, for the purposes, and for a similar amount, upon conditions. In compliance with instructions of the Department of State I came to the United States in 1920, for conference regarding the loan and the conditions mentioned, and since remained here. It will be seen from the above that it has always contemplated to pay the internal debts and claims of Haiti at the same time the foreign debts, the only change from the original program being that the bonds are to be issued in payment of these internal debts and claims, a change having been made in order to conform to the repeatedly expressed desire of the Haitian Government that its internal debt be not exteriorized during the presidential campaign and until the new administration took office. determined upon its Haitian policy, no banking group could be induced to submit a proposal on a Haitian loan. Proposals were recently obtained for term bonds secured as above indicated, and later for long-term bonds in the same amount as the projected short-term bonds, on terms deemed acceptable by the Haitian Government, which has indicated its preference for the acceptance of one of the proposals upon conditions which are still the subject of action.

been made in the customs duties, and no change can be made in them which would reduce the product of the revenues from any of the important sources, because these revenues have nearly all (about 75 per cent) been pledged specifically to the service of various debts. So long as the debts secured by the product of these specific pledges of revenue are not paid or refunded, creating that revenue can not be changed. This applies primarily to the customs revenues, the former pledges of the principal sources of internal revenue, the retirement of the paper money having been released by the retirement of that money. Nor has there been any change in the internal revenue laws, either as to their supervisory or taxation features, with one exception. This exception was the placing in effect in August, 1921, under the pressure of an imminent deficit in amounts available to meet current expenses, of certain laws which had been on the statute books for, I think, more than 10 years but had not therefore been enforced. So far as I can ascertain from the statements of collections received from Haiti, the immediate result of forcing these laws was the collection of about \$50,000 which would not have been collected otherwise. I am of the opinion that with an efficient administration of the existing internal-revenue laws, without amendment or change in their texts, at least \$1,000,000 annually could be collected instead of the \$360,000 collected last year. The financial adviser has no function in the matter of collection, assessment, or the administration of the revenues; it is his duty under the treaty to "recommend improved methods of collecting and applying the revenues," but he has no power to effect such improvements. A project of an internal-revenue law, approved by the Department of State, which would, it was believed, have produced about \$2,000,000 annually, was presented to the Haitian Government by my predecessor and rejected. After I became financial adviser I took up the matter of the enactment of an internal-revenue law proposed by my predecessor with the Minister of Finance and was advised by him that the Haitian Government was definitely opposed to the enactment of the law. While these conferences were going forward, he drafted and presented for my consideration an internal-revenue law which maintained the administration of the internal revenues under Haitian control, and further provided for the establishment of a bureau of accounts in his office solely under Haitian control. After careful consideration I found it impossible to approve this law, and so notified him.

Later both these projects were submitted to the foreign trade adviser of the Department of State by me and subjected to a critical study; a memorandum was prepared suggesting modifications of both projects on the basis of a proposed internal-revenue law for the Haitian Government. This memorandum was presented informally to the Haitian minister to the United States, with the request that he lay it before his government for its consideration and criticism. No action having been taken, and the internal revenues having fallen off last year to an alarming degree, due to the economic depression, the Haitian Government was informed by me of the approval of the Department of State, that if the administrative provisions of the financial adviser's project were adopted (providing for American supervision of assessment and collection), the taxation schedules of the Haitian Government (generally lower and producing less revenue) would be approved. No action has been taken by the Haitian Government. The export customs duties are intolerably burdensome and should be reduced or wholly eliminated. Import duties are likewise burdensome, and the burden is inequitably distributed, luxuries being lightly taxed and necessities heavily taxed. The revenues, however, constitute 90 per cent of the total revenue of Haiti. In the absence of internal-revenue legislation, adequate as to administrative provisions and taxation schedules to insure the collection of sufficient internal revenue to offset the loss in customs revenue, which would result from a proper administration of the customs-revenue laws, it is impossible to make such a revision apart from the further obstacle to revision resulting from the existing specific pledges of revenue previously mentioned.

Answering your final query, I was appointed financial adviser on March 27, 1919, and have actually resided in Port au Prince during the following periods: March 27, 1919, to October 15, 1919; December 27, 1919, to January 15, 1920; May 31, 1920, to October 18, 1920.

The first two trips to the United States were for the purpose of securing a loan, as indicated above, and at the specific request and with the authorization of the Haitian Government; the present stay in the United States is for



bonds; and (3) an income tax of 4 per cent per annum on interest and dividends on bonds and stock distributed by corporations; of 4 per cent on profits of foreign merchants or business men; and of 2 per cent on profits of Haitian merchants or business men, this income tax being based upon the annual profits shown in their annual balance sheets, or in the absence of a balance sheet upon an amount five times the annual rental or rent value of the premises used in the business.

I am unable to answer the question as to the estimated product of these taxes. The laws were on the statute books 18 years before they produced revenue to the State. There are certainly no data here and so far as I am aware none in Haiti upon which to base an estimate. The product under the application of the laws should have been large.

Mr. HOWE. Mr. McIlhenny, I understand that you have a statement in indication of a part of your testimony given last week?

Mr. McILHENNY. Yes.

Mr. HOWE. Will you make that statement to the committee now?

Mr. McILHENNY. Yes; I was asked if the private loans to which I referred in my testimony of last Thursday were floated at a discount. Possibly they may have been construed as meaning that they were floated at par. Treasury notes issued as evidence of debts so incurred do not show on their face that the loans were contracted at a discount, but it is unreasonable to suppose that private loans effected without authority of law could be floated when the Government a few months before had been compelled to float its public loans formally authorized by law at great discounts. In practice, in such cases there is little to show what the Government received or that it received anything for these treasury notes. The last commission of verification of the floating debt had a few of these notes before it; where it was shown that all or a part of the amount was actually received by the Government the notes were accepted as to the part received by the Government and rejected as to the remainder; if it could not be shown that anything was received the notes were rejected in toto. It is assumed that the claims commission to be appointed under the protocol of October 3, 1919, will follow a similar procedure, and the holder of any such note will have to show that value was received by the Government and the holder will be awarded that value and no more.

I have here the report of the verification commission, which I do not wish to file with the committee; but on these *bons du Trésor* there is a schedule in this book [indicating] of the amount accepted and the amount rejected by the commission; and it bears out the statement which I have just made.

Mr. HOWE. Mr. McIlhenny, yesterday one of the members of the committee asked you to prepare a memorandum in elaboration of your statement of yesterday, that the burden of the taxation is on the poor peasant in Haiti. I understand that you have such a memorandum. Will you please read it?

Mr. McILHENNY. Yes, sir.

Yesterday the committee requested an elaboration of my statement that the burden of taxation in Haiti bears most heavily upon the peasant. At present 70 per cent of the revenue of Haiti is from customs import and export duties. The total customs revenue for the fiscal year 1919-20, the latest year for which detailed statistics are available here, was \$6,414,605.82, of which about 40 per cent was on exports, the specific duties on exports being the following: coffee, \$3 per 100 pounds; coffee culls, \$2.50 per 100 pounds; coffee roasted, \$3 per 100 pounds, less 20 per cent; cacao, \$1.75 per 100 pounds, plus 30 per cent; beans, \$1.50 per 1,000 pounds; lignum vitae, \$1 per 1,000 pounds; skins of cattle, \$2 per 100 pounds; skins of goats, \$2 per 100 pounds; cedar, \$1 per 1,000 pounds; yellow wood, \$1.50 per 1,000 pounds; mahogany, \$3 per 100 feet, plus 30 per cent; lignum vitae gum, 50 cents per 100 pounds, plus 30 per cent; old cowrie shells, \$2 per 100 pounds, plus 30 per cent; pitre, \$1 per 100 pounds, plus 30 per cent; shells, 10 cents per pound, plus 30 per cent.

I think no one will question the economic principle that the burden of the export tax in the case of raw agricultural products rests upon the producer, the peasant. Even in the case of roasted coffee the reduction of 20 per cent (intended to encourage an industry in Haiti, but having had no apparent effect) does not accrue to the peasant in that he does not receive any price for the raw coffee bought for roasting, but the reduction accrues to the roaster. The price of raw coffee paid to the peasant, like all other agricultural products, is determined by the price which it will bring in foreign markets.

fixed in the decree to 21,705,900 francs and authorized an additional of 4,254,380 francs in settlement of unpaid interest on the bonds pursuant to the decree, which interest was also scaled down, making a total of 25,960,380 francs as the capital of the loan of 1875, as finally fixed in 1875.

The loan of 1896 for 50,000,000 francs, interest 6 per cent, term 37 years, was sold to the contracting bank at 80, a cost to the Haitian Government of 7.6 per cent. It was sold by the bank to the public at 90 a profit of 10 points.

The loan of 1910 for 65,000,000 francs, interest 5 per cent, term 50 years, sold to the contracting bank at 73.20, a cost to Haiti of 7.1 per cent. It was sold to the public at 88.50 a profit to the bank of 15.3 points.

The proposed loan of 1922 is for \$16,000,000, interest 6 per cent, term 50 years, for which I have an offer of 85, a cost to Haiti of 7.25 per cent. As stated before, this was a firm offer for a limited period, and is now under a basis of negotiation. I assume that the final offer, depending on market conditions when the Haitian Government shall finally decide to float a loan, will be about five points less than the price at which it is decided that the loan will be sold to the public, instead of the difference of 10 or 15.3 points of 1910 to the contracting bank in the case of the French loans, and if the improved condition of the bond market continues, I have no doubt that the consent of the Haitian Government is given, a better offer from American bankers will be forthcoming. At any rate, considering conditions and Haiti's credit when the existing loans were floated, and comparing with those conditions and Haiti's credit now, I believe the present offer is much more advantageous to Haiti than it would obtain from the French bank which, by a contract antedating American intervention was given a monopoly of all foreign loans. I desire to note that the obtaining from this bank of a relinquishment of this monopoly so far as concerns loans floated in the United States only, is an achievement of the American intervention.

Professor Kelsey's report touches upon the cost of foreign government financing done in this country, and shows that Haiti is getting as good terms as it could reasonably expect, in view of its financial condition. As I recall the terms originally offered Haiti compared very favorably with the terms at which other foreign government financing was being done in this country at the time the offers were made.

The prices paid to other governments or by other bankers at about the same time as the Lee, Higginson & Co. proposal for the Haitian loan was made by me are not a matter of public information, but the prices at which the loans were offered to the public affords a sufficient basis for comparison as follows:

Date.	Name of issue.	Selling price to public
Aug. 30, 1921	\$25,000,000 United States of Brazil noncallable 8 per cent external gold bonds, 1941.....	90 1/2
Oct. 7, 1921	\$12,000,000 State of Queensland sinking fund external 7 per cent gold loan, 1941.....	90
Oct. 7, 1921	\$12,000,000 City of Rio de Janeiro sinking fund 8 per cent gold bonds, 1946.....	90 1/2
Do.....	\$9,500,000 Republic of Chile external sinking fund 8 per cent gold bonds, 1928.....	90
Nov. 3, 1921	\$10,500,000 Republic of Chile external sinking fund 8 per cent gold bonds, 1946.....	90 1/2
Nov. 15, 1921	\$10,000,000 State of Rio Grande do Sul 8 per cent external sinking fund gold bonds, 1946.....	90 1/2

The offer of Lee, Higginson & Co., made November 8, 1921, was for \$16,000,000 Republic of Haiti 6 per cent external sinking fund gold bonds, maturing in 1951, at 85, or a presumed selling price to the public of about 90, and a cost to the investor of 6.80.

I should also like to submit, Mr. Chairman, a comparative statement of the years 1913 and 1914 with 1919, 1920, and 1921, as follows:

## Comparative 10-year table of foreign trade—Continued.

## HAITI.

Fiscal year.	Imports.	Exports.	Total.	Balance.
1911-12.....	\$9,876,555	\$17,285,485	\$27,162,040	Ex 16,308,485
1912-13.....	8,100,125	11,315,589	19,415,714	Ex 3,215,464
1913-14.....	7,612,792	11,000,000	18,612,792	Ex 3,387,208
1914-15.....	4,344,763	13,000,000	17,344,763	Ex 8,655,237
1915-16.....	10,312,000	12,000,000	22,312,000	Ex 1,688,000
1916-17.....	8,606,086	7,220,290	15,826,376	Ex 1,385,796
1917-18.....	10,180,663	6,278,321	16,458,984	Ex 3,902,342
1918-19.....	17,117,608	21,490,045	38,607,653	Ex 2,472,445
1919-20.....	27,396,411	18,990,032	46,386,443	Ex 8,406,379
1920-21.....	11,937,205	4,953,570	16,890,775	Ex 6,983,635

1. Excess of imports.

Mr. HOWE. That is all the questions I have to ask.

The CHAIRMAN. Mr. Angell, have you any questions?

Mr. ANGELL. Mr. McIlhenny, you have been financial adviser of the Haitian Government for about three years now?

Mr. McILHENNY. Yes.

Mr. ANGELL. Will you tell us what proportion of your time you have spent in Haiti? I do not care about the exact dates of your trips back and forth.

Mr. McILHENNY. Well, I can answer it, it seems to me, more definitely giving you the dates.

Mr. ANGELL. All right.

Mr. McILHENNY. I went down to Haiti first on March 27, 1919, and remained there until October 15, 1919. I then came to the United States, and returned to Haiti on the 27th of December, 1919, and remained there until January 1, 1920, returning again to the United States, and returning to Haiti on May 1, 1920, where I remained until October 18, 1920; since October 18, 1920, I have been in the United States.

Mr. ANGELL. So you have not been to Haiti since October, 1920?

Mr. McILHENNY. No, sir.

Mr. ANGELL. How has the work of the office of the financial adviser with the Haitian Government been carried down in that period of one year and six months that you have been up here?

Mr. McILHENNY. When I left Haiti, I left my chief of office, Mr. Ochs, my office, and my chief Haitian assistant, Mr. Pressoir, who is a brother of the present Minister of Finance, and one Haitian clerk; and I requested Mr. Maumus to assume the position of acting financial adviser in my absence.

Since I have left Haiti the routine work of the office has been carried on under the supervision of Mr. Maumus, and all matters of serious moment, such as the allotment of revenues and all questions of policy, have been referred to him in Washington.

Mr. ANGELL. How about the preparation of the budget?

Mr. McILHENNY. The preparation of the budget was suspended by me when I left Haiti and has never been taken up since.

Mr. ANGELL. Was there no budget adopted for the year 1920-21; or was that adopted in the spring of 1920, before you left Haiti?

Mr. McILHENNY. No. I suspended the consideration of the budget for 1920-21 when the consideration of the budget for 1920-21 was a little more than completed.

Mr. ANGELL. When you left?

Mr. McILHENNY. Before I left.

Mr. ANGELL. That budget has never been formally completed?

Mr. McILHENNY. That budget has never been completed. And the budget for the previous year was prorogued to provide for the necessary expenses of the Government.

Mr. ANGELL. Well, there never has been any budget formally adopted for the year 1920-21 nor for the year 1921-22?

Mr. McILHENNY. Well, they were prorogued again for the year 1922-23. It was the formal adoption of the budget of 1920, to serve the needs of the Government for the next two years.

Mr. ANGELL. And several such laws which have purported to change the provisions have been rejected by the American Legation, have they not?

Mr. McILHENNY. Yes.

Mr. ANGELL. And this same Blue Book, to which you have just referred, the Haitian Government, 1921, contains correspondence, does it not, remember, regarding such instances of approval and rejection?

Mr. McILHENNY. I do not remember, because I have not gone over carefully. I think it does.

Mr. ANGELL. What is the degree of control, Mr. McIlhenny, exercised by financial adviser over the actual expenditures, in addition to this approval of the budget to which you have just referred?

Mr. McILHENNY. During the régime of my predecessor, Mr. Romaine, agreement was reached with the Haitian Government that all warrants of payment, as they term them, "justifying pieces," or receipted bills, should be forwarded to the office of the financial adviser for his consideration and then to be presented to the bank for payment. A copy of this agreement was found on page 36 of the Blue Book published by the Haitian Government in 1921.

Mr. ANGELL. And is that agreement to which you have just referred followed in practice?

Mr. McILHENNY. Yes.

Mr. ANGELL. All expenditures of the Government are first approved by financial adviser before they are paid from the funds of the Government deposited at the bank?

Mr. McILHENNY. Yes.

Mr. ANGELL. Has the Haitian Government made any demand or request, as financial adviser, for a formal preparation of a budget for the two fiscal years?

Mr. McILHENNY. It raised serious objection to my suspension of consideration of the budget at the time I did so—I think in July.

Mr. ANGELL. That is, the budget of 19—

Mr. McILHENNY. 1920-21.

Mr. ANGELL. 1920-21. What was the ground and the nature of the objection?

Mr. McILHENNY. The ground or nature of their objection?

Mr. ANGELL. Of their objection.

Mr. McILHENNY. I will put it in this way: They found objection to my suspension of the budget because they considered that it was necessary that the budget should be written for each year to meet the necessary expenses of the Government, and from the consideration of that portion of the budget that had already gone forward it appeared that, if the previous budget was rejected, a number of items which I was willing to include in a new budget would be left out.

Mr. ANGELL. Because not provided for in the previous budget?

Mr. McILHENNY. Because not provided for in the previous budget.

Mr. HOWE. May I interrupt? Will you give us a synonym for "previous budget"? What does that mean?

Mr. McILHENNY. Validating a budget which already exists.

The CHAIRMAN. That is not complete. You mean to carry into effect the second year an appropriation voted for the year preceding?

Mr. McILHENNY. To carry into effect for a second year a budget which has been voted in a previous year.

The CHAIRMAN. For a previous year?

Mr. McILHENNY. For a previous year.

Mr. ANGELL. Is it provided for by law, or has it been a practice established merely by custom, that a budget shall be considered and adopted by a certain date in each year?

Mr. McILHENNY. The council of state—the legislature—meets the first day in April, and I think it is in session three months. That session is extended for a period of 30 days by executive action, and if the budget is enacted at the regular session of the council of state, it should be completed within the period I have just named.

Mr. ANGELL. Prior to the termination of the session?

Mr. McILHENNY. Yes. In writing my first budget so much time was taken up in the consideration of its many items as to extend its consideration beyond the 90 days set by law.

Mr. ANGELL. Well, the period for the consideration of the budget is set by law?

Mr. McILHENNY. No; I had no power to prorogue it. The President of the Republic was the only one who had authority to do that.

Mr. ANGELL. And he did carry it over?

Mr. McILHENNY. He did carry over the previous budget, with the approval and consent. It was not my purpose at any time to put at the administration of the Government of Haiti, or attempt to do more, bring before them very forcibly the necessity of enacting certain legislation withdrawing certain legislation, the first of which was greatly to the detriment of Haiti, and the second to the detriment of Haiti.

Mr. ANGELL. And to bring about that result you refused to proceed with the consideration of the budget for that year?

Mr. McILHENNY. Yes.

Mr. ANGELL. Now, what was the purpose, Mr. McIlhenny, of your coming to the United States in October, 1920, and why have you been in this country a year and five or six months, rather than in Haiti?

Mr. McILHENNY. My coming to the United States in 1920 was at the request of the State Department that I return to the United States with it, and to begin negotiations for a loan for the Republic of Haiti. I considered the bond market at that time in such a favorable condition as to make possible the beginning again of those negotiations which I had left off in the May preceding.

Mr. ANGELL. When you returned to Haiti from the United States?

Mr. McILHENNY. Yes.

Mr. ANGELL. So you came upon orders from the State Department?

Mr. McILHENNY. I came upon orders from the State Department. It was my judgment at that time that it would be better for me to return to Haiti for a short time, until I persuaded the Haitian Government to give me authority to float the loan without the restrictions which they had around the proposal which they had made to grant me authority.

Mr. ANGELL. Well, what restriction, in this connection, had the Haitian Government placed upon your authority to negotiate a loan in its behalf?

Mr. McILHENNY. The modifications, or the restrictions, which the Haitian Government placed on giving me authority for the flotation of a loan at that time were that I should agree to certain changes in the protocol.

Mr. ANGELL. The instrument of October, 1919?

Mr. McILHENNY. Yes, sir; the instrument of October, 1919. And I would agree that the internal bond issues should not be subject to a claims commission, and that I would further agree that the service on the internal bond issue should be immediately resumed.

Mr. ANGELL. Within those limitations of authority did you have power to negotiate a loan in its behalf?

Mr. McILHENNY. No; they said they would give me authority if I agreed to those restrictions.

Mr. ANGELL. Did you agree?

Mr. McILHENNY. No; I could not.

Mr. ANGELL. So you never received from the Haitian Government power to negotiate a loan in its behalf?

Mr. McILHENNY. I did not at that time. I had received prior to that authority to float a loan for the Haitian Government. That prior authority was granted in October, 1919, when I came to the United States at the request of the Haitian Government to float a loan. And while that formal authority was granted by the council of the secretaries of state was received, I considered that, by reason of letters which I had received from the minister of finance, in which he stated that it was the desire of the Haitian Government that the protocol should be abrogated, and that it was the desire of the Haitian Government that it was no longer necessary to float a loan—in view of the two statements I thought it was wise that I should receive from the Haitian Government renewed powers to float a loan.

Mr. ANGELL. You are now referring to the period in the fall of 1920?

Mr. McILHENNY. Yes, sir; just before I came to the States. I had had correspondence with the minister of finance on the subject, and the result of that correspondence, as I told you before, was that he gave me authority to float a loan in a smaller amount than the prior authority had authorized. I provided that I would agree to certain changes in the protocol.

Senator POMERENE. Agree to what? I did not understand that.

Mr. McILHENNY. To certain changes in the protocol and that the bond issue should not be required to go before the claims commission.

Mr. McILHENNY. An impasse follows, unless it is possible for the financial adviser to persuade the Haitian Government to agree to the policies established.

Mr. ANGELL. Have there been any impasses reached actually since 1920?

Mr. McILHENNY. October, 1920?

Mr. ANGELL. During the period that you have been continuously in the States?

Mr. McILHENNY. Well, not since that time especially. The impasse established before I came here.

The CHAIRMAN. Let me ask you a question there: During your long residence in the United States how have you been able to take counsel with the President of Haiti, or the minister of finance in Haiti?

Mr. McILHENNY. Through the acting financial adviser.

The CHAIRMAN. Well, then, de facto, and not de jure, he is the financial adviser of the Haitian Government, and you are the fiscal agent of the Haitian Government in the United States?

Mr. McILHENNY. I do not think that that is quite correct, Mr. Chairman: I refer questions to me, with his correspondence on that question with the Haitian Government, so that I may be cognizant of his attitude and desires.

The CHAIRMAN. Well, do you believe that the financial adviser to the Haitian Government normally should choose Washington as his post of duty?

Mr. McILHENNY. Certainly not. And my remaining here has been a concession entirely to my own wishes.

The CHAIRMAN. I am not reflecting upon your conduct.

Mr. McILHENNY. No; I am answering in this way so that you might understand, sir, that I am fully in accord with the suggestion which has arisen from your question. The financial adviser should be resident in Haiti; but there has been a very unusual combination of circumstances which has it seems wise to have him remain here for the months that he has been here.

The CHAIRMAN. In order that I may ask a second question in connection with the period of your service under the Haitian Government, when were you appointed financial adviser, or when were you nominated as financial adviser to the President of the United States?

Mr. McILHENNY. I think it was on the 27th. I gave that date in my report to you.

The CHAIRMAN. I know.

Mr. McILHENNY. The 27th of January.

The CHAIRMAN. Of what year.

Mr. McILHENNY. 1919.

The CHAIRMAN. Since then, how many chiefs, or acting chiefs of the Latin American Bureau of the State Department have there been?

Mr. McILHENNY. Mr. Stabler was the chief when I was first appointed; he was succeeded by Dr. Rowe. Dr. Rowe was succeeded by Mr. Welles. Mr. Welles was absent for a number of months, and in his absence Dr. Munro acted. Mr. Welles bade me good-bye yesterday, telling me that his service to the Government of the United States had ended yesterday.

The CHAIRMAN. Mr. Welles.

Mr. McILHENNY. Yes.

The CHAIRMAN. Who is acting now?

Mr. McILHENNY. I do not know that anyone has been formally assigned, but Dr. Munro, I think, is acting.

The CHAIRMAN. We change chiefs of the Latin American bureau and the gendarmerie of the Marine Corps as rapidly as the Haitians change Presidents, do we not?

Mr. McILHENNY. It is, Mr. Chairman, the most disastrous thing for the continuity of administration.

The CHAIRMAN. We have as many responsible officers as we have Presidents.

Mr. McILHENNY. This simple question of finances which I am supposed to be in charge of in Haiti is not simple, but very complex; it can only be understood by most careful and painstaking study. And it is not possible for the administration in Washington to have a sound knowledge of Haiti's financial needs, and her desires as well, with the continual change that is going on in that division.

The CHAIRMAN. I did not mean to interrupt you. You may proceed.

shall, pursuant to the provisions of Article V of said treaty, receive compensations as follows:

"Financial adviser: \$6,000 United States currency, per annum, for said \$4,000 United States currency, per annum, for personal expenses."

The allowance for personal expenses is stipulated as a part of the contract and has never been construed by my predecessor, the Haitian Government or myself as in any respect intended to cover the traveling or other expenses of the financial adviser or of his office.

Mr. ANGELL. How much longer do you think it is going to be necessary proper for you as financial adviser to remain in this country, rather than returning to Haiti?

Mr. McILHENNY. It is impossible for me to give you an answer there, Mr. Angell. I have been hoping—the Government and the financial adviser have been in constant communication with the Haitian Government, trying to persuade them to agree to send the final authority to the financial adviser to a conclusion as to this loan. That correspondence and negotiation has been going on steadily, and particularly since last November, when we received an offer from a group of bankers in New York which seemed to be acceptable major provisions, and which would have enabled us to put out the bonds for the loan and retire the French loans at a very advantageous discount.

Mr. ANGELL. Until that loan question is settled, then you think the presence is required in Washington?

Mr. McILHENNY. Much more required here than there.

Mr. ANGELL. One more question on that matter of allowance: How was the \$15 per day determined? Was that agreed upon in the contract with the Haitian Government?

Mr. McILHENNY. No. I found that that was an allowance which has been established by my predecessor, Mr. Ruan, and no question had been raised by the Haitian Government as to that amount, and I used that as a precedent in establishing it for myself.

Mr. ANGELL. It was just carried over into your term of office?

Mr. McILHENNY. The same procedure; yes.

Mr. ANGELL. Before we began the formal session this morning, Mr. McIlhenny, you will remember that we were discussing a matter which I said I was going to bring up in the hearing. Will you tell us in that connection some of the particular problems which were involved in the several offers of the Haitian Government?

Senator POMERENE (Interposing). Particular what? You said particular thing.

Mr. ANGELL. Particular problems involved in the several offers of loans to the Haitian Government, or to you as its financial adviser, last fall at the early part of the winter, particularly the question of the security for the short-term notes?

Mr. HOWE. Mr. Angell, just for clarity, you mean offers made by banks and financial groups?

Mr. ANGELL. Yes, I do.

Mr. McILHENNY. In answering that, Mr. Angell, I think I ought to refer to my negotiations in 1920, when I came here at the direct request of the Haitian Government to float a loan.

I found then that the financial condition of the country, the bond market, was such as to make it impossible for me to float a loan of \$30,000,000 in 6 per cent 30-year bonds.

Mr. ANGELL. As provided for in the protocol?

Mr. McILHENNY. As was contemplated by the protocol. I discussed the matter of the loan with all of the leading groups of bankers in New York, and they confirmed the opinion that was given to me by the National City Bank, whom I was chiefly advising at that time, which was that while it was possible to put out a 30-year 6 per cent bond, it might be quite possible to put out short-term notes to the amount necessary to retire the external loans, what were then the prevailing rates of interest, 7½ to 8 per cent. I then returned to Haiti and laid the matter before the Haitian Government. They asked them to authorize me to put out short-term notes, at 7 or 7½ per cent. They did so, and I returned to the United States and began negotiating on that basis.

Mr. ANGELL. In October, 1920, you are now referring to?

Mr. McILHENNY. No; I am talking about January, 1920.

The last clause of article 10 of the protocol provides—

"That the Government of Haiti further agrees to enact such legislation as may be necessary to give effect to the provisions of this protocol."

Mr. ANGELL. Before you made that correction you were speaking of the National City Bank's offer and the question of security for the short-term bonds.

Mr. McILHENNY. Yes. The National City Bank's first offer provided \$21,000,000 of the 6 per cent 30-year bonds as collateral. Therefore the offer to the Government of Haiti at that time appeared to be for, I think, \$14,000,000 of 7½ per cent notes of five years' duration, behind which there would be collateral, \$21,000,000 of 6 per cent 30-year bonds. If I have made an error in stating what this offer was I should like to correct it later.

The CHAIRMAN. Without objection, that may be done.

Mr. McILHENNY. Because I have not thought on the subject of this offer some time. I have stated already, Mr. Angell, the purpose of the issuance of 30-year 6 per cent bonds which were to be used as collateral. It was understood that those bonds were to remain the property of the State.

Mr. ANGELL. The Haitian State?

Mr. McILHENNY. The Haitian State; that the interest which accrued on these bonds would be paid, and be used in such amount as necessary to pay interest on the 7½ per cent short-term notes.

Mr. ANGELL. So that there would not be an actual double payment of interest both on the 6 per cent bonds and on the 7½ per cent notes by the Haitian State?

Mr. McILHENNY. No; it would be purely a book transaction; the collateral bonds belong to the Haitian State; the interest accruing belongs to the Haitian State.

Mr. ANGELL. And to whom would the interest be paid in the first instance on those 30-year collateral bonds?

Mr. McILHENNY. The interest would be paid to the fiscal agent holding bonds as collateral, or the trust company that might hold the bonds as collateral.

The CHAIRMAN. Let me interrupt you to ask if the proposal or the bill of Mr. McIlhenny and Mr. Angell are discussing is before the financial advisory day for acceptance?

Mr. McILHENNY. No, sir.

The CHAIRMAN. Then why take the time of the committee to discuss a no longer being considered?

Mr. ANGELL. That point has been raised and there has been considerable discussion about the terms of these offers and how far they would tie up the Haitian finances, and I thought that should be cleared up one way or another.

The CHAIRMAN. I think if you consider the offers which are now before the financial adviser, if there be offers before him, that will satisfy any inquiry which Mr. Angell may seek to make.

Mr. ANGELL. What offers, if any, are actually pending for consideration at the present time, and have the terms of those offers been made public?

Mr. McILHENNY. I received three offers. One from the National City Bank which was an amendment of their first offer; one from Speyer & Co., and one from Lee, Higginson & Co. The offer of Speyer & Co. was also an amendment of their first offer. All three of these offers were communicated to the Haitian Government and the Haitian Government, after considering them, has expressed a preference for the offer of Lee, Higginson & Co. And I am in agreement with the preference as expressed.

I understand, therefore, that the other offers are rejected, and that other offers are not to be expected at this time.

Mr. ANGELL. Is the offer of Lee, Higginson & Co. to be considered as having been accepted?

Mr. McILHENNY. No; not accepted. The Lee, Higginson & Co. offer was made, I think, in the first part of November. In making it they stated that they did not make a firm commitment for an indefinite period of time, but could do so for a very short period of time; but that they understood that, if their offer was acceptable in its general specifications and in its general terms, it would be a basis for negotiation at such time as the Haitian Government determined to finally authorize the financial adviser to go forward with the definite negotiation of the loan.

Mr. HOWE. May I interrupt just a second? Has the change in the financial conditions since the time the offer was first submitted made it probable that the modifications in detail would be to the advantage or to the disadvantage of the Haitian Government?

and I may not be quite accurate. If you will permit me, I would like to revise these statements when I go over my notes.

The CHAIRMAN. Without objection, that may be done.

Mr. ANGELL. Then I will not pursue this further at this time; and you will revise your statement so as to make the amounts, the rates and the terms of the various offers accurate.

Mr. McILHENNY. Yes; or I will bring those papers here to the committee to answer definitely any further questions.

The CHAIRMAN. Well, I do not want to continue these hearings long enough to permit you to bring the papers here, or have them sent here.

Mr. HOWE. But I assume Mr. McIlhenny has the privilege of elaborating his answer, when he sends up his revised statement.

The CHAIRMAN. Yes.

Mr. McILHENNY. Yes; that is what I would like to have the privilege of doing. Then I will make all of this definite and clear, Mr. Angell.

Mr. ANGELL. Have you at the present time final authority from the Haitian Government to negotiate a loan in its behalf?

Mr. McILHENNY. No, sir.

Mr. ANGELL. Or how far does your authority go?

Mr. McILHENNY. I have no definite authority to negotiate a loan. As far as my authority is of a somewhat anomalous character. I had authority granted me in the fall of 1919, which has never been formally withdrawn.

Mr. ANGELL. Do you consider that still in effect?

Mr. McILHENNY. I do not consider that it is of such a character as to authorize me to bring a loan to a conclusion. It has been so questioned in my correspondence with the Haitian Government as to lead me to believe that do not consider that that authority is definite, but still it has never been withdrawn, as I said. I have requested, and the State Department has also requested, the Haitian Government to give me definite authority at this time to come to a conclusion in the matter of the loan, and I am waiting for that. I am hoping for it daily.

Mr. ANGELL. Upon receipt of such authority you would then proceed to negotiate with—

Mr. McILHENNY. With Lee, Higginson & Co., and try to bring my negotiations to such a satisfactory conclusion as would be approved by the Haitian Government.

Mr. ANGELL. In any event, however—

Mr. McILHENNY (interposing). In any event, however, all negotiations of final action must be referred to the Haitian Government for its approval.

Mr. ANGELL. Have you requested Brigadier General Russell, the high commissioner to Haiti, to take up this matter of the loan with the Haitian Government?

Mr. McILHENNY. Yes; I have.

Mr. ANGELL. Has there been regularly under your administration, as far as you know under the administration of your predecessor, Mr. Russell, regular accounting of receipts and of expenditures made to the Haitian Government, or made public, or has the Haitian Government all such figures in its own possession?

Mr. McILHENNY. I do not quite apprehend what you mean.

Mr. ANGELL. So far as your office is concerned, have there been made figures of receipts and expenditures?

Mr. McILHENNY. Of my office?

Mr. ANGELL. Of the Haitian Government.

Mr. McILHENNY. Of the Haitian Government? No; not as far as my office is concerned. The receiver general of customs makes a report.

Mr. ANGELL. To the Haitian Government?

Mr. McILHENNY. Yes.

Mr. ANGELL. And has he made that report each year, so far as you know?

Mr. McILHENNY. Yes, sir; each month he makes a report, and that is consolidated into—

The CHAIRMAN (interposing). Does he make a report of expenditures as well as of receipts?

Mr. McILHENNY. Of disbursements.

The CHAIRMAN. I mean of disbursements.

Mr. McILHENNY. Yes, sir.

Mr. ANGELL. Are there any disbursements made direct from your office?

cific thing, and became a part of the contract, which had been ratified between the Government and the bank. Therefore, as the Government of the United States and the financial adviser had been parties to this contract drafting and in its consideration, I felt, and the Government of the United States felt, that an obligation lay definitely upon the Haitian Government that provision in the article should be put in operation.

Mr. ANGELL. What was the date of this contract to which you have referred? Was that the contract of 1916, signed here in Washington?

Mr. McILHENNY. No; it was sanctioned by the law of May 2, 1919.

Mr. HOWE. What was article 15?

Mr. McILHENNY. Article 15 reads:

"To avoid the possibility of any monetary crisis during the period of retirement of paper money, and so long as such retirement shall be in progress the Government obligates itself to prohibit importations or exportations of the Haitian currency, except such as may be necessary for the needs of commerce in the opinion of the financial adviser."

Mr. ANGELL. That is article 15, is it?

Mr. McILHENNY. That is article 15.

Mr. HOWE. Of what?

Mr. McILHENNY. Of the monetary reform agreement, the so-called contract of retrait.

Mr. HOWE. Excuse me, Mr. Angell, that is the answer to the question I wanted at that point.

Mr. ANGELL. All right; I am waiting for you to go on, Mr. McIlhenny.

Mr. McILHENNY. As I said, I told the President that if it was understood that article 15 of the contract of retrait was to be incorporated in that law, and in its language, I would draft a law embodying the points which I raised with him.

The President agreed to this, and promised that a law having this article 15 incorporated in it would meet with his approval. I told him of the other provisions that I thought I would incorporate in the law—provisions against speculation in gourdes, and the hoarding of gourdes for speculative purposes. He said, "As to that I will not obligate myself, but I do article 15."

I therefore drafted a law and submitted it to him.

Sometime after that I received a communication from the minister of finance in which he told me that the President had referred the draft of law which he had proposed to him, and that after careful consideration by the council of ministers, it had been decided that the law was not acceptable and could not be passed.

Mr. ANGELL. By this time you were alone in July, perhaps?

Mr. McILHENNY. I should say so. Another matter, which I considered of very great importance to the Haitian Government, was the enactment of a law providing for long-term leases of public lands. This law had been drafted by me for the purpose of retaining in fee simple to the Haitian Government the title to all of its lands, instead of permitting them to be sold, and of the chief assets of the country going out of its possession for all time provided for leases for 30 years, with the right of renewal for 30 years. It was, from the standpoint of finances, a sound measure which would add materially to the income of the country. The objections advanced to the law were the control that it was proposed that the financial adviser should exercise in the drawing of the leases and in the general administration of the law. Another very important matter, which was under consideration at the time, was the approval by the Haitian Government of the modification of the bank charter, and the transfer of the bank under the modified charter to a new corporation to be organized under the Haitian law.

Mr. ANGELL. By this time the National City Bank of New York had acquired all the assets of the National Bank of Haiti, had it not?

Mr. McILHENNY. Not yet. They had approached me in New York and asked me if I would offer any objection to their purchase of the French stock of the Banque Nationale? I told them that I would not; but that before they could purchase the stock, I deemed it very necessary that the bank charter should be very materially modified, as it, in my judgment, bore too heavily upon the Haitian Government. Conferences were had in Washington with the State Department between the representatives of the National City Bank, New York, the Treasury Department, the Federal Reserve Board, the

The CHAIRMAN. Had you any reason to believe that the diplomatic representative of the Government under which this bank was chartered had made representations to the Haitian Government in the same matter?

Mr. McILHENNY. Yes, sir. I think a formal letter was written by the Haitian Government.

The CHAIRMAN. By the Haitian Government?

Mr. McILHENNY. By the Haitian Government to the minister of the United States; and I think a copy was sent to me, in which it was stated that the test had been received by the Haitian Government from the British Legation and from the French Legation.

The CHAIRMAN. You mean, then, that the diplomatic representatives of the Governments—both of them debtors to the Government of the United States—interfered, in the financial interest of banks controlled by their own nations, to obstruct the granting of the new charter to the Banque Nationale d'Haiti?

Mr. McILHENNY. Yes.

The CHAIRMAN. Well, let me say for the record that the letter of the French chargé d'affaires, under date of July 19, 1920, seems to me not very far from unfriendly to the Government of the United States as well as inimical to the interests of the Government of Haiti.

You may proceed, Mr. Angell.

Mr. Howe. If I may interrupt. I want to ask just one question on the subject which you were asking about.

The purpose of the article in the bank charter to which special objection was made was to prevent, in the future, speculation in exchange, was it not?

Mr. McILHENNY. Do you mean article 15?

Mr. Howe. Of the bank charter; yes.

Mr. McILHENNY. Article 15—

Mr. Howe (interposing). Of the new bank charter?

Mr. McILHENNY. Oh, the additional article was for the purpose of stabilizing the enactment of such legislation as would appear to be necessary to stabilize the gourde, which was the national money of Haiti.

Mr. Howe. And to put an end to that extent to the speculation in the fluctuations of the gourde?

Mr. McILHENNY. Yes.

Mr. Howe. Which fluctuations generally were to the disadvantage of the peasant agriculturists?

Mr. McILHENNY. If you will note the language of that—

The CHAIRMAN (interposing). Now, do not get into a long discussion after 1 o'clock, and we will have to recess in a moment.

Mr. McILHENNY. Yes. It is perfectly innocuous. Whether or not this legislation is necessary, or whether its discussion is necessary, lies entirely in the judgment of the Haitian Government; it is one of the most innocuous of the things I have ever known to be drafted, and we accepted it in toto for that reason.

Mr. Howe. Is it not true that in times past speculations in fluctuations of the gourde have been one source of revenue to a number of banking interests in Haiti?

Mr. McILHENNY. I have been told so. It is a common practice, not only of the banks but of the merchants in Haiti, and has been so from time immemorial.

(Thereupon, at 1.10 o'clock p. m., the committee took a recess until 1 o'clock p. m.)

AFTER RECESS.

The hearing was resumed at 2.30 o'clock p. m., pursuant to the previous recess.

#### STATEMENT OF HON. JOHN A. McILHENNY—Resumed

Mr. McILHENNY. Mr. Chairman, I just spoke informally to Mr. Angell at the hearing opened and told him that I was going to ask that in the course of the testimony I be allowed to amplify and correct my statements and show clearly the answers to the questions which have been asked me. I am away with some confusion in my mind as to the manner in which I had answered several of your questions. There was so much in the way of explanation that I was in doubt as to whether or not the question had been fully and correctly answered. I should like, when the testimony is sent to me to be corrected, to have the privilege, if you will allow me, of amplifying or modifying correctly answering the questions as stated by Mr. Angell.

to the coinage of subsidiary currency which was to be put into circulation at a future date. The Government could not issue any paper money, or nickel coin during the life of the concession.

These provisions were modified by an agreement concerning the reform of the Republic of Haiti signed at Port au Prince on April 12.

Briefly the provisions of this agreement are as follows:

The issue of bank notes is limited at present to 20,000,000 gourdes (\$4,000,000) and is not at any time to exceed three times the amount of the bank's capital. The notes are to be guaranteed not only by the cash reserve, one-third of their value but also by an additional reserve of commercial assets to cover the remainder of their value. The bank is required to increase its circulation, if necessary, to meet the demands of commerce, and is to replace any notes which become unfit for circulation through physical deterioration. The notes are to be redeemable, not only at the central office, but provided by the concession, but at the banks in provinces. A tax of 1 per cent is to be imposed on any note circulation in excess of 10,000,000 gourdes (\$2,000,000). The financial adviser is to have supervision over the issue of the Government's paper money and over the maintenance of the bank against the bank's circulation.

2. *Undesirable provisions governing compensation for treasury service.* By articles 14, 15, and 17 of the original concession the bank was made the depository of the Government funds and, further, made all payments for the Government, both at home and abroad, including payments on the public debt. For this service the concession permitted the bank to collect a commission of 1 per cent on each sum deposited and one-half of 1 per cent on each amount paid out, with an additional commission of one-half of 1 per cent on payments to foreign countries. These privileges had been revoked by the Haitian Government prior to the American intervention, but by the agreement of July 10 the treasury service was restored to the bank after the American intervention with the elimination, however, of the commission on payments abroad and the further provision that the bank should receive no commission on loans and only one-fourth of 1 per cent on payments of sums derived from loans. In normal times the commissions thus collected amounted to more than \$100,000 a year. The department considered this sum an excessive amount for such services, especially in view of the fact that the bank benefited greatly by reason of large deposits of Government funds. In addition, the department considered that after Haiti's existing debts were refunded the treasury service would be greatly simplified, once the present system of "affectations" were abolished. The system of "affectations" a portion of each revenue is pledged to the payment of two or three debts. As each payment is received by the bank a certain percentage has to be applied to one account, another portion to another, and so on. The Government's accounts thus require a tremendous amount of bookkeeping. Once this cumbersome system is abolished and the new loan floated the work of the bank in connection with the treasury service will be exceedingly reduced. Accordingly the bank accepted the department's modification of the concession in regard to the compensation for treasury service as follows:

1. The commissions collected by the national bank for the treasury service as provided in article 17 of the concession and article 5 of the agreement of July 10, 1916, shall be abolished.

2. In lieu of these commissions the bank shall receive payment on account of the treasury service at the following rate: When the total receipts of the Government in a given fiscal year amount to \$6,000,000 the bank shall receive a commission of \$68,000 dollars. For each additional \$1,000,000 of the Government's income the bank shall receive an additional \$10,000 dollars, and if the income of the Government is less than \$6,000,000 the commission received by the bank shall be decreased at the rate of \$10,000 for each million dollars which the Government's income is less than \$6,000,000. In no fiscal year, however, shall the payment to the bank on account of the treasury service be less than the sum of \$100,000.

3. *Modification covering interest on Government credit balances.*—In terms of the original concession the bank allowed the Government an interest on its credit balances. This feature of the concession was so obviously a source of modification that the following article was agreed to by the bank without discussion:

3. The National Bank of Haiti agrees to allow the Government interest on its credit balances, whether in gold or in gourdes, at the current rate of

7. The financial adviser shall at all times have the right to inspect operations of the bank and to call for such reports from the bank as he may deem necessary.

8. If the stock of the National Bank of Haiti should at any time be sold by the National City Bank, the National City Bank agrees that the Government of Haiti shall have a preferential right to purchase the stock of the National Bank of Haiti at the same price which may be offered by any other bona fide purchaser.

9. The above provisions supersede all contrary provisions in the contract. It is understood that the prohibitions of article 13 of the contract as to the issue by the Government of fiduciary and nickel money shall be subject to fractional currency issued in accordance with the provisions herein.

In addition to the nine modifications agreed upon by the bank and the officials of the department, an additional amendment was submitted to the bank which has been the subject of considerable controversy, and has been an important factor in holding up the negotiation for the transfer of the bank charter. The bank claimed that one of the greatest privileges of the original bank concession is the clause vesting the sole right of issue in the National Bank of Haiti. Having yielded to the department's modification of the original concession in the interest of the Haitian people, the National City Bank officials stood firmly for the protection of this valuable right in order to protect this privilege the following amendment (article 10 of the bank modifications) was insisted upon by the bank and agreed to by the Government of State. The amendment reads as follows:

"After the expiration of the period set by the currency reform agreement for the retirement of the Government paper money, the Government will adopt such regulations affecting the importation of foreign currency as may be necessary to safeguard the currency system of the Republic of Haiti. The financial adviser will consult with the bank upon such measures as may be deemed necessary."

It will be noted that this amendment is similar to article 15 of the Haiti currency agreement (also called the retrait), which has become a law of Haiti. This exception is to be noted: That the provisions of article 10 of the bank modifications are far less reaching in their scope than the provisions of article 15 of the retrait, which is in fact a law. Article 15 of the retrait reads as follows:

"To avoid the possibility of any currency crisis during the period of retirement of Government paper money, and as long as such retirement shall be in process, the Government obligates itself to prohibit importation and exportation of non-Haitian currency, except such as may be necessary to meet the requirements of commerce in the judgment of the financial adviser."

Article 15 of the contract of the retrait obligates the Haitian Government to prohibit importation and exportation of non-Haitian currency except such as may be necessary to meet the requirements of commerce, in the judgment of the financial adviser. Article 10 of the bank modifications merely places the obligation on the Government to adopt such regulations affecting the importation of foreign currency as may appear necessary to safeguard the currency system of the Republic of Haiti.

As a matter of fact, the basic idea underlying both articles was to prevent speculation in gourdes, which has been the curse of Haitian prosperity. The speculation was carried on by high Government officials and by the bank, so that the value of the Haitian gourde was at all times in a state of constant fluctuation. Secondly, it has been fairly well established that the state of unskilled labor in Haiti and the living conditions of the laborer would justify the placing of Haiti upon a dollar basis instead of having the gourde as the unit. Nevertheless, in spite of the fact that article 15 of the retrait has become an enactment of law, the Haitian Government absolutely refused to put it into force, and further, made the American dollar legal tender throughout the island. This is in violation of the bank's contract, giving the bank the privilege, the sole bank of issue, and further ignores the fact that the gourde has been established by repeated laws as the legal tender money of the Republic. Finally, it is in contravention to the terms of the contract of the retrait that was enacted into law, which made the definite bills of the bank legal tender money of the Republic.

On the one hand, those opposed to any restriction of entry of American currency claim that free entry would serve as a check upon the bank and enable the bank to keep its notes in plentiful supply for the convenience of the

financial adviser. This contention is supported by protests from the American and French legations in Haiti, from the Royal Bank of Canada, the American Foreign Banking Corporation (which later withdrew from Haiti and turned over its business to the Royal Bank of Canada), and from business houses.

The protests referred to above were made prior to any consultation with the Governments and institutions protesting with the financial adviser, and entirely under a misapprehension as to the method of application of the restraint upon the importation and exportation of foreign moneys, it being erroneously held that the restraint to be established would be a monopoly in favor of the National Bank of Haiti in the handling of foreign moneys. It appears from consideration of article 15 of the retraits that it would be impossible to establish such a monopoly, proper application of that article, as the article applies to all importations and exportations of foreign moneys and places the control of such imports and exportations entirely within the hands of the financial adviser, only to the requirement that such importations and exportations of foreign moneys shall be allowed only as may be necessary to meet the requirements of commerce, and makes no exception in favor of the National Bank of Haiti.

The currency in Haiti has been in a notoriously bad condition for many years. To remedy this the currency reform agreement entered into between the United States Government and the National Bank of Haiti and approved by the President of the United States became an enactment of Haitian law. The basic idea of the reform agreement contemplates an issue by the National Bank of Haiti of twenty million gourdes to replace the Government paper money, and to make the gourde the sole legal tender at a fixed rate of 5 gourdes to \$1. This about, article 15 of the contract of the retraits was adopted, but put into effect by the Haitian Government, which agreed to it. It was formulated in favor of or against any bank, but as a safeguard to the people, primarily to prevent the speculation in exchange, formerly preeminently profitable to banks and Government officials, as it was open to commerce, except to merchants conducting banking operations. The retention of the Royal Bank of Canada, and of other banks and commercial houses in Haiti, that this article was detrimental to their interests is primarily to the fact that its terms would prevent speculation in gourdes. The terms of article 10 of the modifications of the bank charter coincide in extent with article 15 of the retraits, the terms are made purposefully reaching.

Mr. McILHENNY. I think I covered the law relative to the leasing of land.

Mr. HOWE. Was the law which you mentioned relative to the seizure of German property one which you desired to have repealed or one which you desired enacted?

Mr. McILHENNY. I desired to have it repealed. The Haitian Government sequestered the property of all alien enemies. The sequestered property has been in the custody of two sequestrators appointed by the President, one of whom was the receiver general of customs, and the other the manager of the Banque Nationale de Republique d'Haiti. The law authorizing the sequestration and administration of sequestered property provided that the sequestrators should be subject to the approval of the minister of justice. The sequestrators found that they were unable to carry out the plain purpose of the law, which was the sale of the property, because of the attitude assumed by the minister of justice.

The CHAIRMAN. Who was he?

Mr. McILHENNY. Monsieur Benoit. I have no proof of what actual attitude the minister of justice took in his attitude, but it was openly stated that he was approached by the Germans whose property had been sequestered, and that he had been granted a heavy fee for restraining the action of the sequestrators. I took the matter up with the President, and he assured me that he was in full accord with my proposal that the sequestrators be authorized to sell the property, to liquidate the property immediately. But we never got any action. It was impossible to do so.

About this time they fought off all action, first by one device and then by another, until this time was reached when to my great astonishment I passed ordering the sequestrators to return all of the sequestered property to the Germans.

Mr. HOWE. Did that law have the approval of the American minister?

Mr. McILHENNY. It did not.

Mr. McILHENNY. I was working up to the point of showing why they were so important as to warrant my action. That is the only thing I can amplify that in a memorandum and go right on to a plain statement.

The CHAIRMAN. No; if it will not take you too long.

Mr. McILHENNY. I will, however, amplify my statements as to the Minister of Finance.

These measures which are deemed necessary of enactment by the Government and those laws which it seemed to me necessary they should have already been referred by me to the State Department and had been discussed by me with the responsible officers of that department, and then with me that certain of them should be repealed and certain others should be enacted for the welfare of the Haitian people. Therefore, when I came to Haiti I came with a mind well established as to what I as the Government of Haiti to do, and I proceeded to open negotiations with them to bring about the result.

As I stated some time ago, in my first interview with the President he was entirely agreeable to doing all that I asked. At the interview with him was the minister to Haiti, Mr. Bailly-Blanchard. When I left I was assured as to the attitude of the President that I sent a cable at once to the State Department advising them that those things which they thought should have been done were acceptable to the President, and that there would be no delay in putting them through.

I had no sooner got the cable off than the Minister of Foreign Affairs came to the minister, he said, to notify him officially that in the interview which had been granted by the President to the minister and to me, and in the conversation made by the President to us that these things would be accomplished. The President had spoken not as the President of the Republic, but solely in his capacity, and that, therefore, he wished us to understand there was no objection.

The CHAIRMAN. Who said this?

Mr. McILHENNY. This was the Minister of Foreign Affairs.

Mr. ANGELL. He said this to Mr. Bailly-Blanchard?

Mr. McILHENNY. Yes.

Mr. ANGELL. Were you present?

Mr. McILHENNY. No; I was not; but he handed me a note. There was passed at the same time.

Mr. ANGELL. To this same effect?

Mr. McILHENNY. I think virtually to that effect. I can not give the words.

The minister called to see the President then and sought to persuade him to stand by his former promise, but he was not successful. He promised to do what I had asked him to do with reservations, but declined to do it in part. We were in constant communication with him and constant contact with him, and I sought to persuade him by every means in my power.

Then we came to the point where I found I was getting nowhere, that I could accomplish nothing, that I was simply pleading to an opposition which would not yield, and then denied the yield, and then yielded again and denied that I was taking no action at all. I suspended the consideration of the Budget and turned their attention in a perfectly definite and final way that these matters had been put to them were not trivial matters but matters of great importance to their country, and that it was the settled opinion of myself and the State Department advising me, that they should be enacted.

These negotiations continued through into August when I found in spite of my best efforts, I was getting nowhere. I then determined to rest and to take further action. The treaty between the Government of the United States and the Government of Haiti provided in our Article 10 as follows:

"All sums collected and received by the receiver general shall be applied, first, to the payment of the salaries and allowances of the receiver general, his assistants and employees, and expenses of the receivership, including the salary and expenses of the financial adviser, which salaries will be determined by previous agreement; second, to the interest and sinking fund of the debt of the Republic of Haiti; and, third, to the maintenance of the treasury, referred to in Article X; and, then, the remainder to the Haitian Government for the purposes of current expenses."

Shortly after the American occupation in Haiti the war was on and it was demonstrated that the income of the country could not support the service of the public debt and support the Government at the same time. Just at the time of the American intervention the Haitian Government had very comp-

I recommended not that it be done in such a way as to be a serious detriment to the people of Haiti. There were certain services upon the welfare of the people seriously depended—the public utilities, the water service of the cities of Port au Prince, Cape Haitien, and Aux Cayes, maintenance of the electric-light system, the maintenance of sanitation, maintenance of the general public works, which employed a great mass of Haitians and were civilizing the country more rapidly than the function of the Government. There are several thousands of men running up to bureau chiefs, spread out all through the machinery of the Government of Haiti. These people receive small salaries and are entirely dependent on those salaries. I did not want to stop the whole machinery of the Government, but I wanted to call to the attention of the Government the fact that there was an entire cessation of cooperation with those who were appointed under the treaty and had a right to advise.

The CHAIRMAN. This was about what date?

Mr. McILHENNY. This was in August, 1920. Under this interpretation of the treaty I recommended that the salaries of the President, his cabinet, the council and the principal executive officers of the State be suspended when this was done.

The CHAIRMAN. You did that upon the theory that it was within the provision of this Government to determine what provisions of the treaty were binding and in what measure they were binding upon both Governments?

Mr. McILHENNY. Yes, sir. If I understand your question, I am answering it, sir. Here is a direct admonition—I mean to the General Revenue Commissioners—

The CHAIRMAN. No. Our Government exercised a discretion, not vested by the terms of the treaty, to determine what clauses of the treaty were enforced at any given time and the degree in which they should be enforced. Our Government, let us say, suspended, or assented to the suspension of Article V of the treaty?

Mr. McILHENNY. Yes.

The CHAIRMAN. It has no right under the treaty to do that?

Mr. McILHENNY. As a party it has a right to do it, has it not?

The CHAIRMAN. Not without the consent of the Haitian Government.

Mr. McILHENNY. I should think so, as the obligation lies with the Haitian Government to do this, that, or the other. Moreover, this suspension of Article V was certainly with the full consent of the Haitian Government and with hearty approval. Had the treaty been literally applied, there would have been no funds with which to maintain the Haitian Government and it would have simply disappeared, leaving the American military forces the only authority in the country.

The CHAIRMAN. I am interested to have your view. Let me ask you a question. Has our Government by its failure to carry out any of the provisions of the treaty, implicit and explicit, provoked the Haitian Government to a like recalcitrancy or failure?

Mr. McILHENNY. Not that I know of.

The CHAIRMAN. The Haitians had no reason to be disappointed in which the United States had played in Haiti under the treaty?

Mr. McILHENNY. Not that I know of. The obligations of the United States under the treaty to the best of my knowledge and belief have been carried to the ultimate ability of this Government with the means which were in its hand.

I desire in this connection to call attention to a letter of the Secretary of State of the United States, dated October 10, 1919, published in full in Nos. 175-177 of the Haitian "Documents Diplomatiques," answering various complaints by the Haitian Government of nonfulfillment of the purposes of the treaty, in which this is attributed to the constantly obstructive attitude of the Haitian Government and their frequent failure to cooperate with the measures proposed by the representatives of the United States in Haiti.

Senator POMERENE. Let me ask you this in that connection. I have not read the treaty, but I do not have all its provisions in my mind. There are certain stipulations to be performed by Haiti, and there are certain stipulations to be performed by the United States. As I recall, there is no penalty either against Haiti for nonperformance or against the United States for nonperformance.

Mr. McILHENNY. None that I can construe as a penalty clause, sir.

what my thought is. Of course you would have had to pay them out of public or Haitian funds, and if they had been paid would she have been further short on her other obligations?

Mr. McILHENNY. Yes. When I say "Yes," what I mean is this: That certain indebtednesses of the Haitian Government whose service I had not taken at all. There was a note to the Banque Nationale for virtually \$200,000 on which I was paying interest, but I had set aside no funds for same. There was a debt of \$1,400,000 due for back interest on the French bonds of the National Railroad of Haiti. There was the entire service of the exterior debt, for which no provision had been made. A strict interpretation of the treaty provides that these debts shall be served, and shall be served, and then what moneys are left after the service of the debts of Haiti, the moneys remaining shall be used for the budgetary needs of the Republic. There would not have been a sou marquee for the budgetary needs of the country if I had served properly and fully the debts of the Republic.

Senator POMERENE. Put it still another way. If you had served the debt as the laws of Haiti required, then you would not have been able to pay such portions of the salaries of the President and his cabinet as you did pay?

Mr. McILHENNY. No.

Senator POMERENE. Nor others either?

Mr. McILHENNY. Nor others either.

Senator POMERENE. And even the subordinate employees of the Government would not have been paid?

Mr. McILHENNY. None of them.

Senator POMERENE. None?

The CHAIRMAN. How long a period did this suspension of salaries of the President and cabinet last?

Mr. McILHENNY. About three months.

The CHAIRMAN. Why was the payment of the salaries resumed?

Mr. McILHENNY. Because the Government of the United States took the matter with the President of the Republic, and told him that if a settlement could be reached with him by which he would undertake to carry out what I had laid before him they would then waive the carrying out of the strict provision of the treaty and the salaries of himself and his cabinet be paid.

The CHAIRMAN. Did he agree to carry out the program?

Mr. McILHENNY. He did.

The CHAIRMAN. Did he carry out the program?

Mr. McILHENNY. He did not in any particular. The matter stands to-day as it was then.

The CHAIRMAN. In connection with these measures, did the financial adviser or the American minister, have cognizance of the enactment or the revocation of any of them at the time that the legislative council of state acted?

Mr. McILHENNY. Upon these measures? Yes.

The CHAIRMAN. Was objection made at the time?

Mr. McILHENNY. Yes. There is a law here [indicating in book] which we have objected to seriously—

The CHAIRMAN (interposing). Well, I am speaking in general terms.

Mr. McILHENNY. Well, I am giving you an instance.

The CHAIRMAN. In which Mr. Bailly-Blanchard filed his protest at the time?

Mr. McILHENNY. Yes. There is a provision of the treaty that no law could be passed reducing the customs revenues of the Republic of Haiti without the approval of the President of the United States.

Mr. ANGELL. That is article 9.

Mr. McILHENNY. That is perfectly plain and perfectly simple. This is the law which I speak here as the "Customs duties on automobiles" was submitted to the Receiver General of Customs. The suggestion was a certain resolution which is not pertinent, but which he did not agree to, but which he read and then gave his approval to the law as it stood. They never submitted it to the minister. They enacted it, not with the amendment of the receiver general of customs, but as they had first submitted it to him, and the minister at once protested, before its promulgation, I think, to the President, urging him not to promulgate it.

Nevertheless, it was promulgated, and then he served notice on the financial adviser and the receiver general of customs that this law was to be considered as nonoperative, having been enacted in violation of the treaty.



of the Haitian "Documents Diplomatiques," from which also emanate the following:

"The Third Assistant Secretary of State also said that the Department of State, basing its opinion only upon information now at its disposal, and that the financial adviser was acting for the best interests of the Haitian public."

(2) A note verbale of the American minister to Haiti to the President of Haiti, by instruction of the Secretary of State of the United States, August 19, 1920, and published in full on pages 79-81 of the document mentioned, from which I quote the following:

"The Government of the United States deeply regrets the course which impelled the American minister to take this grave step. The President of Haiti will recall that the treaty of September 16, 1915, between the United States and Haiti, was concluded with the purpose of confirming the existing relations between the two Governments by the most cordial cooperation in the management of the condition of the revenues and the finances of Haiti, in order to secure the tranquillity of the Republic, and in carrying out plans for the development and prosperity of Haiti and its people.

"The objects desired can only be obtained, the President of Haiti will readily appreciate, by the close cooperation between the two countries. Cooperation, which, for a considerable period happily existed heretofore, recently unfortunately been lacking and the American officials whose duties are provided for in the treaty have encountered in the fulfillment of their duty, not only opposition on the part of the Haitian Government, but also a deliberate disregard of the provisions of an agreement growing out of the treaty which was solemnly entered into by both Governments.

"During the period when cooperation between the two Governments in carrying out of purposes of the treaty fortunately continued, the President of Haiti will recall that the Government of the United States, which terms of the treaty, has undertaken the reorganization of Haitian finances in order to enable Haiti to liquidate fully her debts, did not insist upon a compliance with the requirement of article 5 of the said treaty, but gave priority to the payment of the current expenses of the Government of Haiti over the payment of the amortization and interest of the Haitian debt. In action the President of Haiti will realize can only be undertaken with the Government of the United States and the Government of Haiti are in full accord as to render it possible carrying into effect the objects of the treaty.

"The Government of the United States has regretfully been forced to the conclusion that these purposes are at present impossible of attainment on account of the recent and marked change in the attitude of the Haitian Government. The Government of the United States had therefore been obliged to take steps to provide for a strict observance of the terms of article 5 of the treaty of September 16, 1915, until such time as the Haitian Government shall evidence its desire once more to cooperate with the American officials in the carrying out of the allies and objects of the treaty."

(3) A memorandum handed to the President of Haiti on January 6, 1921, by the American minister, by direction of the Secretary of State of the United States, published on pages 166-167 of the same document, from which I quote the following:

"In this connection the American minister is directed to inform His Excellency the President that it is evident to the Department of State that misunderstandings have arisen as the result of which friction has developed, but the Department of State is by no means certain that the fault for these affairs is due to any unjustifiable action on the part of Mr. McIlhenny. The Department of State is confident that the sole interest of Mr. McIlhenny during the period of his services as financial adviser has been to secure by all means within his power to the welfare of the people of Haiti and the honest functioning of the Government of Haiti, and that the Department of State believes that it should be a cause for gratification to the people of Haiti that Mr. McIlhenny has been able to accomplish as much as he has accomplished in the face of the determined and bitter opposition which he has unfortunately encountered on the part of certain members of the Government of Haiti.

"The American minister is directed to state further that the Department of State has every confidence in the judgment and integrity of Mr. McIlhenny.

Senator POMERENE. Is it your claim, Mr. Angell, that there is any part of that debt which is not a valid, bona fide debt?

Mr. ANGELL. Oh, I make no claim at all; no, sir. I have no perspective as to any of the details of the validity or otherwise of the interest. I know nothing about it, and have no suggestion of any such nature regarding the foreign debt, certainly.

Senator POMERENE. Well, I take it that whatever debt there is, whether bona fide or spurious, is the debt of the Haitian Government and its officers.

Mr. ANGELL. Certainly. What I had in mind as much as anything else, was prompted by what Mr. McIlhenny was saying this morning. I believe it was, as to the allowance of certain of these *bons du tresor*—not the sums represented by their face value had actually reached the treasury in the days preceding the occupation, and I took it from you in that connection that you took it that there was some doubt as to the validity of some of those claims against the Government—claims which may be for nominal purposes, at least, under the heading of "internal debts."

Mr. MCILHENNY. There is no doubt but what the treaty looks to the adviser there. In the first place, for an investigation of the indebtedness of the country. But such an undertaking is entirely too much for any one man to undertake. And when it came to the writing of the protocol it was there that all of these claims should go before a properly constituted tribunal, men, who would be authorized by law to adjudicate the claims and to determine how much should be paid in bonds and how much should be paid in cash, those recognized as valid against the State.

Senator POMERENE. Now, Mr. McIlhenny, can you give us an idea of the number of those claims?

Mr. MCILHENNY. Yes, sir; I have that, Senator; that has all been done and already put in the record.

Senator POMERENE. Well, if it is in the record, that is all right. I have forgotten about that fact. But I think it would illuminate the statement I have just made.

Mr. MCILHENNY. Yes, sir.

Senator POMERENE. You would have just as many lawsuits there, just as many as you have claims?

Mr. MCILHENNY. You mean the value of them, do you not?

Senator POMERENE. No; I mean the number of them, as well, because the matter of lawsuits, if you had one claim of \$1,000,000, you would have one lawsuit; but if you have a thousand claims of \$1,000 each, you would have a thousand lawsuits. I am trying to point out the enormity of the task we were asked about.

Mr. MCILHENNY. Yes, sir; I should like to refer to the schedule of claims. Here, Senator [indicating], are 230 pages.

Senator POMERENE. Of claims?

Mr. MCILHENNY. Of claims.

Senator ODDIE. And about how many to a page?

Mr. HOWE. Between 45 and 50 to a page.

Senator ODDIE. That would be over 10,000 claims.

Senator POMERENE. You would have to live to be as old as Methuselah to live to adjudicate all of those claims.

Mr. MCILHENNY. That is only a part. That is a report of one of the Fequiere commission. Now, the Sambour commission, which has done a much more interesting and difficult job to perform, I think, completed about eight years ago, about 1914; and it had twice that number of claims.

Mr. ANGELL. I do not find, in looking over my notes of your direct testimony, Mr. McIlhenny, that you said anything specific, one way or the other, about the interest payments on the three foreign loans, of 1875, 1886, and 1896, immediately prior to the occupation of July, 1915. Had those interest payments been met?

Mr. MCILHENNY. I have a memorandum there covering those payments already in my testimony. The Haitian Government was indebted to the *de l'Union Parisienne* in a small sum, advanced by that bank to meet interest coupons maturing May 8, 1915, on the loan of 1910.

Mr. ANGELL. Am I correct in understanding, then, that the interest had not been met up to the time of the occupation?

Mr. MCILHENNY. You are.

Mr. HOWE. May I interrupt there to ask if, back in the years around there—Professor Kelsey, in his report, mentions delayed pay-

Mr. HOWE. You mean practically decomposed?

Mr. McILHENNY. Absolutely. The Banque Nationale had 3,000,000 in a vault, and they insisted that, as I was financial adviser, I should go to the vault and review those notes. I escaped with my life, and that was all.

Mr. ANGELL. I have no further questions, Mr. Chairman.

Mr. HOWE. I have two or three questions that I would like to ask.

Mr. McIlhenny, Mr. Angel questioned you as to the amount of your per diem allowance for each day of your presence in the United States. I think you said you received \$15 a day for each day you were in the States?

Mr. McILHENNY. Yes.

Mr. HOWE. And you also said, in reply to Mr. Angel's questions, that you have not been in Haiti since October, 1920, and that you can not at the present time fix the date of your return with any accuracy?

Mr. McILHENNY. Yes.

Mr. HOWE. I want to ask you how your actual expenses here compare with this allowance of \$15; I want to ask you whether you are financially better off here with your expenses, in the United States, receiving \$15 a day or in Haiti without that \$15 a day?

And when I ask you that question, I want to apologize for its personal nature, as I have no curiosity about your financial status. But I do want to have you supplement your answer that you gave to Mr. Angel in commenting on it, because an inference might be drawn by one reading part of the record that it was to your financial interest to prolong your stay here. I do not know whether or not that is the case, but I would like you to answer that.

Mr. McILHENNY. I would like to answer that question with a little explanation, Mr. Howe: When I was called to the United States by the State Department I had no idea that I should be in the United States more than two or three weeks. I brought my family, principally to do Christmas shopping, and I made all of the arrangements and invited my guests for a Thanksgiving dinner in Haiti. I left Admiral Knapp in my house, to occupy it in my absence, because I left everything—servants, silver, and everything else. I have been out of Haiti I have maintained my corps of servants and maintained my household ready to step into the house to-morrow at considerable expense. I have a stable of horses; I have a corps of servants—there are four servants; one of them died from smallpox. And I have been ready at any moment to go back to Haiti and live my comfortable life there.

Mr. HOWE. Your stay here has been so indeterminate in its length that you have been unable to close your house or dispose of your stable?

Mr. McILHENNY. Yes; it has been impossible for me to say when I would go back to Haiti at any time. It has been quite possible that I would go from month to month. The cost of my living in the United States, in Washington, has been several times what it would be in Haiti—certainly. By reason of my not knowing when I would return to Haiti it has been impossible for me to have a house of my own. I have been obliged to live in a hotel. That has added greatly to my cost of living. My salary, with my allowance, is scarcely adequate to maintain me here in Washington. It has been a serious hardship, rather than a boon, for me to be here.

Mr. HOWE. When the minister from the United States to Haiti and Admiral Knapp took up their negotiations with the President of Haiti they did so under the administration of a successor to the Secretary of State in Washington who gave you your instructions?

Mr. McILHENNY. Yes.

Mr. HOWE. It was a different Secretary of State?

Mr. McILHENNY. Entirely so. Mr. Lansing had gone out of office and Mr. Colby had come into office. Doctor Rowe, who was the Chief of the American Division of the State Department, and who had knowledge of the possibility of my holding up the salaries of the President and his cabinet, had left the Latin American Division of the State Department, and Mr. Welles had succeeded him, and he had no such knowledge. All of the work in the State Department who had been connected with the Haitian affairs had gone out of the State Department and there was an entirely new personnel in the Division of Latin American Affairs connected with Haitian affairs at that time.

Mr. HOWE. And that change in personnel had taken place during the time of your absence in Haiti?

To realize this desire, expenses having to be made conformably to and within the limits of credits regularly voted, I have the honor to assure you that to your excellency that it is understood that all payments for the services of the Haitian Government shall be made with the advice of the financial adviser and that, to this end, every warrant of payment addressed to the receiver or to the National Bank of the Republic of Haiti will be first submitted to the financial adviser and will not be paid without his visa.

Please accept, Mr. Minister, the assurances of my high consideration  
(C. H.)

H. E. A. BAILLY-BLANCHARD,  
*Envoy Extraordinary and Minister Plenipotentiary  
of the United States of America. Port au Prince.*

Mr. HOWE. Both of those notes have been referred to to-day.

There is just one other question: In mentioning the note of August 20, I gathered from the questions and your answers that that note stated a requirement by which new Haitian laws were to be submitted to the American minister in advance of being submitted to the council for the American minister's approval. As I read the French version, it would appear that projects of law were to be presented to our minister for his consideration, if necessary, for discussion. But I do not see anything about approval. Matter of fact, how did that work out?

Mr. McILHENNY. It has always been held by the minister and by the department that it was approval prior to legislative action.

Mr. HOWE. Yes. I think if there is an English version of that in the Department it is very desirable to have both that and the French version. The Blue Book included in the record.

Has that provision, outlined in the note of August 24, 1918, since then been a part of Haitian law?

Mr. McILHENNY. No.

Mr. HOWE. No more than by the note itself?

Mr. McILHENNY. By the note itself. I understand that before this series of notes was effected the American minister, by direction of the Secretary of State of the United States, informed the Haitian Government that the requirement of the United States considered that the execution of the understanding on legislation entails that no action should be taken by the Haitian Government on the proposed legislation communicated to the legation until the United States has informed the Haitian Government that the Government of the United States perceives no objection to the proposed legislation.

I should add that the note itself was supplemented by later less formal agreements, none the less binding agreements upon the part of the President of the United States which have been repeatedly disregarded, and that the position of the United States with respect to this agreement on the enactment of legislation was set forth in the following extract from a note of the Acting Secretary of State dated of September 27, 1920, to the Haitian minister to the United States published on pages 20-22 of the Haitian "Documents Diplomatiques":

"The department is, however, surprised to find no mention made in the communication under acknowledgment of further negotiations between the American Legation in Haiti and the Haitian Government regarding the treaty in which the original agreement of August 24, 1918, should be carried out. The Haitian Government will doubtless recall that difficulties arose as to the interpretation of this agreement, and that the American Legation found that the Haitian Government did not coincide in the opinion of the legation in order to attain the aims of the treaty and in order to make close cooperation between the two Governments practicable it was paramount that all proposed legislation of whatever character be communicated to the legation before its submission to the legislative body. The American minister moreover informed the Haitian Minister of Foreign Affairs that, in his opinion, the agreement of August 24, 1918, covered all proposed legislation, and that a project of law communicated to the legation in accordance with this agreement did not bear upon any of the objects of the treaty it would immediately be returned by the American Legation to the Haitian Minister of Foreign Affairs with a statement that the legation saw no objection to it, while if the project were not contrary to the terms of the treaty, but contained some objectionable features, in the opinion of the American Legation, the American minister would inform the Haitian Minister of Foreign Affairs could doubtless come to an understanding for their removal.



#### IV INQUIRY INTO OCCUPATION OF HAITI AND SANTO DOMIN

5. We strongly urge in regard to Haiti:

(a) That effective steps be taken at once by our Government to insure the relation between Haiti and this country be based upon the free action of a properly constituted Government of the smaller nation, and upon an agreement which defines what the stronger nation may and may not do, giving needed help in stabilizing their Government.

(b) That our American Government in cooperation with the properly constituted Government of Haiti enter upon such administrative measures which will lead to the strengthening of finances, the improvement of sanitation, public health and public works, the promotion of education and the improvement of the people and their Government.

(c) That complete administrative independence be reestablished as just as soon as possible.

(d) And that this general policy, be immediately avowed.

SIDNEY L. GULICK.  
ARTHUR R. GRAY.  
GEORGE E. HAYES.

*For the Federal Council of the Churches of Christ in America*

MRS. F. S. BENNETT  
D. D. FORSYTH,  
GEORGE RICE HOVY.

*For the Home Missions Council*

L. C. BARNES,  
A. EDWIN KESWICK,  
S. G. INMAN.

*For the Committee on Cooperation in Latin America*

Mr. ANGELL. You have been a member of the council of state of Haiti.

Mr. HUDICOURT. Yes; I have been.

Mr. ANGELL. You are not a member now?

Mr. HUDICOURT. No; I am not.

Mr. ANGELL. Have you ever held any elective office in Haiti?

Mr. HUDICOURT. Never.

Mr. ANGELL. Have you ever been a candidate for any elective office?

Mr. HUDICOURT. Never.

Mr. ANGELL. You are not now a candidate for any elective office?

Mr. HUDICOURT. No, sir; I am not.

Mr. ANGELL. Are you a member of the Union Patriotique?

Mr. HUDICOURT. No, sir.

Mr. ANGELL. Have you ever been a member?

Mr. HUDICOURT. Never.

Mr. ANGELL. You have come to this country voluntarily and at your own expense to testify before this committee?

Mr. HUDICOURT. I have come up to this country voluntarily and at my own expense to testify before the committee.

Mr. ANGELL. Were you sent here, officially or unofficially, by the Union Patriotique?

Mr. HUDICOURT. No, sir. When in Port au Prince some members of the Union Patriotique learned that I had planned to come to the United States. I was offered money. I refused because I intended to be completely free of any kind of tie.

Mr. ANGELL. Now I suggest, Mr. Hudicourt, that you give in very brief lines the subjects on which you would like to testify or to be interrogated before the committee.

The CHAIRMAN. Let me ask, before Mr. Hudicourt proceeds to give his testimony, when did counsel, Mr. Angell, first communicate to Mr. Hudicourt when did Mr. Hudicourt first communicate to Mr. Angell relative to this journey?

Mr. ANGELL. I can answer that, if I may. I can not give the exact date, but approximately, I sent a letter to Mr. Hudicourt toward the end of 1915 after the committee and ourselves had left Haiti, from Santo Domingo. I called Mr. Hudicourt if he, as an independent Haitian, would care to come to the United States and testify, and to that letter Mr. Hudicourt replied later, I think by mail, that he would come in New York, that he would come. Now, returning to my question, I suggest that Mr. Hudicourt give the committee just the outline on the subjects on which he would like to make comment.

Mr. HUDICOURT. But I would be glad to testify under oath.

The CHAIRMAN. The committee does not make that request, but it is a suggestion to your doing so if you prefer.

(Oath was thereupon administered.)

Mr. HUDICOURT. I want to testify first upon the subject of the political situation in Haiti in relation to the treaty of 1915. I have to say that these matters are one of the things concerning Haiti and the matters submitted to the committee, and especially I have to protest on behalf of Haiti against the ways and means used by this committee in regard to the testimony received. I read all the testimony published in the official report. I never saw that any witness had testified under oath, although in the testimony received in Port au Prince—I speak of Port au Prince because that was what took place—all the Haitian witnesses testified under oath.

The CHAIRMAN. Let me interrupt, for the information of the committee, to say that it was at the suggestion of Mr. Pilkington, called by Mr. Angell, to testify, that the committee administered the oath in Haiti. Mr. Pilkington, presumably coming as a witness called by Mr. Angell, and familiar with the practice or the customs in Haiti, it was upon his suggestion that the witnesses in Port au Prince were asked to testify under oath. I may add that Mr. Pilkington and others were insistent that pains, and especial pains, should be taken to inform the witnesses that they would be under no duress as regards their testimony, and that, conversely, their responsibility as witnesses should be to be stressed. Here, that question was not raised at all.

Mr. HUDICOURT. Yes; but before Mr. Pilkington, the committee received testimony from a great many American citizens, but they were not sworn under oath. That makes a difference, because as I am testifying under oath it seems to me that I am in a privileged situation, a privilege not from law, because I think that the special committee of the Senate

The CHAIRMAN. Yes. You mean, Mr. Hudicourt, that McDonald was first, not independently, but as the agent of the bank?

Mr. HUDICOURT. I do not know of any contract between McDonald's and the National City Bank, but it was a common rumor in Haiti.

Senator POMERENE. Current information, you mean?

Mr. HUDICOURT. Yes; current information in Haiti, throughout all the steps would be taken by the City National Bank or by the City National Bank's associates.

The CHAIRMAN. Proceed.

Mr. HUDICOURT. In 1909, when there was a question of revising the convention between Haiti and the parent National Bank of Haiti, the *Banque Nationale d'Haïti*, we knew that the American representative, Doctor Furniss, sent to the Government a memorandum against the new convention between Haiti and that bank.

Senator POMERENE. What was Mr. McDonald's first name, his first name? Can you give it?

Mr. HUDICOURT. No. Everybody knows McDonald in Haiti, but I do not know you that.

The CHAIRMAN. He was a New York contractor, was he not?

Mr. HUDICOURT. Yes, sir.

Mr. ANGELL. Yes, sir. His first name was James. I will find the initial for you.

Senator POMERENE. Was he the same McDonald who was connected with the subways in New York?

Mr. ANGELL. I do not know.

Senator POMERENE. There was a man by the name of McDonald who was connected with some of those tunnels.

Mr. ANGELL. That was before my time in New York.

Senator POMERENE. Well, you can get that for me later.

Mr. ANGELL. Yes, sir; I know his first name is James.

Senator POMERENE. But let the witness proceed. We will not stop now.

Mr. HUDICOURT. The memorandum of the American Minister to Port-au-Prince pretended to oppose the new treaty between Haiti and the bank, on the ground that the Haitian interests were not respected, and some time later it was told, a part of the loan projected for the renewing of that convention was contributed to some bankers of New York.

Senator POMERENE. Some bankers?

Mr. HUDICOURT. Some bankers.

Mr. HOWE. May I interrupt you for just a second, please?

Mr. HUDICOURT. Yes, sir.

Mr. HOWE. When you speak of the treaty between Haiti and the bank?

Mr. HUDICOURT. The convention; yes.

Mr. HOWE. Which bank do you mean?

Mr. HUDICOURT. The National Bank of Haiti.

Mr. HOWE. Yes.

Mr. HUDICOURT. And that contract was to be canceled and a new one made.

Mr. HOWE. You refer to the Haitian bank, which was at that time the agent of the Haitian Government, and not to the National City Bank of New York?

Mr. HUDICOURT. No; the Bank of Haiti.

Mr. HOWE. Yes. Do you know where the capital was owned at that time? capital of the Haitian Bank?

Mr. HUDICOURT. It was the French bankers.

Mr. HOWE. It was the French bankers?

Mr. HUDICOURT. The French bankers.

Mr. HOWE. Yes, sir.

Mr. HUDICOURT. And when the new bank, under the name of the *Banque Nationale d'Haïti*, was established, all of the Haitians knew that it was taken by the American minister had been done only after having a ; interests attributed to the American bankers, and since that time it was that the American Legation in Port au Prince became very active in Haitian matters, and, as during that time, there were some political disturbances, this attention became more and more active.

The CHAIRMAN. Under Furniss, the legation became more active?

Mr. HUDICOURT. Doctor Furniss and his successors.

Mr. ANGELL. May I point out in this connection that there is already the text of the original convention proposed by Mr. Fuller of the United States to the Haitian Government, in May, 1915, and the project proposed by the Haitian Government to Mr. Fuller in the month of June, just prior to Mr. Fuller's departure? The text of those two is in the record, part 1, immediately following the Haitian memoir.

Mr. HUDICOURT. What were the negotiations between Admiral Caperton, his representative, Captain Beach, and the new government established in Haiti by the American marines, I can not say; I know that when the legislative body—I mean the Chamber of Deputies—voted this convention, the customhouses of my country had been already seized by the marines. I am as a lawyer, that this convention voted by the Chamber of Deputies, afterwards by the Senate was due to pressure, and so that convention does not legally exist, because at its origin it is infected by vices that we call vices of coercion, vices of consent. This treaty is due to violence, because it was signed by the Haitian representative under material pressure.

Mr. HOWE. May I interrupt you a minute there? At that time, did you know whether any other governments than the United States, any foreign governments, contemplated seizing the Haitian customhouses?

Mr. HUDICOURT. No, sir; it is not true; it is not true. I mean that by that time, that is to say, the time when this treaty was forced upon the will of the Haitian people, all the great foreign countries were engaged in the Great War, more than one year before.

Senator POMERENE. What was the date of that treaty, do you recall?

Mr. HUDICOURT. What is that?

Senator POMERENE. Do you recall the date of that treaty?

Mr. HUDICOURT. The date of the treaty?

Senator POMERENE. Yes; when was it ratified by you?

Mr. HUDICOURT. It was signed the 18th of September, 1915.

Senator POMERENE. 1915?

Mr. HUDICOURT. Yes.

Mr. ANGELL. You do not object to my answering the question?

Senator POMERENE. No, no.

Mr. ANGELL. And ratified by the chamber in October, and by the Senate on the 9th or 10th of November, 1915. That is already in the record of Admiral Caperton's testimony.

Senator POMERENE. Well, I did not recall it.

Mr. HUDICOURT. Proceeding, I add that independently of any violent vitiations that treaty there is fraud, because Admiral Caperton, who was the representative of the Government of the United States, used to say that his diplomatic representative, Captain Beach, that he was in Haiti for the good of the Haitians, for the purpose of establishing a stable and a national government for the Haitians.

Consequently, this treaty can not be considered as a legal document, its vinculum juris has not been performed under the legal circumstances provided by law, under the special legislation of Haiti for having a contract.

I have to state, furthermore, that this treaty is contrary to all the principles laid down in the Constitution of the United States. This treaty is contrary to all the treaties signed by the United States and Haiti, on the 22nd of October, 1907, at the Hague Peace Conference, as just now similar to the one taking place in Washington at the Disarmament Conference. The treaty of 1915, imposed upon Haiti is contrary to a special treaty of 1900 between the United States and Haiti.

Mr. ANGELL. That is the treaty of January 7, 1900; to identify it with the treaty of arbitration between Haiti and the United States.

Mr. HUDICOURT. I must add that when that treaty took place the Haitian people were in peace and confidence with the United States Government, the United States people, and, during all the local disturbances, never the life of an American citizen had been put at stake, never any American interest was injured. Therefore, it was without any judicial or moral motive that the occupation of the Territory of Haiti took place.

Senator POMERENE. What was the date of the revolution which resulted in the death of President Sam?

Mr. HUDICOURT. I could not say exactly, but I remember that the newspaper published by Bobo said that he was trying to overthrow the Government of Sam, because the Government of Sam had received some proposals from

Upon those provisions, the chief of the executive is responsible to the people for the acts of his administration. The Secretaries of State are responsible to the Haitian people for the acts of their administration. The finances of the country are controlled by an institution named the *des Comptes*; so that at the end of a budgetary period all the accounts can be examined and approved. Under the provision of the present constitution of 1918, provided for Haiti by the American Government, the democratic institutions can not be found; the *Chambre des Comptes* is abolished. The Haitian people are unable to know what has been done for its services. The Haitian people have no longer the right to impeach the President of Haiti, or the Secretaries of State for acts of their administration. Now the President and Ministers of State under the existing constitution are free to do what their caprice may direct them to do. I jeopardize Haitian freedom, Haitian liberties and Haitian finances. I am always relying on the good will of the American officials in Haiti. This situation has caused a feeling of unrest and uncertainty, which can be remedied by the restoration of the old Haitian democratic institutions. For the new constitution provides that the election of the new President shall take place—

The CHAIRMAN. May I interrupt you at this moment, and if it is convenient, I will postpone my question until later? In view of the statement by the witness, and considering the status quo in Haiti to-day, would you recommend that the treaty be forthwith abrogated and the American flag withdrawn, say, in 90 days?

Mr. HUDICOURT. You ask if I recommend that?

The CHAIRMAN. Yes.

Mr. HUDICOURT. Yes, sir; emphatically.

For instance, the new constitution, in article 43, provides that the new President shall take place on the second Monday of April. Under the same constitution the President of Haiti shall be elected by the meeting of the house and senate, forming the national assembly. It is certainly, in other possible way, that the election of the President of Haiti is to take place.

Mr. ANGELL. This is provided for by articles 40 and 42.

The CHAIRMAN. Of the present constitution?

Mr. ANGELL. Of the present constitution.

Mr. HUDICOURT. For the present, there is in Haiti no chamber of deputies, no senate, and under the provision of this constitution, the President should have issued a decree by at least the 10th of October last ordering the election of the deputies and the senators. He did not. Why did he not? Nobody can say.

We are now in Haiti in a state of anxiety for the future of this country while the question of the presidential election is one of paramount importance for us, because the sentiment of the future of Haiti depends on the new representatives of that country. It is those representatives who are qualified to discuss and accept the new status of the country. So the Haitian people can say what the future will be, what will be the situation when, on the 15th of May next, the term of Mr. Dartiguenave expires.

Mr. ANGELL. Let me at this point, if I may, read in article A of the title or section of the present constitution, entitled "Temporary Provisions." Article A:

"The duration of the term of office of the President of the Republic shall terminate at the moment of the adoption of the present constitution shall terminate on the 15th of May, 1922."

The CHAIRMAN. Has this constitution as a whole been published in the record?

Mr. ANGELL. No, sir; it has not.

The CHAIRMAN. I think we had better put that whole constitution in the record.

Mr. HOWE. What is that publication, Mr. Angell? Who gets out the publication?

Mr. ANGELL. I think it is an official Haitian government publication.

Mr. HUDICOURT. Oh, yes.

Mr. HOWE. Do you want that to go into the record in French, or do you want it translated, Mr. Chairman?

The CHAIRMAN. I think, if you have it translated, we can have it put in both languages.

no chamber and senate elected in the meantime, the term of the President automatically come to an end, and then there will be either a vacancy in the council of State exercising, under the temporary provisions of this constitution, the powers of the legislative body will be called upon to choose a President to the present incumbent.

The CHAIRMAN. I gathered that that was the sense of Mr. Hudicourt's argument, but I thought if it was presented in the form of a brief that would be better.

Mr. HUDICOURT. My argument is that the council of state is without power to do so.

The CHAIRMAN. I quite understand.

Mr. HUDICOURT. And I want to prove to you for what reasons it is invalid.

Mr. ANGELL. Will you file a brief on that?

Mr. HUDICOURT. Yes.

Mr. ANGELL. On the question of the powers of the council of state.

The CHAIRMAN. I wish you would, because our time is very short.

Mr. HUDICOURT. As to how the duties of the legislative power are distributed from a constitutional point of view, what we call a legislative act, with the formal attribution of the legislative power, means the enacting of the law, the voting of the budget of the ways and means, and the sanctioning of the acts of the executive officers, and the approving of the expenses made following the appropriation of the budget, all of these attributions are exercised under the provision of chapter 1, section 1, of the constitution of 1918. First, by the Chamber of Deputies; and, second, by the Senate of the Republic, so that it is necessary for the fulfillment of such duties to have the concurrence of both chambers, while the duties imposed on the National Assembly are different, although the National Assembly is formed by the deputies and senators united together. That forms only one chamber, with special attributions.

The CHAIRMAN. I want only to renew the suggestion that on this legal point if you wish the committee really to follow the argument, you file a brief rather than make a verbal argument here.

Mr. HUDICOURT. Yes.

The CHAIRMAN. But Mr. Hudicourt is at liberty to use his time as he sees fit.

Mr. HUDICOURT. I am just finishing.

Under the provisions of article 42 of the constitution, the attributions of the National Assembly, are: First, to elect the President of the Republic; second, to receive from him the constitutional oath; second, to declare war and peace; third, on the executive power; third, to approve or to reject treaties of peace, other treaties and international conventions; so that the National Assembly composed of the meeting of senators and deputies united in one chamber is invested only with those three functions.

Article D of the constitution vesting the legislative power in the council of state did not intend at all to vest in the council of state the powers and attributions of the National Assembly.

In résumé, I state before the committee that, on behalf of all Haitian people, I am making in advance a protest against the right which may be attributed to the present council of state of Haiti to elect a new President.

It is my duty to point out in that connection that if the Haitian people have been left free to mind their own business, without interference by the American military occupation of the territory, such difficulty would not have taken place.

I have to state that, on behalf of the Haitian people, I emphatically protest against the conclusions which the special committee of the Senate have arrived at in its preliminary statement.

I protest against the status quo recommended by that committee in the affairs of Haiti, as if this committee did not have at its disposition all the facts and important testimony recorded by it.

The recommendation of this special committee did not take into account the special revelations of the different witnesses who appeared before it.

In recommending, on the pretext of coordinating the powers of all the representatives representing the American Government in Haiti, the appointment of a commissioner, it seems to any thinking man that the special committee of the Senate has recommended the annexation of Haiti. It is contrary to the principles of the Senate and of the American Congress. These high missions can be found in the relations between France and Algeria and between Great Britain and Egypt. If it is possible to compare these relations it seems to me that the recommendation of this special committee is



remain the same. The régime that you recommended for Haiti is the same as exists now in Egypt or in Tunis or in Algeria. It is quite impossible. It is contrary to even the treaty between Haiti and the United States. The first article of that treaty recognizes the independence of Haiti. If you propose that a high commissioner be appointed, because you have perceived that the functioning of the régime instituted for Haiti by the treaty of 1915 has proved a failure. And I am sure that when this high commissioner begins to function himself you will have the same result.

The CHAIRMAN. But after all, the policy which has actuated our Government in analogous circumstances has been rather different from the policy which has been pursued by the French or the British Governments?

Mr. HUDICOURT. Why?

The CHAIRMAN. Well, take Cuba for example.

Mr. HUDICOURT. Do you think that Cuba is satisfied with the régime?

The CHAIRMAN. Well, Cuba may not be wholly satisfied, but her situation is not to be compared with that of Tunis, for example.

Mr. HUDICOURT. We do not need to have the same situation as Cuba. We are not doing for Haiti what you did for Cuba. You delivered Cuba from Spain; you did not do that for us. The situation you impose upon us can not impose upon us. It is not the same analogy. We have a right to be free in the Caribbean Sea. It is our birthright, a right which was gained for us by our forefathers.

Now, gentlemen, you have proposed to civilize Haiti, to take Haiti a step toward civilization. It seemed to me that your purpose was to do as you did for yourselves. You can not teach others what you do for yourself. You learned liberty and freedom. You founded your Constitution upon the principles of liberty and freedom. If you had it for your country to take Haiti along those lines it would be very beneficial for all, but that is what you propose now.

You have destroyed the independence of Haiti. You have destroyed the aspirations of her people. You have not taught the Haitians liberty and freedom. On the contrary, the régime imposed upon Haiti is a régime of despotism and terror.

The last thing you have proposed for the good of the Haitians is a loan. The Haitians do not want that loan, the Haitians do not need that loan. At the present time the Haitians know that that loan is not proper economic measure for the Haitians; it is only proposed as a political measure. This loan must last more than 40 years, more than the period contemplated in the running of the convention of 1915. That is the principal reason why the Haitians protest against that proposed loan.

Senator POMERENE. You speak of that as if Haiti as a whole were protesting against that loan. There is not any doubt that you need financing. Can Haiti finance that proposition?

Mr. HUDICOURT. Haiti needs financing, certainly; I recognize it. As long as Haiti will be under your pressure Haiti refuses that loan. Haiti is to be financed, but first Haiti wants to be liberated.

Senator POMERENE. How does she want to be financed? Whom does she want to do the financing?

Mr. HUDICOURT. That is a question we are not contemplating now. We would say that as long as we will be under pressure we will not be able to give a free consent.

I have just received from Haiti a paper, the *Novelliste*, from which I quote (N. B.—The original quotation or translation is not at hand. The witness read stated in substance that it was reported from the United States that in connection with the proposed loan to Haiti, Article V of the treaty of 1915 might again be enforced according to its terms.)

That means that as long as the Haitian Government does not free itself from the proposed loan the pay of the President and the secretaries of the State and the council of the state will be stopped. We do not need a loan upon those conditions.

Senator POMERENE. You will pardon this suggestion. Of course we have newspapers printed in this country, too, and very often it happens that editorials are printed they represent the view of the editor rather than the view of the public as a whole. I say, we have papers of that kind.

Mr. HUDICOURT. I beg your pardon; this is an announcement. This is not an opinion; it is not an editorial of the newspaper men.

Senator POMERENE. An announcement by whom?

who will go either to the State Department or to the financial adviser, who is now in Washington.

Second, the loan will permit the payment of the debt held in France at present advantageous rates of exchange. Third, it will permit the payment of the so-called internal claims against the Haitian Government. Fourth, there was a sharp competition between the banks. And finally, in the present condition of the money market, if the loan is not presently consummated, the bids are likely, all of them, to be withdrawn; because, after all, banks subscribe to loans only to sell them. No one of these banks, as you know, holds such a loan, whether it be Belgian or Uruguayan, or what not, in its vaults.

Mr. HUDICOURT. Yes; I completely understand you. But it seems to me that the necessity for this loan is a question which rests only with the Haitian people above all.

You say that this loan will be very beneficial for the Haitian people. It will permit the refunding of the French debt. I do not know what authority the question of the refunding of the French debt rests upon. France is not calling for this debt. This debt is not due.

The CHAIRMAN. Well, if you can pay 12 francs with \$1 instead of 100 francs with \$1 you certainly are not losing anything.

Mr. HUDICOURT. Do you think that the conditions of the bid realize the advantages asserted by you now? I say not, because if the Haitian people have anything to gain from the exchange in France the Haitian will lose on the conditions of the loan. We owe a debt to France, but we are very free from it now. We do not intend to owe you a large debt, because we are not under your pressure. Our country is occupied by your military troops. We are living now under martial law. We do not care to owe you so large a debt. We have a long term for paying that debt to France. We have always been the debtors of France. Since the declaration of our independence we have been the debtors of France. We have never had any hard dealings with France regarding that debt. We have never been subjected to any threat by France about that debt, because we always paid the interest on the amortization. It was only when our country was occupied by the United States, when our customs duties for the payment of such amortization interest were seized by the military authorities on shore in Haiti that the payment did not take place.

Mr. ANGELL. Let me point out in this connection that I have been told it seems to be an appropriate time to produce it—a copy of the letter of Lee Higginson & Co., one of the three firms concerned.

The CHAIRMAN. A letter addressed to whom, Captain?

Mr. ANGELL. Mr. McIlhenny.

Senator POMERENE. What is the date of the letter?

Mr. ANGELL. The date of the letter is November 7, 1921. In that letter the terms of the offer are made conditional upon the carrying out of the treaty between the United States and Haiti providing for the establishment of a claims commission, dated October 3, 1919. I offer that for the record at this time. I have here a copy of it.

(The letter referred to is here printed in full, as follows:)

NOVEMBER 7, 1921.

E. A. McILHENNY, Esq.,  
Financial Adviser, Republic of Haiti,  
Care of Department of State, Washington, D. C.

DEAR SIR: Subject to the approval of our counsel as to the legal validity of the bonds and their conformity with the provisions of treaty and other diplomatic agreements between the Republic of Haiti and the United States of America, we offer 85 and interest for \$16,000,000 30-year sinking fund gold bonds of the Republic of Haiti to be dated November 1, 1921, and to be payable November 1, 1951. These bonds are to be issued in pursuance of the treaty of September 18, 1915, the additional act of October 25, 1917, and the protocol of October 3, 1919, all between the Republic of Haiti and the United States of America, and any interpretations of the provisions supplementary thereto hereinafter specified. The bonds shall be issued in denominations of \$500 and \$1,000, and shall be registered principal only. Interest and principal of said bonds to be payable in United States gold coin of the present standard of weight and fineness. The bonds shall not be callable for 15 years except for the sinking fund, the coupon

a first charge upon all the internal revenues of Haiti and a second charge upon the customs revenues of Haiti next in order after the payment of the expenses of any officer or officers who may be appointed by the President of Haiti upon nomination by the President of the United States, while the officers shall collect and control the allocation of the hypothecated revenues aforesaid so as to make certain that adequate provision shall be made for the amortization and interest on the loan, all as contemplated by Article 8 of the protocol of October 8, 1918.

Mr. HUDICOURT. The offer is for 30-year bonds.

Senator POMERENE. At what rate?

Mr. ANGELL. Six per cent. The offer was at \$85.

Senator POMERENE. What would that figure out?

Mr. ANGELL. The interest rate?

Senator POMERENE. Yes.

Mr. ANGELL. I have not figured it.

The CHAIRMAN. That is 85 for so much of the loan as shall be repaid at this time?

Mr. ANGELL. \$14,000,000 of the loan at present.

The CHAIRMAN. If I remember, that bid differed from the others in that it permitted subsequent issues to be made at the subsequent market rate, which should be better to the Haitian Government, whereas the other bids were predicated upon the assumption that all future issues should be at the market and not the future market.

Mr. ANGELL. Article 8 of this protocol of October 3, 1919, provides for control by an officer or officers, duly appointed by the president of Haiti, of the collection of the hypothecated revenues will be provided for during the term of the loan at the expiration of the aforesaid treaty of 1915, so as to make certain that adequate provision shall be made for the amortization and interest on the loan.

In other words, any such loan would mean that the revenues of Haiti would of course be tied up in that way during the life of the loan. That, as I understand it, is what Mr. Hudicourt is objecting to at this time.

Senator POMERENE. Has any accountant figured that out to see what it would be? I ask that question for this reason: I happen to know that the bonds which were made to our vast railroad companies here within the last few years drew interest at the rate of, I think, something like 7.40 per cent. The Pennsylvania Co. had a loan at that rate, and there were certain other companies which had about the same rate. I think the New York Central was one of them. This loan is at 6 per cent, but it is offered at 85. They are 30-year bonds, but I do not know what that would figure out.

Mr. ANGELL. I have not figured it, and so far as I know no accountant has figured it.

Mr. HUDICOURT. May I be permitted to proceed? Mr. Chairman, I think that that loan would permit the payment of the interest due on the existing debt. That would be of very great advantage for the Haitians. If you are right; in fact you are wrong. We certainly have an institution in Haiti which we have always considered as a savings bank for the Haitians.

Mr. ANGELL. There are no savings banks in Haiti, are there?

Mr. HUDICOURT. No, sir; there are not. But since the day when Caperton seized all the customs revenues of Haiti no interest at all has been paid to the buyers of that debt. Consequently, the miseries and sufferings of the Haitian population have increased more and more. So all the buyers of that debt found themselves under the urgent necessity to sell their bonds. To whom did they sell their bonds? To the Bank Nationale d'Haiti, which is a subsidiary of the National City Bank. So that the most part the bonds of the so-called Haitian internal debt belong to the present time to the National City Bank. If this loan is contracted with the National City Bank to betterment of the financial situation of the Haitians it is a wrong cause in fact the loan is proposed by the National City Bank to repay the National City Bank.

Senator POMERENE. That is, it is refunding from debt? Is that what you mean by your statement?

Mr. HUDICOURT. I mean that the National City Bank, through its branch in Port au Prince, the Bank Nationale d'Haiti, has bought the greater part of the bonds of the Haitian internal debt, and if this loan is contracted with the National City Bank for the payment of the interest and the amortization of the internal Haitian debt, it is made to the National City Bank.

If there is any reason why you do not care to answer that kind of question I withdraw that part of the question.

Mr. HUDICOURT. Thank you very much, because I am not in the position as you.

Senator POMERENE. Well, that answers it.

Mr. HUDICOURT. I do not wish to express any judgment about what Mr. Dartiguenave would do. You know what I mean.

Senator POMERENE. I understand you, and I have withdrawn that question.

Mr. HUDICOURT. The National City Bank, it is understood, proposes a face value of \$14,000,000, at 7½ per cent, issued at 92, and payable in years. Of the \$14,000,000 face value, therefore, Haiti will actually receive \$12,880,000. Now, this loan is urged and specifically recommended by McCormick as essential to progress in Haiti; that it is needed to put public works, road building, etc. But from this sum the following may be immediately subtracted:

First, the debt to France of \$6,668,980. This debt consists of two parts: the debt of 1896 at 6 per cent, the debt of 1910 at 5 per cent. At the time of writing France has made no demand for the repayment of the capital of the debt. The interest on it was paid regularly by the Haitians until the American occupation, and, although the occupation did not at first pay the interest, it has subsequently paid the interest up to date. But the claim of Haiti's financial adviser, Mr. John McIlhenny, and the bankers is that now would be a good time to pay this debt. The fact is, however, that it is first of all obvious that French exchange will be depreciated for many years. Second, that under the terms of this new loan, issued at 92 and bearing interest at 14 per cent, the Haitians will have to pay 10 per cent more, respectively, than the two French loans, the Haitians are to pay by this arrangement \$9.50 per thousand more on the first loan and \$10.50 per thousand more on the second loan than they would otherwise have to pay.

Senator POMERENE. Did I understand you to give the rate at which the French loans were floated?

Mr. HUDICOURT. Yes.

Senator POMERENE. And what was that? I want to fix it in my mind.

Mr. HUDICOURT. In 1896 at 6 per cent, and the second one in 1910 at 5 per cent.

Senator POMERENE. Are those loans due?

Mr. HUDICOURT. Yes, sir; they are due to France now.

Senator POMERENE. At what rate were they floated, or at what were they discounted, if at all? Or did you get the face of the loan at this rate?

Mr. HUDICOURT. Oh, no; we did not.

Senator POMERENE. Do you remember what you got?

Mr. HUDICOURT. For the 1910 loan we received about 47,000,000 francs out of the 65,000,000 francs.

Senator POMERENE. That is, for the par value of the loan, which was 65,000,000 francs, you received 47,000,000 francs?

Mr. HUDICOURT. Yes, sir.

Senator ODDIE. That is a little over 70 per cent—71 or 72.

Senator POMERENE. What was the other loan, the loan of 1896? What was there on that?

Mr. HUDICOURT. I do not remember about that.

Mr. ANGELL. I am not sure that the witness understood your first question. A moment ago, as to whether the loans were now due. May I ask him if the 1896 loan was French?

Mr. HUDICOURT (after conferring with Mr. Angell). Oh, no; not yet.

Senator POMERENE. Then you misunderstood me. When are they due?

Mr. HUDICOURT. I believe in 30 years.

Senator POMERENE. They run 30 years yet?

Mr. HUDICOURT. Thirty years from now—that is, more or less; I am not accurate.

Senator POMERENE. I am glad you corrected that, because it left me with a wrong impression.

Mr. HUDICOURT. Another charge subtracted from the actual sum of \$12,880,000 which Haiti would receive is the claim against the Haitian Government by the National City Bank controlled railway. The railway was begun in 1904 by a contractor named MacDonald. The former president and present manager of the road is Roger L. Farnham, of the National City Bank. Under the arrangement with the Haitian Government the latter was to pay 10 per cent of the cost of the railway.

The CHAIRMAN. I can only say this now, that the committee will try to call to the attention of the State Department the matter of the payment of these claims by the bank and those affiliated with it.

Mr. HUDICOURT. I suppose, Mr. Chairman, that the bank would not be tempted to buy those bonds if they did not know that the matter was completely safe. Probably they know that through the channel of the State Department, or Mr. McIlhenny, the financial adviser.

The CHAIRMAN. Well, Mr. McIlhenny may be translated to another question.

Mr. HUDICOURT. The Haitians do not care. It is just the same to them whether they want for the future and that is that they shall not have any financial adviser at all. That is their present aspiration.

Mr. ANGELL. This statement that has been made by Mr. Hudicourt with reference to the matter of the loan is based upon the announcement made by the President at Port au Prince, to which he has referred, of the terms of the various offers of the three banking houses. He has got it upon that assumed basis of the memorandum takes up only the offer of the National City Bank, as one of the three offers. It does not consider the other two.

Mr. HUDICOURT. Now, I have to state that all the previous witnesses who appeared before the special committee have had great care to describe the Haitian people, the Haitian population, and the Haitian character. It is a patriotic duty and my personal duty to protest against such attempts by the American officers who have for a long time lived in Haiti and who are supposed to know best the Haitian population and the Haitian character. I have shown an obvious feeling against Haiti. I protest against that tendency.

Brig. Gen. Smedley Butler, who appeared before the Senate special committee who testified without oath—please remember that circumstance—who testified in regard to the destruction of the legislative bodies in Port au Prince, that when he signified to the president of the National Assembly, Mr. Vincent, that all the senators and deputies had to go away, Mr. Vincent said to him, "I am hungry," and General Butler considered that this from Mr. Vincent was an invitation to go to lunch with him. One thing General Butler did not say, and that is in what language he expressed to Mr. Vincent the notion of going away, and in what language Mr. Vincent expressed himself, to say, "I am hungry." Surely Mr. Vincent did not say, "I am hungry." He said in French. What did he say in French?

I must state that Mr. Vincent is one of the most remarkable characters in Port au Prince. He is one of the most cultured Haitians. He has studied in Port au Prince. He has a diploma of doctor of laws from the Faculty of Law of the University of Paris. Mr. Vincent is one of our most important writers. He is a man of character. He has been my classmate. I have been friendly with him for 40 years. I must say Mr. Vincent never said, "I am hungry" ("J'ai faim"). Mr. Vincent told General Butler, "Je m'en fous" ("I don't give a damn"). That is what he really said. Of course, "J'ai faim" and "J'en m'en fous" is the same to a man that does not know French or Creole.

I say this to make clear to the special committee what kind of misunderstandings have been prevalent in Haiti between the Haitians and the Americans. While they think they understand French and that they understand the Haitians, they do not, and the interpreter will often change for the worse the message conveyed by the Haitians.

Almost every witness, called for a solemn purpose, represented the Haitian people as being completely illiterate. At page 570 of the record General Butler stated:

"The Haitian people are divided into two classes: one class wears shoes and the other does not. The class that wears shoes is about 1 per cent. I should say that not more than one-fifth of 1 per cent of the population can read and write."

Mr. Farnham says about the same thing. Col. Alexander Williams says the same thing. General Cole said the same.

Moreover, when he was asked what instrumentality he had used to have all the country patrolled by the gendarmes, General Butler said (520):

"They would be ordered to a certain man's plantation, and the man would be asked to indorse on the card that the patrol had been there."

If only one-fifth of 1 per cent of the whole population of Haiti, or 250,000 people, can hardly read or write, that means 2,500 people, in all the population of the towns, how was it possible for General Butler to have all the plantations in the interior people who could indorse the list?

Mr. HOWE. I recall, Mr. Chairman, that members of the committee saw a number of typical schools in Haiti during their visit and were very much interested in that question.

Mr. HUDICOURT. General Barnett, on page 442 of the record, answered the question by Senator Pomerene whether these priests there have charge of the education of the children, said:

"I think probably they were parochial schools, because all that we saw were Catholic priests."

On page 673, General Cole stated:

"The school system was entirely a political affair; and with the exception of the schools maintained by the church, there were practically no educational facilities for the poorer classes, and these in a few localities only. Probably 75 per cent were illiterate."

I have proof that there were in Haiti no schools established or maintained by the priests. There were never any schools established and maintained by priests—I mean the Catholic priests. Maybe you have visited some schools maintained by the Brothers of Christian Education, but all of them are national schools. The priests—I mean the members of the clergy—do not establish or maintain any schools in Haiti.

Mr. ANGELL. When you say "national school," you mean a school supported in whole or in part by government funds?

Mr. HUDICOURT. I mean a school maintained and supported wholly by national funds.

Before leaving Haiti I wrote M. Conan, the chief of the clergy in Haiti, asking him if there was in Haiti one school established or maintained by the Catholic Church. He replied to me by this card [translating]:

"T. Conan, archbishop of Port au Prince, hands to Mr. Pierre Hudicourt the following clippings from a manuscript of the collective report of the bishops of Haiti, 1922."

(The witness exhibited to the committee the four clippings of type-matter referred to, read the same in French, and translated them, as follows.)

"It is not, perhaps, useless to remind the foreign readers that the schools established by the clergy under the religious congregations, although by general the most largely attended, form, moreover, only a small part of the existing schools in Haiti."

"Except the boarding school of La Lue, the day school of Ste. Rose at Port au Prince and the day schools at Cape Haitien, Aux Cayes, and Jacmel, the primary classes at the Little Seminary, the schools conducted by the Sisters of St. Joseph are all national schools."

"Except for the boarding school of Notre Dame of the Sacred Heart at Port au Prince, some classes at Jeremie, Port-de-Paix and Trugau, and certain primary classes at St. Louis of Gonzague, the schools directed by the Sisters of Wisdom are national schools."

"For foreign readers we think it proper to remark that except for the boarding school of St. Louis of Gonzague, all the schools directed by the Sisters of Wisdom are national schools, founded upon the request of the Government, and their supervisors and teachers receive their salaries from the state."

Senator ODDIE. What proportion of the school children in Haiti are educated in those church schools that you have mentioned?

Mr. HUDICOURT. There is no church school at all in Haiti.

Senator ODDIE. But you said "except for" those particular schools.

Mr. HUDICOURT. There are no church schools. They are private schools, but they are not maintained by the church. The church has nothing to do with those schools.

Mr. HOWE. I think the Senator wants to know the relative number of pupils in the schools supported by the Government and in the schools not supported by the Government.

Mr. HUDICOURT. I can not say. I know only that there are many national schools supported by the Government that are managed by the Brothers of Christian Instruction, by the Sisters of Wisdom, and by the Sisters of St. Joseph. I know there are many of them, but I am not in a position to tell you what the proportion is.

Senator ODDIE. Do you not think there should be a greater work done in the primary school system in Haiti, that it should be extended?

Mr. HUDICOURT. Certainly; that is a necessity for all countries to develop the primary school system. The more educated citizens you have the better

be cured, because he was sick. "Who is your physician?" said Mr. E. "Doctor Armand," he replied. Mr. Blehot said, "No; I will not give you a furlough until you call on Doctor Decker." Doctor Decker is an American physician. He refused, saying that it was his intention to go to see Mr. Armand and he would be cured by Doctor Armand.

Mr. Blehot granted him the furlough, and he went away, and he was cured by Doctor Armand. Some time passed, and Mr. Blehot was again called upon Doctor Decker; he was attended by Doctor Decker for a number of weeks. He did not have any relief in his state of health, and he was necessary to call upon Doctor Armand himself. Within three or four weeks he was completely cured by Doctor Armand.

We have a hospital in Port au Prince, the Hospital of St. Francis, which is attended only by Haitian physicians. They have a monthly report which is published in Port au Prince and which shows how many operations take place in their hospital every month. They give more than 4,000 operations to poor people. They attend to all the poor people in Haiti. It is the deed of the American occupation to attend to the poor people in Haiti.

In résumé, my contention is this: That as far as the American Government does not adopt in regard to Haiti another policy, the complete restoration of the independence of Haiti and the abrogation of the treaty, can not be ameliorated in Haiti. There will always be anxiety, uneasiness, even hatred, between each other.

It is an open secret that race prejudice has played in Haiti a great part in the irritation which exists among those people, the Haitians and the Americans. The Haitian people, in their own country, on their own soil, on their own territory, conquered by their forefathers and which they have been obliged to consider their own for the future, are considered with much contempt by the newcomers. Those difficulties will be prevalent, predominant as long as the black man has been restored to his privileges in Haiti.

The Haitians consider now that although they have been subject to a white tyranny, to a black tyranny from their own people they are now subject to a white tyranny. They believe that the principles which have been established by those who founded the American democracy must be a heritage for the people of all the world who have the same political aspirations that we have. Never mind the color of the skin; it is sufficient that the moral qualities, the interior qualities are the same. The Haitian people demand but one thing, to be treated as human beings, as members of the association of peoples and nations. They are entitled to all of the rights which all the peoples of the world are entitled to, and they rely upon the good sense and the good faith of the American people and the American Government to be restored to their privileges.

There is an important point that I had forgotten to submit to the committee. It relates to the Haitian tribunals. The Haitian courts have been subjected to severe criticism from those who have preceded me before this committee.

All the Haitian courts, with the exception of the Supreme Court, have been severely criticized. The Haitian judges have been represented to the committee as venal. I protest on behalf of the Haitian judges against such an accusation.

Mr. ANGELL. You have been president of the Bar Association of Port au Prince, have you not?

Mr. HUDICOURT. Yes, sir; president of the Bar Association of Port au Prince for two years.

There is no question that among the Haitian judges you can find some who do not have all the necessary qualities for a good judge. Such things can be found not only in Haiti but in the United States itself. Moreover, the average judge in the United States, in France, and in Japan, as in Haiti, are standing.

Based upon some testimony, the chairman of this committee put the question to Gen. Smedley Butler:

"Do you not think it might be interesting, in this connection, to compare the capitulations between the foreign bureau of Turkey on the one hand and the capitulations on the other, and the system of the administration of justice in Egypt? Does the administration commit itself to a policy?"

General Butler answered:

"I think that might be well. I am not familiar with the Egyptian situation."

"The CHAIRMAN. Its a long time since I have studied it, but I am under the impression that in Egypt an assessor sits on the bench with the judge, and advises him in the formulation of his decisions."

By this means the local officers of the gendarmerie have been set against the supreme courts.

Mr. HOWE. You base that statement on General Catlin's letter, do you?

Mr. HUDICOURT. Certainly, sir. The decisions of the Haitian courts are submitted to any officers, because the officers, the representatives of the power, the police force, the gendarmerie, are executors of laws and decisions rendered by the representative of the law. It is not their business to examine if those decisions have been rendered conformably with the law. If a bad decision contrary to law, carrying any miscarriage of justice is rendered, that decision must be executed by all officers—save the rare persons who have been subjected to such judgments to appeal against decisions before the highest courts.

I have to state that the chief of the military occupation in Haiti is communicating this *vade mecum* for the officers in command in Haiti:—

The CHAIRMAN. I do not understand what the witness means by that. I have to say that the commandant of the marine brigade, in communicating this *vade mecum*—

Mr. HUDICOURT (continuing). This *modus operandi* for the American gendarme officers has destroyed the true principle upon which are based all right.

The CHAIRMAN. That holds not only for the American gendarme officers but for the Haitian gendarme officers, does it not?

Mr. HUDICOURT. But the Haitian gendarme officers—there are none.

The CHAIRMAN. I beg your pardon; I have seen them myself.

Mr. HUDICOURT. I have the testimony of General Butler.

The CHAIRMAN. Never mind; General Butler has not been in Haiti for a long time. I with my own eyes in the city of Port au Prince first saw in 1899 some of the gendarmerie Haitian officers.

Mr. HUDICOURT. The city of Port au Prince?

The CHAIRMAN. Yes.

Mr. HUDICOURT. I beg your pardon.

Mr. HOWE. We have a picture of them.

The CHAIRMAN. I submit it to Mr. Angell if I am not right.

Mr. HUDICOURT. No. There is some confusion, because some days before I arrived in Port au Prince the chief of the gendarmerie made public that he had established a training school for Haitian gendarme officers—

The CHAIRMAN. Well, you will excuse me if I say that I know that from the officers in the training school, they were in command of troops; that I saw them not only in Port au Prince but in the interior—Haitian commissioned officers of the gendarmerie.

Mr. HUDICOURT. There are not a great many.

The CHAIRMAN. Well, there are about 40 or 50.

Mr. HUDICOURT. Forty or fifty? I am very glad to know it, because I have been a member of the commission sent by Haiti to have an accord established with the gendarmerie. We established that a Haitian could be made an officer of the gendarmerie up to the grade of lieutenant, but the Secretary of War refused to sign that accord, on the pretense that there was another accord which was being negotiated in Haiti. When the second one came up for consideration they had provided nothing about the Haitian officers; they struck out the provision concerning the Haitian officers.

The CHAIRMAN. The fact is that there are between 40 and 50 commissioned officers.

Mr. HUDICOURT. That is not the question. The question is that the decision issued by General Catlin concerned both Haitian and American gendarme officers, but there is no reason for even a Haitian officer of the gendarmerie to revise a decision of the supreme court of Port au Prince.

You told me, Mr. Chairman, that you were a journalist. I do not know whether you are a jurist?

The CHAIRMAN. No.

Mr. HUDICOURT. I judge that although you are not a jurist you are of sufficient knowledge to know that being a judge necessitates some knowledge of law. To be a good judge you must have studied law about 20 or 25 years. It is not possible to vest the power of revising the decisions of the Haitian gendarme officers of the gendarmerie, either Haitian or American. That is anarchy, lawlessness.

Take notice of this circumstance, that General Catlin said that knowledge of Haitian law was necessary. Do you know what is being done at the present

Now, I am at your disposal if you have any questions to ask.

The CHAIRMAN. I think we will postpone that examination until later.

(Whereupon, at 12.50 o'clock p. m., a recess was taken until 2 p. m.)

#### AFTER RECESS.

The committee resumed its session at 2.30 o'clock p. m., pursuant to the recess.

The CHAIRMAN. If you are ready, gentlemen, we will proceed.

Mr. HUDICOURT. Mr. Chairman, I must return to some consideration laid down before you. You remember that I read the order of the Government relative to the administration of justice and the right given to the gendarmerie to revise the decision of the courts. I have to point out a contradiction in a report made by Admiral Knapp. At a certain time, Charles McKinley, of Portland, Oreg., sent to the Secretary of the Navy a questionnaire. When Admiral Knapp came to Haiti from Washington, designated by the Secretary of the Navy to answer those questions, those questions there is this one:

"27. Is it true that the military authorities have overturned the decisions of the civil court where persons accused of crime have been acquitted?"

The answer is:

"I know personally of no such case, and from inquiries made of the military authorities have been longer in Haiti and who know more intimately the conditions of the country, not find that there is any such case. On the contrary orders have been repeatedly given to uphold the Haitian civil courts and not to interfere where injustice was manifest."

Mr. HOWE. What is the date of that document from which you just read?

Mr. HUDICOURT. There is no date. It is on page 317 of the annual report of the Secretary of the Navy for 1920.

Some time ago the Haitian Government received a communication through the channel of the American legation in Port au Prince, concerning the education of the marines. The American Government insisted upon the Haitian Government having marines handle questions of education in Haiti. It seems to me that is very bad, because in this same report from which I have read:

Mr. HOWE. Let us have the page, Doctor.

Mr. HUDICOURT. Page 384. When General Lejeune appeared before the committee of the House on Naval Affairs on the 28th of February, 1920, testified about the question of the Quantico vocational schools:

"General LEJEUNE. You may call it vocational, but we have a course. We have a course in English. We have men down there who can scarcely read and write, and we are giving them instruction in the English language and then in advanced English and mathematics and higher mathematics."

The CHAIRMAN. What is the bearing of this testimony?

Mr. HUDICOURT. I am going to tell you [continuing reading]:

"We are going to try to have a grammar school, a high school, and a technical institute."

That means that it is impossible to confide to the hands of the Haitian people the education of the Haitian people.

The CHAIRMAN. Who proposed to confine the education of the Haitian people to the marines?

Mr. HUDICOURT. It was a suggestion made by the American Government through the American legation to the Government of Haiti.

Mr. ANGELL. Under what date? Do you know?

Mr. HUDICOURT. December 21, 1920.

The CHAIRMAN. Who was the Secretary of State or the Secretary of the Navy at that time?

Mr. HUDICOURT. I can not say. I know that this memorandum was sent to the Government of Haiti by the American minister—

The CHAIRMAN. It must have been Mr. Daniels or Mr. Colby. I think that the opinions and suggestions are of less moment to-day than they were at that time they were made.

Mr. HUDICOURT. At the same time there was a report sent by General Lejeune to the Secretary of the Navy relating to this question. This report was published at the time by the Haitian newspapers in Port au Prince.

The CHAIRMAN. Let me say that in my judgment no member of this committee would believe in confiding to the Marine Corps the control of Haiti.

such that afterwards the President called the minister of justice and dismissed him. That means that the President of Haiti has no power even to dismiss a minister of his own choice.

If you have read the testimony of General Cole, you have remarked that General Cole testified he had stood by Doctor Herreaux, that he had supported him. He had protested against all endeavors to have Doctor Herreaux as minister of finance. What kind of a man is a president, a chief executive, who can not discharge a minister who has ceased to have his confidence?

The situation in Haiti is such that there is nothing but the creation of a military occupation of Haiti to have things running well. It is impossible to have the people of Haiti taught the principles of democracy, to establish, in other words, a constitutional and stable government in Haiti, unless the people of Haiti are free to have a government of their own choice. As long as we impose upon the people of Haiti a decision you will have to face many difficulties.

Take, for instance, the proposed loan. If this loan is consummated, the people of Haiti will never accept it. I am very happy for my presence before your special committee to give this warning to the people of Haiti that this loan will be repudiated by the people of Haiti. If the people of Haiti have any liberty or freedom, they will repudiate that loan, because it is forced upon us.

If the President of Haiti is, like he is now, a puppet, a rubber stamp, chief of the American occupation in Haiti, has he the power to bear the responsibility of the Haitian people? All the officers of the government know that if the American troops are withdrawn to-night at 5 o'clock, Dartiguenave will withdraw before that hour; he will withdraw before 5 o'clock himself. He has been forced upon the will of the citizens of Haiti. He is not supported by his people. He has not the confidence of his people. He has not the true expression of the popular manifestation.

Some time ago the American Government proposed some reform that would mean for us some good things—the transformation of the present state bank into the Bank Nationale of Haiti. There was an ultimatum, like the ultimatum shown you this morning, published by the paper in Port au Prince. The ultimatum was refused. I do not know why. Do you know what happened?

Mr. ANGELL. You refer now to the events of July and August, 1920?

Mr. HUDICOURT. Yes, sir.

Mr. ANGELL. They are already in the record of these hearings?

Mr. HUDICOURT. Yes. The salaries of the President and the secretaries of State and of the council of State were held up until they should accept the demands of the American Legation. Some time ago the President of Haiti decided to bestow upon some American officers a medal, which he called a medal of honor. This medal was bestowed upon Col. John H. Russell, Col. McCarty Little, Gen. F. M. Wise, Gen. R. S. Hooker, Maj. Thomas Turner, Maj. Ralph L. Shepard, Col. Walter N. Hill, and Maj. A. A. Van Grift.

This is the report of Colonel Russell, as it appears in the Annual Report of the Secretary of the Navy for 1920, at page 302:

"The brigade commander, on April 28, 1920, reported as follows:

"A reception was held at the palace this afternoon and the President awarded the medaille militaire to Colonel Russell, Lieut. Cola Little, and Hooker, and Maj. Turner, Hill, and Shepard.

"The President before the reading of the citations made a little speech and seemed very much in earnest in his remarks, at one time his eyes were up with tears and he had to turn away. He stated that we had brought order and had given to his country the semblance of a nation."

You are gentlemen, you are men of honor, men of pride and dignity, and I challenge now your own conscience. If you were citizens of the Republic of Haiti, how would you feel at the reading of such a thing—the President of Haiti saying to Colonel Russell, "You have given to this country the semblance of a nation"? It is a shame. So I feel I am justified in saying that the President can not enjoy the confidence of his compatriots.

One of the principal motives of the proposed loan is to have a survey made of the land in Haiti and some public works concerning irrigation, etc. It is a great mistake from the standpoint of the possible investors in Haiti to think they can not go to Haiti to invest their money unless they draw a return of more than 10 per cent. This thing has been testified by Mr.

stances that that protocol can not bind us. It has no kind of legal force. A legislative body is constituted in Haiti it will be possible for that body to reject the provisions of that treaty. So all things which are upon the provisions of that treaty will fall as a house of cards. I am now in an opportunity which is offered me to-day to give this warning to the Haitians to intend now to make the loan based upon the extension of the treaty and the protocol, that the Haitian people are not bound now.

Referring to my previous statement concerning the constitution I want to point out that the people of Haiti do not regard that constitution as a valid act, because that act was forced upon them against their will. The thing which should be done now is to call the people of Haiti to vote a new constitution of its own, through the intermediary of the representatives duly elected and selected by the people of Haiti. That is the best way to have peace in Haiti.

On the date of the 18th of October, 1907, the second Hague peace conference adopted a convention relating to the opening of hostilities. This convention is based upon the principle that neither belligerent should be taken by surprise. That convention has been signed by the Republic of Haiti, through your representative here, and by the duly appointed delegates of the Republic of the United States. We are consequently bound together not to take each other by surprise.

The United States Government did not observe the provision of that convention in regard to Haiti. Without warning, without any break in our relations, the territory of Haiti was invaded by American troops. The houses of the country, the sole means of revenue of that country, were put under the direction of your military forces. Martial law was declared and the rights of the Haitians were destroyed and the independence of the country was destroyed.

Although I have not the great honor to be an American citizen—and I say that it would be a very great honor for me to belong to your country—if I was not a Haitian I would be glad to be an American. I know as a citizen of your Constitution provides that the United States can not break relations with a friendly nation without the approval of Congress. I have before you the original circumstances which preceded the invasion of Haiti by the American military troops. It is clear that before Admiral Caperton took that step something had been arranged between the Department of the Department of the Navy, because in the records I have read that there was a perfect accord between those two departments relative to Haitian affairs. It seems to me that the things that happened followed a straight way. My impression is that those things took place upon a program drawn up in advance.

On behalf of the Haitian people I beg the committee to inquire into the original circumstances of the landing of troops on the soil of Haiti to know under what authority, bound as we were by official and formal treaties, those treaties were broken in order to make war against Haiti, for when American troops landed in Haiti they were there as an act of war. We want to know under what authority, under what authorization Mr. R. B. Daniels, and Mr. Lansing decided to make war against the nation.

This question is not only of historical significance. There is a necessity for the world at large to know how much the treaties between the United States and other nations can bind the United States. Because at the present time you are at the top of the world. Every nation is kneeling before you. You have the might. You have the wealth. You have in your hands all possible power. I hope that all that power will not be used for mere mockery, because, in the first days of your history, liberty and justice were your aim. The blood of your country was poured everywhere upon the soil of the United States for liberty and freedom. Your social and political life is based upon the principle which constitutes the most precious inheritance from your forefathers. It is a necessity for us to know under what authority these representatives of your Republic have decided to make war against a friendly and weak nation.

The CHAIRMAN. Have you anything to say, Mr. Angell?

Mr. ANGELL. No.

The CHAIRMAN. Senator Oddie?

Senator ODDIE. No.

The CHAIRMAN. Mr. Howe?

Mr. HOWE. I think not, Senator.

The CHAIRMAN. I believe that will conclude the hearings for the day.



doubt whatever, tends naturally to support what his Government, his country has done. As your chairman expressed it in his remarks in public: "you are acting as impartial and loyal friends of Haiti. That quality of your functions necessarily raises the work of the committee above mere partisanship or ordinary patriotic reactions."

In other words, I ask you gentlemen, in your final consideration of the question not to flinch where the issue is squarely presented on the point which I believe have been brought to your attention and on which I stand today, showing that in some respects our Government and our country have not done toward this little weaker neighbor of Haiti as we would have wished. That is, in a sense, if I may compare my own position to yours, my own position on reaction. I am both attorney for these groups of Haitian and American citizens, and I am also, myself, an American citizen, and as such a natural reaction is in favor, of course, of what my country has done rather than seizing upon any doubtful action as an excuse for shrill denunciations.

Before coming to the facts of the intervention and the history of the doctrine, I want to speak for a moment, briefly, of the development and history of the Monroe doctrine. I do not need, nor intend to go back through an exhaustive discussion of its development, other than to point out the original declaration of our solidarity with Latin America against encroachments, actual or threatened, from the Western Hemisphere, gave us a leadership, real or assumed, in this territory. And with out growth and that leadership has become, of course, very real and very great. The evolution of that position of leadership naturally gave rise through time and particularly in the past generation, to a situation in this country corresponding fear in Latin America to the south, that our declaration of "hands off" to Europe, somehow gave us some standing to inquire, exercise, at least, some supervision over the affairs of Latin America.

The CHAIRMAN. Let me ask you, when this expansion by implication of the Monroe doctrine began, in your judgment?

Mr. ANGELL. The first indications of it that I have seen in running through the history of the Monroe doctrine, were subsequent to 1900, when, I propose to show, by reading from certain official or semi-official statements of representative Americans of what the Monroe doctrine is, these Americans did point out that the Monroe doctrine did not imply any such thing as statements being in answer to the question, I believe, which was then being raised as to how far, if at all, the Monroe doctrine did give the United States any such standing to inquire into or exercise any supervision over the affairs of Latin America.

The CHAIRMAN. I asked the question precisely, because I thought you would fix the expansion by implication as beginning after 1900. I wish to read Olney's message in the Venezuelan controversy.

Mr. ANGELL. I may be mistaken, but I think, if I remember correctly, is a statement in one of Secretary Seward's messages, as far back as the Civil War, to this general effect that I am going to emphasize, that the Monroe doctrine does not imply any right on the part of the United States to exercise supervision over the internal affairs of Central America.

As a correct general statement, Secretary Blaine said, in his address which came, in 1889, to the first International American conference—

Senator POMERENE. What are you reading from there?

Mr. ANGELL. This particular volume, or the speech?

Senator POMERENE. This particular volume?

Mr. ANGELL. This is a volume called American Foreign Policy, being a publication of the Carnegie Endowment for International Peace, Division of Foreign Course and Education, Publication No. 17, it being a collection of documents purporting to be quotations in full.

This is Secretary Blaine's address to the first International American conference, in 1889, in which he said:

"We believe that friendship and not force, the spirit of just law and not the violence of the mob, should be the recognized rule of administration by American nations and in American nations."

Mr. Root, ex-Secretary of State, delivered an address as president of the American Society of International Law, in Washington, April 22, 1914, which is entitled "The real Monroe doctrine," being a very full consideration of the doctrine and its implications. It is too long to read here, but I will leave I will quote certain passages.

Now, with those statements, authoritative, I believe, regarding that :  
tion or that aspect of the Monroe doctrine, I want to consider, only for  
for a moment now, the essential facts of the intervention in 1915.

Haiti at that time—I am not ignoring the facts nor do I believe there is an  
to attempt to palliate them—had suffered greatly in the past years and was  
suffering from internal disturbances which resulted in there being no stable  
central government. There had been revolutions. There had been some blood  
now and then. So far as the United States is concerned, I would maintain  
those troubles and disorders were of no direct concern to our country. For  
in those disorders—in that breakdown of the strong central government, I  
choose to call it such—no foreigners had ever been harmed or molested  
in their persons or in their property. The testimony in the record is all to  
effect. There is no contradiction on that. Foreign lives, both American  
those of the nationals of other countries, were perfectly safe. You have a  
room here to-day before you two persons who lived in Haiti long before  
and traveled about freely in the country without fear of being molested  
where. Their experience is the common experience of all whites in that country.

Haiti's foreign debt was not in the position which I understand the  
Santo Domingo was in when we took over the administration of customs  
under the treaty of 1907. The interest had been regularly paid to the  
marines went in. There had been recent suspension of amortization payments  
due in part, I believe, to the European war, which had then been in full  
for a year. In the European countries there had been, since the outbreak of  
the war, a general moratorium. Nothing in the internal affairs of Haiti  
concerned the United States, I maintain, at least concerned the United States  
to the extent of justifying armed intervention into the affairs of that country.

Haiti was a weak, helpless country, the second oldest Republic in the Western  
Hemisphere; but however weak, however ignorant her people were, however  
efficient you may believe her Government was from the point of view of two  
century American ideals of efficiency in government, she had been independent  
and as all who testified here have agreed, the Haitians did love their independence.  
They were exceedingly proud of what they had done in throwing out  
French a hundred years before, and rightly or wrongly, they valued what  
had done for themselves. And other things being equal, they were, I think,  
titled to keep and maintain that.

I am not now going over all of the detailed facts of the intervention. It  
was a new revolution which had broken out in the spring of 1914  
as a result of or by mere coincidence—I know not which—with  
attempts of our Government, beginning in July, 1914, to obtain control  
Haitian customs and finances. You will note in the record that there were  
separate attempts by diplomatic means, between July, 1914, and July, 1915,  
the United States to obtain a foothold in Haiti in the control of customs  
other functions of Government there. All those attempts were rebuffed  
Haitians. Then came the new revolution, the murder of President G. J.  
Sam, and the landing of the marines. I have never heard any criticism  
any American or Haitian of the mere landing of our marines in Port-au-Prince  
in July, 1915. There was no government in existence for the moment  
objection is not to the landing of the marines but to their continued presence  
what they did after they were there.

If you have read carefully and remember only the high spots in  
Caperton's testimony, you will remember that between the 24th or 25th  
when we landed our marines, and the 15th day of September, 1915, the  
treaty was ratified by the Haitian executives, we had landed more than  
marines. We had seized the 10 principal ports of the Republic. We had  
full control of such communications as there were up and down the coast  
from town to town. We had seized the national funds. We had demanded  
to the order of our admiral, who disbursed them as he saw fit. We had  
martial law. We had elected a candidate for a president who  
would be favorable to the United States interests.

The CHAIRMAN. You mean "interests" or "policies"?

Mr. ANGELL. Well, I was using the term "interests" as interchangeable  
policy, in that sense; not so much from actual financial investments as  
poses and policies.

We had seen installed into office that candidate for the presidency  
advance of election, stated to our naval officers that if elected he would  
to do whatever the United States wished, including the customs control,  
cession of Mole St. Nicholas. We had put in office, substantially and

Those are the two messages which constitute, so far as I can discover, Haitians our purposes of intervention.

Senator POMERENE. And that expressly destroys the inference which drew from the first, that we were interested in getting a landing done. No other interpretation can be placed on that.

Mr. ANGELL. Yes; but we did not always follow out the utterances and gestions of our public declarations.

Senator POMERENE. That may be a matter of difference of opinion.

Mr. ANGELL. If you think that those two statements express not an expression of intention, but our actual acts, how then are we to explain coercive methods that we took to jam the treaty down the throat of Haiti?

Senator POMERENE. That is a matter to be discussed a little later. Every first message you read there assures the Haitian people that we are to protect their integrity and political independence. We have got to take the whole message in order to determine what the purpose was.

Mr. ANGELL. There is no question what the announced purposes were. There is no difference between my understanding and what I believe to be of our announced purposes. I say that we did not always live up to our announced purposes.

Senator POMERENE. Do you mean to say that the Government here at Washington had some insidious purposes about it?

Mr. ANGELL. I believe that the Government at Washington was interested in cession or lease, in Mole St. Nicholas. I believe the facts show that it was. We went down there and sent a fleet down.

The CHAIRMAN. Let me say, the construction and dimensions of war since 1891 have materially affected the usefulness of Mole St. Nicholas. I think naval authorities will hold that even larger harbors are no longer useful and Mole St. Nicholas, to my understanding, has no military value whatever for fleets comprising battleships of the first size.

Mr. ANGELL. There was undoubtedly a great change in construction between 1891 and 1915. There was a great change between that time and 1922. If the United States had no interest in that, why didn't they say so in answer to Dartiguenave's offer? Why didn't they say, "We have no interest in Mole St. Nicholas," instead of using language that is susceptible of two interpretations?

On August 19 Admiral Caperton cabled to the Navy Department the following message as secret and confidential (p. 335), where it was pointed out:

"The following message is secret and confidential" does not appear in the copy of the message which he gave for this record, but they do appear in the original message to the Navy Department which was brought here; in the original message it appears, "The following is secret and confidential." In the copy given by Admiral Caperton it is left out. The message goes on:

"United States has now actually accomplished a military intervention in the affairs of another nation. Hostility exists now in Haiti and has existed for a number of years against such action. Serious hostile contacts have only been avoided by prompt and rapid military action, which has given United States control before resistance has had time to organize. We now hold capital of the country and two other important seaports."

That was on the 19th.

Senator POMERENE. What are you reading from there?

Mr. ANGELL. This little document?

Senator POMERENE. Yes.

Mr. ANGELL. I am reading from a copy of the report of the 24 lawyers which is on page 335 of the record.

Senator POMERENE. The report of 24 lawyers; what is that?

Mr. ANGELL. I will come to that later. This is correctly read from the report of the Senator.

Senator POMERENE. But you say it is in the other document. The report should show what you are reading from.

Mr. ANGELL. At the same time the admiral said:

"Present is most critical time in relations with Haiti, and our decision will, to a great extent, determine future course. If military government is established, we would be bound not to abandon Haitian situation until the interests of country are set upright and predominant interests of United States in America secured."

Then on September 3 the admiral declared martial law in Port-au-Prince by that extraordinary document in which he says—page 348 of the record:

"I further proclaim, in accordance with the law of nations and the customs, and functions of my own and other governments, that I am in a

Mr. ANGELL. There was no central Haitian government between the accession of President Sam and the inauguration of the new Dartiguenave Government on August 12th. There was a government—

Senator POMERENE (interposing). Who had control of those ports in the meantime; the collector of customs?

Mr. ANGELL. The natives, such as they were.

The CHAIRMAN. "Such as they were"; what were they doing with it?

Mr. ANGELL. I don't know. There was no excuse whatever for the taking all the funds and holding back the funds until the ratification of the treaty. I have heard it said that the purpose of seizing these funds was to prevent their being taken by the irresponsible groups or officers in the native Government. That is a plausible explanation on the face of it until you consider what leverage the control of those funds gave to Admiral Caperton the use to which that pressure was put, namely, to compel them to accept the treaty. That is what the record shows in the message of Secretary Daniels which I have just read, saying that the question of back salaries was settled with the Haitian Government when the Haitian Government accepted our treaty.

On November 3, according to a report of the admiral made to the Navy Department, appearing on page 391 of the record, the admiral had pointed out to President Dartiguenave that "The only objections are unimportant local points and abstract principles. These and other details can be arranged later."

After ratification, in other words.

Finally, Mr. Daniels, Secretary of the Navy, sent to the admiral a message on November 10th—that was following ratification of the treaty by the Senate, and the day before the ratification by the Senate—a message which appears at page 394 of the record, as follows:

"Arrange with President Dartiguenave that he call a cabinet meeting at the session of Senate which will pass upon the ratification of treaty and that you be permitted to appear before that meeting to make a statement to President and to members of cabinet. On your own authority state the following before these officers: 'I have the honor to inform the President of Haiti and the members of his cabinet that I am personally gratified that the sentiment continues favorable to the treaty; that there is a strong sentiment from all classes for immediate ratification and that treaty will be ratified on Thursday. I am sure that you gentlemen will understand my sentiment on this matter, and I am confident if the treaty fails of ratification that my Government has the intention to retain control in Haiti until the desired end is accomplished, and that it will forthwith proceed to the complete pacification of Haiti so as to insure internal tranquillity necessary to such development of the country and its industry as will afford relief to the starving population unemployed. Meanwhile the present Government will be supported in its effort to secure stable conditions and lasting peace in Haiti, whereas offering opposition can only expect such treatment as their conduct merits. The United States Government is particularly anxious for immediate ratification by the present Senate of this treaty, which was drawn up with the intention of employing as many Haitians as possible to aid in giving effect to its provisions, so that suffering may be relieved at the earliest possible moment. Rumors of bribery to defeat the treaty are rife, but are not believed. If they should prove true, those who accept or give bribes will be vigorously prosecuted.' It is expected that you will be able to make this sufficiently clear to remove all opposition and to secure immediate ratification. Acknowledge."

"DANIELS."

Why should the Secretary of the Navy notify our admiral operating in a friendly country that bribery to prevent ratification of a treaty would be prosecuted? Prosecuted by whom? By the military courts he had established in Haiti? That is the basis of our control of Haiti.

Senator POMERENE. Now, let us ask a little question; we ought to be aware of about this. If the United States Government has done any wrongs down there they should be rectified. But suppose—and I am assuming this for the sake of the question—but suppose the information was that there was likely to be bribery to bring about the defeat of that treaty; what should be done under the circumstances, if our military forces were there?

Mr. ANGELL. Make reference to it in public, if he wanted to, but not make it a threat to prosecute native officials.

## INTRODUCTORY NOTE.

Every material statement made in this document is derived from the report of the hearings before a select committee of the United States pursuant to Senate Resolution 112, authorizing an inquiry into the government and administration of the territories of the Republic of Haiti and the French Republic. These hearings took place from October 4 to November 12. The official record of the proceedings has been published by the Government Printing Office. The facts disclosed are not only a part of the history but most of them are established by testimony, by public documents, and communications and reports passing between the Secretary of the Navy, Hon. Josephus Daniels, Rear Admiral William B. Caperton, United States Navy, and other officials. It is intended that the facts recited shall support our own commentary. It is hoped that a recognition of the truth will lead to adoption of the logical remedy.

## THE SEIZURE OF HAITI BY THE UNITED STATES.

From 1804 to 1915 Haiti was a sovereign State under a republican government. As a recognized sovereign nation she became a signatory of the Hague Convention of 1907. She won her independence from France. She was deprived of it in 1915 by the United States. Since then we have been in virtual control of her territory, our marines have been in military occupation of the country, and the former republic has been stripped by us of every vestige of her sovereignty. This startling condition has been brought about by a convention between the United States and the Republic of Haiti, bearing date September 18, 1915, but not ratified by Haiti until November 1915, under circumstances that will be presently detailed.

## RELATIONS BETWEEN THE UNITED STATES AND HAITI.

The population of Haiti is somewhat less than 3,000,000. It is almost entirely illiterate, and except in the more important towns there is no middle class. There is an upper class, comparatively small numerically, but highly educated and cultured. As a colony Haiti suffered all the horrors of cruel slavery, the consequence that a century of independence has not effaced the memory of foreign encroachment and domination. As a measure of protection against alien control, the several constitutions of the republic have embodied provisions rigidly excluding foreigners from the ownership of land. From an economic standpoint conditions have been and are exceedingly primitive. From a political time there have been internal political dissensions resulting in disorder. It is noteworthy, however, that no American citizen has been injured in person or property by the people of Haiti; nor have any other foreigners been even when internal conflict occurred. Foreign investments have at all times been respected, the interest on Haiti's foreign debt has been scrupulously paid, and her relations with other governments have been free from adverse comment. She has never manifested hostility to the United States and has never been an occasion for our intervention in her affairs.

Haiti has, however, been long suspicious of possible attempts by the United States to gain a foothold in or complete control over her territory. From time to time, the United States has in fact made several attempts to obtain control of the harbors of Samana Bay, on the eastern coast of the Dominican Republic, of Mole St. Nicholas, on the northwest coast of Haiti, for avowed naval bases. Haiti consistently declined to consider either a cession or lease of any part of her territory to the United States. Nevertheless, in 1901, our Government sent Admiral Gherardi with a considerable fleet to Port au Prince, capital of Haiti, to treat for a cession or lease of Mole St. Nicholas. The Haitian Government objected even to a discussion of the proposal, and our fleet was withdrawn.

On six occasions during 1914 and 1915 the United States made direct attempts to Haiti to secure control of her customhouses and their administration. All of these efforts proved futile. In the meantime a number of revolutions were in progress in Haiti, similar in character to those that have frequently occurred in Mexico and in various Central American and South American countries, and frequent changes in governmental administration took place.

Vessels belonging to our Navy frequently entered Haitian waters. In the latter part of 1914 our Government offered assistance to the then President

The Haitian Legislature, consisting of a chamber of deputies and a Senate, was in session and was about to proceed to the election of a new President to fill the existing vacancy, but under orders from our State Department, Admiral Caperton twice induced the chambers to postpone the election. American officers at the capital canvassed the political situation carefully and found a prominent and universally respected Haitian citizen was asked to be a candidate for the presidency, but all refused. One of them, Mr. Léger, formerly at Washington, characterized by Lord Pauncefoot as "the ablest accomplished diplomat I have known,"<sup>1</sup> refused upon the ground that he was for Haiti, not for the United States, and that he would have to wait until what the United States would demand of Haiti in order to be in a position to defend Haitian interests. When Sudre Dartiguenave, the president of the Senate, proclaimed himself a candidate for election to the presidency of the Republic and offered if elected President to accede to any terms which the United States might name, including the surrender of customs control and cession of Mole St. Nicholas, Admiral Caperton notified Washington of this. He advised that the breaking up of the bands of revolutionaries by the United States was imperative if the United States desired at last "to negotiate a treaty for financial control of Haiti."<sup>2</sup> The State Department, "by the instruction of the President," requested the Navy Department to send a sufficient force of marines to control the situation absolutely, and the Navy was instructed that the United States favored the election of Dartiguenave.

The policy that had been formulated at Washington was expressed in a message wherein the Navy Department directed the Admiral by proclamation otherwise "to assure the Haitian people that the United States of America had no object in view except to insure, establish, and help maintain Haitian independence, and the establishment of a firm and stable government by the Haitian people. \* \* \* It is the intention to retain United States troops in Haiti only so long as will be necessary for this purpose."<sup>3</sup>

In the meantime the State Department had advised the American Legation at Port au Prince of the procedure that he was to pursue to assist the Congress in electing a President, saying that the United States would not be intrusted with customs control and such financial control as might be necessary. The night before the election American naval officers informed senators, deputies, and candidates for President of the intentions and policy of the United States, as instructed.

On August 12, 1915, M. Dartiguenave was elected President, Admiral Caperton's chief-of-staff being on the floor of the voting hall and American troops guarding the approaches. The election was free in the sense that the Haitian people and senators who voted were not terrorized by revolutionary groups. On the other hand the situation, precipitated by the events of July 27 and 28, was such that the naval and marine forces under Admiral Caperton clearly exercised a strong influence in favor of Dartiguenave. American intervention was a *fait accompli*; American military control was growing from day to day. The State and Navy Departments were kept fully informed of all developments. The presence and activities of our naval forces were specifically directed from Washington.

On August 14, 1915, two days after the election of Dartiguenave, the Navy Department notified the American legation at Port au Prince to submit to the Haitian President at once the draft of a treaty providing for control of Haitian finances and military intervention by the United States. The legation was instructed to advise the Haitian President that "the Haitian Congress be pleased to pass forthwith a resolution authorizing the President to conclude, without modification, the treaty submitted by you."<sup>4</sup> The legation complied. A carefully formulated draft of a treaty, unquestionably prepared on the occasion with manifest deliberation, was accordingly submitted on August 17, 1915. Negotiations for its acceptance and ratification were undertaken and carried on by Admiral Caperton and his naval officers in conjunction with the legation.

#### THE TREATY.

This elaborate document begins with a preamble which, in the facts related and those about to be recounted, is the height of irony.

<sup>1</sup> Ibid., p. 320.

<sup>2</sup> Ibid., p. 313.

<sup>3</sup> Ibid., p. 315.

<sup>4</sup> Ibid., p. 313.

<sup>5</sup> Ibid., p. 127.

and temporary public works, and to support the new Haitian Government, funds were to be deposited in separate accounts in the name of Admiral Caperton, the United States Government holding these funds "in trust for the benefit of Haiti." Admiral Caperton carried out these instructions and on August 21 and September 2, 1915, seized the customhouses at the principal ports. For several months naval officers collected all customs duties and all disbursements. This deprived the Haitian Government of all its revenue, since the customhouses were practically the sole sources of its revenue.

In response to the order of August 19, 1915, Admiral Caperton sent a message to the Navy Department reading in part as follows:

"Following message is secret and confidential. United States has successfully accomplished a military intervention in affairs of another nation. Hostility exists now in Haiti and has existed for number of years and has caused action. Serious hostile contacts have only been avoided by prompt military action which has given United States control before resistance had time to organize. We now hold capital of country and two other important seaports."<sup>10</sup>

The seizure of the customhouse aroused the strongest opposition on the part of the people, and the Haitian Government, in a series of notes addressed to the American chargé d'affaires protested vigorously against the violation of its sovereignty. No explanation or apology was ever offered by the United States.

#### OBJECTIONS TO TREATY BY THE HAITIAN CHAMBERS.

In the meantime the Haitian Government was considering the draft treaty submitted to it on August 17, 1915. The President was favorable to the treaty, but opposition to it was growing in the cabinet and the public due to "fear of sentiment throughout the country against the American control, propagated constantly during the last few years by the factious elements."<sup>11</sup> The President and the cabinet thereupon threatened to resign for the same reason. Admiral Caperton recommended to the Navy Department that the event of the resignation of the new Haitian Government a military government should be established, with an American officer as military commander. He added significantly: "Present is most critical time in relations with Haiti and our decision now will to a great extent determine future course. If a military government is established, we would be bound not to abandon the situation until affairs of country are set at right and predominant interests of United States of America secured."<sup>12</sup>

#### THE PROCLAMATION OF MARTIAL LAW BY ADMIRAL CAPERTON.

By the early part of September, 1915, the augmented forces under the command of Admiral Caperton were in complete control of all the principal routes in Haiti, had seized all the sources of national revenue, had the custody of all the national funds, and were engaged in expending them directly, turning over any portion of them to the Haitian Government. Public order and the public purse were altogether in the mastery of the Navy Department. On September 3, 1915, Admiral Caperton declared martial law in the city of Port au Prince by proclamation, in which he announced:

"\* \* \* In order to afford the inhabitants of Port au Prince and the territory hereinafter described the privileges of the Government, exercise the functions necessary for the establishment and maintenance of the mental rights of man, I hereby, under my authority as commanding the forces of the United States of America in Haiti and Haitian waters, declare that martial law exists in the city of Port au Prince and the immediate vicinity now occupied by the forces under my command.

"I further proclaim, in accordance with the law of nations and the customs, and functions of my own and other Governments, that I am invested with the power and responsibility of Government in all its functions and branches throughout the territory above described; and the proper ad-

<sup>10</sup> Ibid., 334.

<sup>11</sup> Ibid., p. 335.

<sup>12</sup> Ibid., p. 336.

<sup>13</sup> Ibid., p. 338.

In the meantime, the funds collected at the several custom houses were applied by the naval collectors to defray the expenses of the constabulary, public works and the like. No payment of the interest charges on the public debt was made, although the receipts of the customs service had previously been lawfully pledged by prior Haitian governments. In fact, the provisions for the use of customs funds for this purpose immediately paying the expenses of the receivership, were never complied with: American receiver general until 1920, notwithstanding the fact that the funds were realized from the customs to meet the demands of other classes of expenses which, according to the treaty, were subordinated to the loan service.

On November 8, 1915, Admiral Caperton, referring to the treaty and criticisms, pointed out to President Dartiguenave that "the only details are unimportant technical points and abstract principles. These also details can be arranged later."<sup>19</sup>

#### THE FINAL ACT OF COERCION.

On November 5, 1915, the Senate committee made a report on the treaty, accepting some of its provisions and suggesting modification of others. A few days later the *Hector*, one of the American naval vessels in Haitian waters, at the instance of Admiral Caperton, made a special trip to bring from Port-au-Prince "who will be elected to fill vacancy" from Cape Haitien to Port-au-Prince in order to secure his vote for the ratification of the treaty, because in the language of the admiral: "Absolutely essential all possible votes for ratification be secured."<sup>20</sup>

On November 10, 1915, the Secretary of the Navy gave the admiral the following explicit and unprecedented instructions as to what he was to say:

"Arrange with President Dartiguenave that he call a cabinet meeting at the session of Senate which will pass upon ratification of treaty and that you be permitted to appear before that meeting to make a statement to the president and to members of cabinet. On your own authority state the following before these officers: 'I have the honor to inform the president of Haiti and the members of his cabinet that I am personally gratified that public sentiment continues favorable to the treaty; that there is a strong demand on all classes for immediate ratification, and that treaty will be ratified. I am sure that you gentlemen will understand my sentiment in this matter. I am confident if the treaty fails of ratification that my Government has intention to retain control in Haiti until the desired end is accomplished; that it will forthwith proceed to the complete pacification of Haiti to insure internal tranquillity necessary to such development of country as industry as will afford relief to the starving populace now unemployed; while the present government will be supported in the effort to secure favorable conditions and lasting peace in Haiti, whereas, those offering opposition can only expect such treatment as their conduct merits. The United States Government is particularly anxious for immediate ratification by the Senate of this treaty, which was drawn up with the full intention of effecting as many Haitians as possible to aid in giving effect to its provisions; suffering may be relieved at the earliest possible date. Rumors of defeat defeat the treaty are rife, but are not believed. However, should they be true, those who accept or give bribery will be vigorously prosecuted. I expected that you will be able to make this sufficiently clear to remove all opposition and to secure immediate ratification. Acknowledge. [in Italian] ours.]

The admiral complied with this command. In view of the express and threats thus conveyed, on the following day, November 11, 1915, the treaty was ratified by the Senate.

From the beginning of August, 1915, until long after the so-called ratification of the treaty, the situation in Haiti can best be described in the words of Admiral Caperton: "The status of our administration in Haiti was at that time purely one of military control."<sup>21</sup> During this period offensive operations were conducted by our forces against Haitian revolutionaries.

<sup>19</sup> Ibid., p. 391.

<sup>20</sup> Ibid., p. 393.

<sup>21</sup> Ibid., p. 394.

<sup>22</sup> Ibid., p. 404.

Dartiguenave at an early day. It is only with such a new Haitian Government that any negotiations for a realignment of Haitian-American relations for an adjustment of Haitian finances can fairly be carried on. To do this with the Government of President Dartiguenave would be in keeping with the methods employed in 1915 to force acceptance of the treaty. The continuation of this state of affairs is intolerable to those proud of American tradition and moved by the spirit of liberty and justice.

#### CONCLUSIONS.

From the foregoing summary of the salient facts as to our intervention in Haiti and descriptive of the present status of the Haitian Government, the following general and specific conclusions:

1. The presence of our military forces in Haiti after the disturbance of July 27-28, 1915, had quieted down was violative of well-recognized international principles.

2. The seizure and withholding by our forces in 1915 of Haitian national assets was a violation of international law and of the repeated professions by the United States Government officials of our position and attitude toward American Republics and weaker governments.

3. The imposition and enforcement of martial law without a declaration of war by our Congress and the conduct of offensive operations in Haiti by the United States prior to the acceptance of the treaty by Haiti were equally violations of international law and of our own Constitution.

4. The methods employed by the United States in Haiti to force acceptance and ratification of the treaty framed by the United States, namely, the use of military, financial, and political pressure, violate every canon of international law and equal dealing between independent sovereign nations and of American professions of international good faith.

5. The maintenance in Haiti of any United States military force or of control exercised by treaty officials under cover of the treaty of September 17, 1915, amounts to a conscious and intentional participation in the wrong of the aggression and coercion.

6. The present native Government of Haiti, chosen in 1915, unsupported by any elected representatives since 1917, being now at the end of its term, no negotiations should take place with such Government which in the future of Haiti or which can in any material respect affect its future.

7. The functions of a department of colonies and dependencies assigned to the Navy Department and conferred on it by mere executive action not authorized by Congress or by other sanction of law, and should be considered as essentially illegal and as a usurpation of power.

8. We declare, without qualification, that the honor and good name of the United States, the preservation of the sovereignty and the cherished independence of Haiti and her right to fair dealing on the part of the United States, as the possibility of assuring the continuance in the future of harmonious and amicable relations between our country and Latin America, based on mutual confidence, all require:

(a) The *immediate* abrogation by the United States of the treaty of September 17, 1915, unconditionally and without qualification.

(b) The holding of elections of representatives to the legislative body of Haiti and of a President by the free will of the people at an early day.

(c) The negotiation of a new treaty with a new Haitian administration, providing for friendly cooperation between the United States and Haiti upon such terms as shall be mutually satisfactory to both countries and by the methods that obtain between free and independent sovereign States.

#### THE LAWYERS WHO ARE SIGNATORIES OF THE BRIEF.

Frederick Bausman, of Seattle, is a former judge of the Supreme Court of Washington and senior member of the firm of Bausman, Oldham, & Eggerman.

Alfred Bettman, of Cincinnati, formerly city solicitor of Cincinnati, Special Assistant United States Attorney General, is a member of the firm of Moulmier, Bettman & Hunt.

William H. Brynes, of New Orleans, is the senior member of the firm of Brynes, Mooney, Booth & Norman, a former Louisiana State Senator and member of the State constitutional convention of 1921.

maintain its sovereign rights against incalculable odds, is nothing but political immorality. The command of self-restraint leads one to refrain from drawing parallels, and a desire to avoid all sordid considerations permit a reference to the economic injury that our country would sustain were it to delay further undoing of this stupendous wrong."

Now, to come for a moment to a consideration of the letter of Lansing addressed to the chairman of this committee. That document is a number of pages. I have not time to consider every paragraph in it. He justifies the intervention in Haiti in 1915 upon two grounds as I read the document; one, the disturbed internal conditions of the country, to which I made reference in my opening remarks; second, the intentions of Germany toward Haiti, those intentions being, as the chairman has just stated, disclosed in a letter of the German chargé d'affaires early in 1914, to the effect that the German Government could not regard with complete acquiescence any entire control by the United States of Haitian customs. It was reports, and rumors, and intended acquisition of a coaling station at M. St. Nicholas, and refers to the landing of German troops in Port au Prince one year before our intervention. The implication is, as I read it—and I may be perfectly fair in the recital of such facts as are there—that the German intentions on Haiti. The assertion of those intentions was an actual or potential menace, and ergo, the United States went in there in pursuance of the Monroe doctrine. If the intentions of the Germans had gone further, it might raise an interesting question of how far, under the Monroe doctrine, we should step aside and allow the Germans to take hold in getting a foothold before we take some action, diplomatically, or direct. But Germany had been at war for one year in a world war before we landed our marines in Haiti.

To say that the German intentions in Haiti in 1913 and 1914, after Germany was all tied up in a war and her fleet bottled up, except for an occasional sortie, justified our going into Haiti, and justified our seizing and holding up her fleet, and saying to her, "Sign on the dotted line," is, I say, an exceedingly thin disguise of sophistry, and an exceedingly unjustifiable reason for any action of the United States. That was neither justification for the intervention in 1915 nor for the action we used to jam that treaty down the throat of Haiti. Prior to 1915 we had shown we had some intentions in Haiti. I started to cite briefly the fact concerning the sending of the fleet in 1891. The diplomatic correspondence in reference to that is now in the hands of Mr. Howe, in the documents which I have formally offered for the record. We sent a fleet down there and we showed the Haitians that the United States desires the acquisition of Mole St. Nicholas as a coaling station. The Haitians refused to consider it even, and our fleet withdrew. We had made six previous attempts between July, 1914, and July, 1915, to get control of the Haitian customs.

We had done the extraordinary thing of loaning a gunboat, and landed it at Port au Prince—the gunboat *Machias*—and the marines went to the National Bank of Haiti, a bank organized under the laws of the French Government, testified to by Roger L. Farnham—the marines were landed without notice to the Haitian Government, and the marines were marched up in front of the bank and were there given \$500,000 in gold, belonging to the Haitian Government, which was deposited in this bank as security against its issues, so that being a part of the reserves in the bank under the treaty of 1910

Senator POMERENE. You say these were Government funds?

Mr. ANGELL. Yes; not to be too technical about these actual pieces of gold.

Senator POMERENE. Do you mean to say that Government gold was sent to Haiti without the Government of Haiti knowing anything about it?

Mr. ANGELL. Certainly, sir; it is in the record. Mr. Farnham admitted here when he testified. Five hundred thousand dollars in gold on deposit in the bank to secure the note issue was delivered by the bank, in secret, to the marines from the gunboat *Machias* and carried on the gunboat to New York, where it was put on deposit in banks and remained there for several years later used in the payment of interest. That was done, Mr. Farnham testified before this committee, because the National Bank of Haiti, fearing raids by revolutionary bands, decided it was safer to send it to New York, may or may not have been the case; and since they could not get insurance on that time on ocean-going vessels, owing to the war, they got the United States to loan them a gunboat. An extraordinary proceeding, to say the least.

I am coming back, at the very end of my remarks, to the basis of our action and the methods used to obtain the ratification of that treaty. I have given you a brief and, I think, a fair recital of the facts.

to the minister of finance as may be deemed necessary for the well-being and prosperity of Haiti."

Subsequent articles provide the means by which these general and other purposes are to be carried into effect.

I want to consider now briefly the accomplishments of seven years of our rule in Haiti. We have restored, and at times, but not always maintained order in Haiti, so that travel in Haiti is to-day safe to the foreigner to the Haitian. It has not always been so since our occupation, notably at the time of the so-called rebellion of 1918 and 1919. That is certainly an achievement.

The CHAIRMAN. How much of the area of the country was involved in the outbreak in 1918? The testimony shows about one-quarter.

Mr. ANGELL. Yes; I think that would be fair. I was trying to estimate.

The CHAIRMAN. And something less than one-fifth of the population?

Mr. ANGELL. It was not the whole area. That, let me point out, that was achieved at the expense of some 2,500 Haitian lives lost, and in the "mopping up" process following that rebellion.

We have organized and put on foot a native constabulary which will be great while now, be able to take care of the internal policing. When the organization of that force is completed by providing more officers from the natives, particularly the higher officers, there will have been created a genuine piece of constructive work, which is only partly done at the time.

We have built some roads on the island, which members of the commission have seen on their visit down there. Those roads will be of some value for the development of the country and in maintaining order. That is probably a certain achievement. Of course, they were built primarily as military roads. In the building of them the abuses of the corvée occurred, which had a repercussion on the state of mind, which in part gave rise to the rebellion of 1918.

Those roads were built with Haitian Government money, which under the terms of the treaty drafted by the United States should have gone, in the first instance, to the payment of the interest on the debt. We assume, in other words, to exercise our own judgment as to how, when, and where the terms should be applied, and we chose to have the Haitian Government appropriate as much as \$360,000 a year at one time for the building of military roads.

We have achieved some sanitation in the larger cities; to just what extent does not appear very clearly from the record. I do not think it is a material one way or the other, other than as a recognition of the fact that has undoubtedly been good work done in that line.

A notable achievement in finance is the reduction of the debt from \$127,000,000 to \$80,000,000—If my recollection of the figures is correct—127,000,000 francs in 1915, at the time of the occupation, to some eighty-odd million francs at the present time, a reduction of the foreign debt. That debt has then been reduced by 33 per cent. in those seven years.

That was not done, however, I submit, as it should have been, because the payment of interest was suspended almost completely during five years.

The CHAIRMAN. You would not justify, in other words, the suspension of interest payments in any degree by reason of the disturbance in Haiti arising out of conditions upon the high seas brought about by the great war?

Mr. ANGELL. That might be some partial excuse for it; oh, yes, a partial excuse, however, because during that period of five years when the payments were suspended you must remember we were seeing to it that the Haitian Government should appropriate, as I just pointed out, some \$360,000 a year for the building of military roads, which under the treaty should have been last rather than second in the category of expenses provided for by the terms of the treaty.

And during those five years the financial adviser was from time to time setting aside a certain sum for the payment of interest on the foreign debt, notwithstanding the impairment of the gross receipts of the country. He was setting aside money from time to time, but not to actually use it to pay the interest on the debt. The result is that naturally there has been an impairment of the credit of the Haitian nation abroad. A nation, like an individual or corporation, cannot suspend payments on its debt for a period of five years without

affairs in Cuba. Do you base the Platt amendment on the blowing up of the *Maine*?

Mr. ANGELL. No; but you can not overlook the blowing up of the *Maine*, the loss of American lives, the formal declaration of war with Spain, and the fact that Cuba was a part of the Spanish Empire.

The CHAIRMAN. Will you explain to me, then, how the Platt amendment is justified by the destruction of the *Maine*?

Mr. ANGELL. Well, we got into Cuba by declaration of war, sir, as we got into Haiti. We made war in Haiti without ever declaring war there. I believe you yourself referred to that once in the Senate, as the unauthorized wars which the preceding administration was wont to make. There is no difference, in my judgment, between the case of Haiti and the case of Cuba. We got into Cuba by an honest, straightforward declaration of war, the result of which was the blowing up of the *Maine* and the loss of American lives. We got into Haiti without any such pretext or justification. We got out of Haiti, how long was it? Three years, or something of that sort, and we retained general foreign control by the Platt amendment. We have not gotten out of Cuba, or shown any disposition to get out.

The CHAIRMAN. Just a minute. What do you mean? Do you mean over Cuba's foreign policy, or do you mean the right to intervene in her domestic affairs?

Mr. ANGELL. The right to intervene, no cession to foreign powers, and the Platt amendment, as I recall it, was in the Army appropriation bill of 1901, three years after the war was over. We got out of Cuba in three years. We have been in Haiti now for seven years, and I see no prospect of our getting out.

The CHAIRMAN. We went back into Cuba?

Mr. ANGELL. Yes; we went back into Cuba, for a short time.

The CHAIRMAN. And General Crowder is there to-day?

Mr. ANGELL. And General Crowder is there to-day. Conditions are the same, however, from the international point of view, certainly.

If the question arises, sir, as to the adoption of a similar amendment relating to Haiti, we can then consider what the analogy to Cuba is. But we have shown no disposition to get out of Haiti, and it is putting the cart before the horse, if I may so suggest, to talk about the analogy of the Platt amendment to Cuba until we have shown some disposition to get out of Haiti.

Now, let me consider what I might term some of the negative features of the occupation.

First, as to finances. I have already pointed out that for five years we have had no interest on the foreign debt, although the revenues were during that time sufficient, at least in part, to pay that interest. We have thus impaired the foreign credit of Haiti—

The CHAIRMAN. You hold that we have impaired the foreign credit of Haiti. You will want it to appear on the record, will you not, that all arrears of amortization are paid as of to-day?

Mr. ANGELL. That appears in the record; oh, yes. I am not disputing. I said a moment ago that when any individual, corporation, or nation does not pay the interest for five years on its debt its credit is naturally impaired. It does not need a formal demonstration in figures to prove that.

We used Haitian Government funds to build roads, as I say, for a purely military purpose—funds which should have been used, in the first instance, for the payment of its debt. The Haitian Government is still incurring a large and largely unnecessary expense to maintain a financial adviser in the United States, when he should be down in Port au Prince on the job there, instead of up here trying to put through a loan on a country which is unable to accept it.

We have not determined, as we agreed to take steps to do under the terms of the internal debt, and I can see no disposition, from the testimony of Mr. McIlhenny, to give serious attention to that very pressing problem.

We have likewise made no determination of the noncontractual claims against the Haitian Government. We have, furthermore, abolished the Haitian institution of the chamber of accounts to give it an English title, which was the institution designed, I assume and believe, to act as an accounting of the expenditure and receipt of public moneys. That has been abolished, and that function is in the hands of the financial adviser.

In the pacification process we killed 2,500 or more Haitians—

The CHAIRMAN. In your judgment 2,500 or more?

certain things had to be done to carry on the work it had set on in Haiti, and one of them was that a constitution, which was a variance with every expressed wish of the United States, should be brought into effect." There was a deadlock then. The Haitian assembly would not make the changes which General Cole, Mr. Myer, and Admiral Kinkaid were necessary, so that General Cole discussed with President Lorrain the advisability of dissolving the assembly because of the impasse. On June 15, 1917, he reported to Washington:

"Antagonism of national assembly to foreign ownership of land and American influence such that no endeavor I can make short of dissolution of assembly will prevent passage of constitution along the line reported. 13107. Have discussed matters fully with minister and General Buttler. Urgest minister notify Haitian Government that, in opinion of our Government, constitution, prepared by assembly, will make impossible to bring results contemplated under articles 1 and 14 of treaty; and, unless our Government can not accept such constitution. If national assembly heeds such warning it will be necessary to dissolve assembly to prevent passage. The number of marines in Haiti should be increased by at least full companies to prevent disorders that may follow dissolution of assembly."

On the following day General Cole notified Washington (record, p. 702): "Unless contrary instructions received, if necessary to prevent passage of proposed constitution, I intend to dissolve national assembly, through direct, if possible; otherwise direct."

Then, he goes on to tell of the difficulties he had in getting the president to agree actually to dissolve the assembly:

"I had in the meantime drawn up a proclamation of my own, intended to put into effect in case the President did not exercise his authority as President."

Cole had decided (p. 702) that dissolution was necessary and was done at once. He got the President to actually sign a decree of dissolution. He gave those two decrees, his own and the president's, to General Marc who took them both to the assembly and had read to the assembly the president's decree of dissolution. Whether it was the President's or Cole's decree is immaterial; each was the creation of American pressure.

By American military pressure then we dissolved the Haitian assembly, their representative form of government. They have never been called into session, since then. That is what we have done to set up stable government and democratic institutions in Haiti. We have lately proved false to our own solemn professions of good faith. That is what we can not blink it; we should not try to.

When the assembly had been dissolved in June, 1917, we went ahead and the new constitution prepared and submitted to a plebiscite vote.

No provision for a vote by a plebiscite on a proposed constitution was authorized in any way by the existing constitution of 1880, and this procedure was quite unknown in Haitian history. The plebiscite was held on June 1, 1918, resulting in a vote of some 98,000 in favor of the constitution and some 700 opposed.

Colonel Williams said very explicitly that that vote simply meant that Haitians who were opposed to the constitution stayed away from the polls because they regarded it as a farce—as Mr. Evans also testified in detail.

I want to call your attention particularly here and now to Mr. Evans' testimony (pp. 187-193 of the record) about what took place in the city of St. Marc on June 12, 1918, when that constitution was being voted on by the plebiscite. I want to point out particularly also that although Mr. Evans was the second witness before this committee, nobody has ever attempted to refute his testimony in this particular in the slightest respect. It is absolutely unchallenged, although marine officers have repeatedly contradicted and testified, and other persons who were there at the time. The testimony must be accepted, then, as true.

Mr. Evans stated that he was present in the polling place or voting place at St. Marc for several hours during that day; that the polling place was in charge of marine officers—Americans; that the voters were brought in by the gendarmes, and without any opportunity to exercise any choice in voting for or against the constitution they were handed ballot slips—

been to assist the committee in securing all the facts. The archives, for records have been thrown wide open.

When I appeared before this committee for the first time I believe that it is clear that if at any time it appeared desirable or necessary to the committee that counsel would be directed to appear. In my judgment that necessity never rose. Certainly I have never received orders to act as counsel, and, as such, has never appeared before this committee. I have appeared at committee meetings merely for the purpose of assisting the committee with the information from the Navy Department and Marine Corps in military language, I acted as liaison between the committee and the President. The committee has heard many statements that could have been refuted at the time, but even had I been in a position to do so I would not have made it. To illustrate, it would be but to waste the committee's time to refute testimony, because such evidence is weightless and worthless, and I am sure that the committee will ignore it in arriving at its conclusions on the record. It was wasting time to introduce such evidence. The weight of a mass of official testimony can not be increased by the fact that no attempt has been made to refute it.

Mr. L. TON EVANS. May I say this? The statement which I made, as quoted by Captain Angell, was made in 1918, on oath, here in Washington, presented as an affidavit, signed under oath, to the President and to the Senate, with regard to this very statement that is now quoted.

Senator ODDIE. With regard to the voting in that particular place?

Mr. EVANS. Exactly so, sir.

Senator ODDIE. But does it mention any other polling place?

Mr. EVANS. With regard to the others, it is stated there—and I stand under oath—that I had information from other places, from persons who were preparing to come themselves, personally, and state that they had with them the same thing in other places. But they were not—I will not say they were not allowed to, but they were afraid to come, or they did not come, and it goes unchallenged, as stated here. It was accepted before, and an investigation was made. I stand for that; it is under oath.

Senator ODDIE. Well, has that been presented here before this committee?

Mr. ANGELL. Mr. Evans's sworn statement is in the record.

Senator ODDIE. You mean, the evidence as to other election places, the evidence of what happened in other polling places.

Mr. EVANS. They were natives there, and they could not come here.

Senator ODDIE. You may proceed, Captain Angell.

Mr. ANGELL. Mr. Evans said (at p. 193 of the record), by way of assuaging the impression which this method of adoption made on the Haitian people:

"It was looked upon as a mere farce, and lowered the prestige of the United States among Haitians who seriously think, and even Europeans and Americans, who felt that the American occupation had gone the limit and made itself a laughing stock, and looked contemptible."

In short, as I say, the situation was that the American marine and officials in Haiti, acting under general instructions, at least, from Washington, had determined that fundamental changes had to be made in the constitution of Haiti and that since the elected representatives of the Haitian people would not support the proposed modifications the thing had to be put through in some other manner. The President was consequently persuaded to adopt the extra-constitutional method of a plebiscite, a procedure quite unknown in Haiti.

Perhaps the most important change thus made in the organic law of Haiti which Haiti is supposed to be governed is that which provides that foreigners may acquire title to land. I may point out here that under that provision American interests have taken up, in some places at least, large tracts of land. The number of Americans or of American concerns that have taken up land and the total acreage of the land, I do not know. It is a matter of common belief to be common knowledge, and I shall refer to it only as such. The concern in the St. Michel plain has over 50,000 acres of choice land. It is something not to be despised, of course. It is a very nice thing to have made possible by the changes put through by force in the way which has just called your attention to.

This new constitution of Haiti provides, in the last article, that the executive chamber and senate are elected legislative powers are to be exercised by the Council of State. The members of this body are appointed by the President and are subject to revocation and dismissal by the President without

very explicitly, as a constitutional lawyer, that the constitution of 1901 gave the council of state no power whatever to choose the President. The committee asked Monsieur Hudicourt for a written exposé argument. He has furnished that, and it is now in the hands of Mr. Borno and is one of the documents to be incorporated in the record. I draw your attention to that document and suggest that you read it. It is very convincing that the council of state has no power to elect the President. However, the council of state has gone ahead and done so. It has a new dummy President in office, and even he was chosen at an irregular meeting of the council, attended by only 14 of the 21 members.

I am not here to cast aspersions upon the character of Monsieur Borno, whom I know little or nothing. I merely point out the fact that he was chosen by the creatures of President Dartiguenave, and it may be expected that the government of Monsieur Borno will continue to be the dummy government of the American occupation in all matters where it retains the shadow of power and authority.

The most amazing instance in the whole seven years of the occupation attitude toward the Haitian Government lies in the suspension of the powers of the President and the executive branch in 1920. The testimony was brought out on my cross-examination of Mr. McIlhenny, which appears in volume 4 of the record. I do not propose to go into that in detail now, but to recall to your recollection the fact that the Secretary of State of the United States, Mr. Lansing, suggested in the early winter of 1920 to Mr. McIlhenny, financial adviser, then in the United States, that in the event the Haitian Government should not or would not accept the eight or nine proposed financial reforms agreed upon between the financial adviser and the State Department the financial adviser should then suspend the powers of the President and the executive branch of the Haitian Government as a means of forcing their acceptance. That was simply applying again, in August 1920, the same means which we used in the fall of 1915 to enforce the original suspension.

We must give the Haitian people credit at least for being strong enough to stand out against it and refusing, notwithstanding the suspension of salaries for three months, to accede to these demands. The wisdom of the provisions is not in issue. They are matters of internal administration. Neither the Secretary of State of the United States nor the financial adviser to the Government of Haiti, reporting direct to the Chief of the Bureau of American Affairs of the State Department, had the slightest right or authority whatever to withhold salaries in the attempt to force the Haitian Government to agree to measures of internal administration which Washington considered desirable and necessary. They do it through the form of applying the law, giving the pious sanctity of law to a procedure which is about as illegal as unauthorized and lawless as anything any nation could ever do.

We, helping to build up democratic institutions and a stable government, declared the maintenance and enforcement of martial law. We know perfectly well that martial law, at least in recent years, has been enforced primarily against newspaper editors whose articles are not liked by the occupiers.

The CHAIRMAN. You mean that it does not touch the life of the ordinary inhabitant?

Mr. ANGELL. In actual practice I do not believe it does very much. In so far as the freedom of the press touches the life of the ordinary inhabitant, I should say that in this country if our newspaper editors were suspended under martial law we would think it touched our lives very much indeed. It is actually applied principally against newspaper editors. It is a matter of sophistical speculation, I think, how far that affects the everyday life of the ordinary inhabitant, but it is there as a constant threat which may be applied against anyone for any cause.

The CHAIRMAN. In a country where 98 per cent of the people do not read?

Mr. ANGELL. Whatever the figure may be, that is immaterial. I maintain that this martial law has been in a number of cases in the last two or three years grossly abused. There was the case of Monsieur Chauvet, the editor of a paper who was arrested, tried, and sentenced by an American court-martial to the execution of the so-called censorship order. He was sentenced to pay a fine and his paper suspended for three months, merely for printing a newspaper stating that Mr. Ruan, the then financial adviser, had been recalled by the Borno government. That was a true statement; he had been recalled. He was recalled, and Mr. McIlhenny was appointed in his place. For that reason

the wrong job in Haiti, to my mind. Waiving all questions for the purposes of argument only, of the necessity of martial law, the Marine Corps should have been confined to pacification, martial law, and military. The Marine Corps, Navy, and Army officers are not a government. That is not their job. I am a lawyer; I am not trained in medicine or other professions. So the military man is not trained for government. Yet there he was, the military man, the commander of the Marines in Haiti, practically as the governor of the Republic, doing much as he saw fit, and aided and abetted in large part by gentlemen like McIlhenny, who were quite willing to suspend the salaries of the executive branch of the government if the executive branch of the government would do Mr. McIlhenny's will.

That is the way we have gone about building up in Haiti a stable government and restoring democratic institutions. We have made a miserable failure. We have not done it at all. Conditions in Haiti in that respect are not better to-day than they were seven years ago. No people, however much they may see of efficiency in government, are going to adopt those methods which are jammed down their throats and when their independence is taken from them, as it was in 1915 by us.

I have not made any mention so far, except in passing, of the abuse of the corvée. This was, I think, admittedly great in spots and at certain times. What happened there was this: We found a convenient law, which had been applied, and we called it into being. After we had applied it for a time we extended the power it gave us far beyond anything that was contemplated by that law. I say "we." Whether it was the gendarmes or the Marine Corps is immaterial; it was the Marine Corps policy.

We went out and gathered in natives in large numbers. We brought them in some places roped, it is said. In some places it is admitted by the Marine Corps's testimony that they were kept in barbed-wire inclosures, that they were shot when they tried to escape, and that they were kept long during the period of three days for which they should have been called upon to work under the existing law. And those abuses, resulting not only in loss of life but, far worse, in damage to our reputation and good name as Americans, maintain resulted in part in the so-called cacao rebellion of 1918.

The Marine Corps officers—quite honestly, I believe—maintained that the abuse of the corvée had very little to do with that revolt. Personally I do not believe that is the case. I believe it did have a large part to do with it. The two were contemporaneous, or one followed very closely upon the other, and they were in the same locality. General Catlin's testimony is very strong on that point. We did an injury to the natives of Haiti, whom we should have killed in that way, and, far worse, we injured our own good name.

It has been agreed here by everybody who has testified, I think—certainly by all those who have been honest and fair students of the question—that there has never been any consistent policy during the seven years of our administration there. Each treaty official has been semi-independent of the others, and they have gone each one their own sweet way without any direction from Washington. The result is, I submit, that seven years of occupation, of complete control over the affairs, foreign and domestic, of this country, have been in the best sense barren of large results and achievements which we should have expected, and had a right to expect, from the mere fact of our presence in Haiti, for the purposes set out in the treaty and from the complete character of the control which we exercised there. The actual results and achievements to which I referred a short time ago, which I as an American citizen maintain we have achieved, are so negative in comparison with what we might have achieved, and particularly in comparison with the abuses which have taken place and the negative results of the occupation—our failure really to build up a stable government, to do a good job of colonization, if we started out to do that, however justified we were—

The CHAIRMAN. You do not hold the officers of the occupation responsible for that?

Mr. ANGELL. Oh, no. For the lack of policy the Government in Washington must be held responsible. For some of the particular abuses I have pointed out the men down in Haiti must be held responsible—the abuses of the individuals, for example. Those fall upon the shoulders of the individuals in charge and had to put that thing through and handle it.

The CHAIRMAN. One might omit the plain of St. Michel, because to the others it is without population.

Mr. ANGELL. But this is a description of the geography of the country and the population. He describes the several chains of mountains, the waters and the plains, and these are all mentioned with the exception of the central plain in Haiti.

As an apparent justification for our landing of the marines in J. he speaks, at page 1295, of the landing of the French marines at Cap-Haïtien on June 15, but he fails entirely to state that those marines were nine days before our own marines landed. If he undertakes to state a series of acts, let him state the whole of it, not simply half of it, not a true statement of fact, because he only goes half way.

At pages 1295 and 1296 he purports to give the history of the treaty and the submission of the treaty. He makes no mention of our refusal of it, no mention of our seizure of the funds or the seizure of the treasury, no mention of the withholding of funds to force acceptance of the treaty, no mention of the declaration of martial law on September 3.

I say it is a plain misstatement of fact (page 1302) to say that President L. proposed a new constitution, which was adopted by popular vote. That is a plain misstatement of fact. He should have discovered it, and he should have known it if he had chosen to be careful.

There is no mention in the whole report of the suspension of the President's salary in 1920; a fact which, if he were giving a history of the country, should certainly have been mentioned and commented upon, I think all agree.

There is no mention of the failure of the United States representative in Haiti to expend the funds in the order provided for by article 5 of the treaty. There is no direct mention or reference to the complete atrophy of the exercise of the functions of government by the natives.

He sets out, at page 1317, that at the present time, 1921, when the report is written, \$3,500,000 is required to meet the obligations of the debt. That is a gross misstatement of fact, and should have been discovered.

Those are sufficient, I submit, to cause anyone honestly minded to question very seriously the validity of his conclusions, when his statements of facts are so grossly inaccurate. It is not a thoroughly fair, impartial statement of facts. That is the truth of it.

(Whereupon, at 12:45 o'clock p. m., the committee adjourned to meet at 10 o'clock a. m. tomorrow, Friday, June 16, 1922.)

We may say, I believe, that many of the killings alleged to have been committed on the part of the marine officers and enlisted personnel occurred in the course of this clean-up process instituted by the marines against the various bands. In the course of these operations there were undoubtedly a great number of indiscriminate killings of native Haitians—indiscriminate in the sense that the marines frequently attacked an encampment, village or cluster of huts in which the natives were gathered, or reported to be gathered, and that in the process which followed noncombatants as well as men composing the native bands were suffered as the result. The exact extent of the killings, abuses, and alleged atrocities seems relatively unimportant to me. The important existence of these instances lies in the fact that the country was pacified in a military sense, by soldiers of an alien race, language and customs. The killings and abuses are bound to occur in every such instance of partial and forcible intervention. The certainty that they will occur in greater degree is one of the strongest arguments against military intervention in the pacification of a country by another people.

I want to pass now to some consideration of the present situation; it is the question which has been raised, perhaps not directly before the committee, but at least in public discussion, of the high commissioner.

All students of the barren results of seven years of our administration in Haiti are agreed that a major reason for this has been the want of any constructive policy initiated and directed from Washington. The civilian and military representatives of the United States in Haiti have been largely independent one of the other. At times the commander of the American brigade, the American minister, and the financial representative have met heads together in a common purpose, such as the attempt in 1920 to induce Haitian executives to accept the various laws and proposals by withholding their salaries for that period of three months.

In 1917-18 our representatives again put their heads together to effect the dissolution of the Haitian Chambers, the last remaining effective obstacle to the complete absorption of the elements of self-government by the United States.

In general, however, we may—in fact, we must—admit that our purpose has been merely to put our representatives in control of the various functions of government in Haiti, to leave them to their own devices, to let each military or civil Haitian official go his own way without intelligent or even attempted coordination from Washington.

Several of the marine officers who have testified here have candidly admitted that they could never discover any indication of any definite policy in Haiti in the responsible departments in Washington. I need do no more than point out that we have had in Haiti a military chief of marines; a commander of the gendarmerie, theoretically responsible to the Haitian government; a receiver general collecting the national funds; a financial agent controlling the disbursement of funds; engineers, controlling the public works; a minister or chargé d'affaires exercising, in addition to diplomatic functions, a veto power over legislation; and from time to time an occasional agricultural or educational adviser. Each of these officers has been independent of the other in theory, and actually independent in practice more often than not.

I need not dwell further on this aspect of our failure in Haiti. We are interested far more in laying our fingers on the errors of the past and pointing to a wiser, juster policy for the future than in shrilling destructive criticisms.

Had a high commissioner been appointed to coordinate the duties of the several treaty officials before the underlying vice of our position in Haiti had been laid bare by the Carpenter disclosure, we might have been able to point with some pride to tangible results in the task we have assigned ourselves in Haiti.

You gentlemen may feel that such accomplishments in the near future are assured probabilities, now that there has been installed in office as high commissioner a man who, whatever his other defects, at least has the advantage of knowing intimately the external factors of his problem. I would not care to share such a feeling whole-heartedly.

I see no escape from the conclusion, however, that we are putting the cart before the horse. Our first solicitude should be that our position in Haiti, our very presence there, is above all reproach. What I have just said renders wholly subordinate the particular functions of the personal representatives of any given official who expresses and guides our control of Haiti.

The CHAIRMAN. May I ask if there is any analogy between the one you suggest and those of the Bolivian loan, which is being floated?

Mr. ANGELL. Yes; I am coming to that point—not with particular reference to the Bolivian loan, but with reference to that situation.

Haiti may or may not need a large loan to her Government. It is not be wisely used to pay off the debt held in France, to pay the interest and claims, to build roads, wharves, railroads, and the like. The citizen who has any knowledge of this situation may feel that the interests of this country and its future demand the present sacrifice of degree of its independence signified by continued alien control of its affairs. He may put his pride aside, if he and his fellows have a fair chance to consent to such a loan, involving such a mortgage of their financial independence and such a strong degree of foreign control. But you can never expect the Haitian to subordinate their feeling of hurt pride, to cooperate gladly with the foreigner, if the Haitian has the loan forced upon him by the bankers, on the one hand, and the State Department, on the other. Haitian Government not of his creation. It is not fair and not in keeping with American ideals of generous conduct—

Senator POMERENE. You mean by that that you are attacking the present President of Haiti?

Mr. ANGELL. I was going to come to that in another connection. My point was that question for a slightly different consideration?

Senator POMERENE. Surely.

Mr. ANGELL. I say it is not fair and not in keeping with American ideals of a generous conduct toward the weaker peoples either to sanction a loan upon Haiti when its Government and its people are not free to consent. And I say that the present Government of Haiti is not a free agent. All know it is not a free agent. It is subject to our complete control in a substantial sense, the creation of the American intervention.

If, on the other hand, an independent Haiti, of its own free choice, knowingly to contract a loan with American investors upon the security to the investors as necessarily surrenders control of national affairs to the American Government or its representatives and appointees, other terms are not too onerous, no one can reasonably object to the Bolivian loan is probably an example of such free consent. Yet we must emphasize, and upon the elementary American principle of self-determination which abhors the abuse of power by the strong, to the official agency projected loan to Haiti at the present time. Restore Haitian independence to the country a fair chance to decide whether it wants a loan and to forego a large measure of independence in order to obtain that new security.

Consider also the possible burden to America in connection with a loan upon the country at this time. The present Haitian Government, as suggested by Washington and its appointees, but a successor government in Haiti 5 years hence or 10 years hence may well resent the alien control, which Haiti had no clear choice to accept or reject, in connection with such a loan. Such a successor administration, emboldened by the withdrawal or a great weakening of our marine forces, might terminate or curtail our financial control, necessary to maintain the investment. Our investors would, not unnaturally, expect our force to return a larger force of marines to the islands to maintain intact the security of their indebtedness. This at once raises the question, easily put, of our people to be burdened with extra taxes in order to support a force in occupation of an unwilling country merely for the protection of investors in the foreign loan of that country? Once again I say, Haiti the chance to accept or reject the necessary financial control such a loan and then the ugly question will never arise.

Now, in connection with the proposed loan I want to refer to the high commissioner to the Minister of Foreign Affairs of Haiti, April 15, 1922, appearing at page 210 of *Le Moniteur*, the official publication, of May 10 of this year. I am not going to read the whole of interest as showing that the high commissioner is apparently anxious to obtain the consent of the Haitian Government for the loan. At one point he says:

"With regard to the suggestion contained in your excellency's letter of May 31, 1922, which I had the honor to transmit by telegraph to the Haitian Government, to the effect that in its note of December 30 last the Haitian Government demonstrated that without new taxes the loan offer submitted

Finally, I am instructed to say that my Government considers the internal funded debts of Haiti, as represented in the bond issues of 1911 and 1914, A, B, and C, do not come within the provisions of the protocol, "pecuniary claims," but are liquidated debts, and that it would, therefore, be proper for the Haitian Government to redeem these bond issues, or to call them in, without submission to the Claims Commission.

As soon as the Government of Your Excellency will indicate to my Government that it is prepared to proceed with the obligations assumed by it under the protocol, and especially to fulfill its obligations as to a bond issue, in pursuance of the waiver by my Government, contained in this note, of the time mentioned in the protocol, which expires on October 3, 1921, for the issue of the stipulated bonds by the Haitian Government, my Government is gratified to receive a reply to my note stating that the Government of the United States, provided the loan is made within a reasonable time, waives the stipulation of the protocol establishing a period of two years within which the Republic of Haiti should have proceeded with the agreement made in Article VI of the protocol of October 3, 1919, for the issue of the national loan of \$40,000,000; that the Government of Haiti takes occasion to confirm its agreement to issue a loan of that amount and that it is in accord with the suggestions of the Government of the United States made in the note under reply, namely, that the bonds of the loan shall be issued in series, the amount of each series, the terms on which they shall be sold, the rate of interest, the terms of the sinking fund applicable to the loan, and the provisions as to when and how said bonds shall be redeemed, shall be fixed by the Haitian Government in accord with the financial policy of the Government of Haiti, and that the Government of Haiti further states that the understanding between the Government of the United States as to the use of the bonds or proceeds therefrom is also in accordance with the understanding of the Government of Haiti.

I am instructed further to state that it would appear that the Secretary of State for Finance of Haiti should now nominate a member of the commission to be followed by nominations of two other members of the commission, one each by the Secretary of State of the United States and the Financial Adviser of Haiti, and the three members so nominated to be agreed by the Government of Haiti, as agreed upon in the protocol. In this connection, my Government desires to be informed as to the applicable laws of Haiti relating to the question of whether it is necessary for the Haitian Legislature to enact legislation providing for the constitution of the commission, the payment of salaries to its members, and other pertinent matters, or whether such matters can be dealt with by the executive alone.

With regard to the outline of your excellency's memorandum of January 30, 1921, of the suggested law authorizing the loan, I am instructed by my Government to state that it is unable to agree to this outline, in so far as it departs from the provisions already agreed upon between the two Governments as embodied in the protocol. My Government considers that, by virtue of the last sentence of Article X of the protocol, the Republic of Haiti has the right to enact a law strictly following the provisions of the protocol. I am instructed to say, however, that my Government avails itself with much satisfaction of the suggestion contained in your excellency's note of January 31, 1921, to make known the provisions that it considers it would be proper to carry out in a law authorizing the loan. I therefore have the honor to submit the draft of a loan law to take the place of the outlines of a law suggested in your Haitian memorandum of December 30, last:

"Whereas in order to carry out the purposes of the treaty between the United States and Haiti of September 16, 1915, as extended by the agreement between the United States and Haiti of March 28, 1917, a protocol concluded between the two Governments on October 3, 1919, and wherein certain modifications in this protocol were agreed to in an exchange of notes between the two Governments, dated, and whereas it is now necessary to authorize the executive power to contract the loan provided for in the protocol, as thus modified, be it enacted as follows:

"1. The provisions of said protocol, modified as above, are adopted as the law of the republic.

"2. The executive power is hereby authorized to contract a loan in the amount of forty million dollars (\$40,000,000), payable in or within ten years from the dates of issue.

"3. Said loan may be issued in series, on such terms, in such amounts, at such rates of interest, and with such provisions for sinking funds and for the

To put into effect the proposition of your Government concerning a reduction of the delay provided for in the protocol of October 3, 1919, for the loan, the Government is ready to sign an agreement covering it.

I am instructed to communicate to your excellency the following:

1. It appears that the argument of the Haitian Government concerning French loans has not been understood; it consists in recalling these two: (a) The bonds of these loans can only be redeemed according to the terms of their issue—that is to say, in francs—after previous advice as to the contracts; (b) that the prescription against the bearers can only run after a lapse of five years.

2. By the protocol of October 3, 1919, the Haitian Government has agreed to a loan of 40 millions within two years, but since then it has been regretted by the two Governments that this loan exceeds the resources of the country. This is why, in 1920, the financial adviser, in accord with the American Government, proposed to reduce it to 25 millions, and after further consideration the American Government concluded that this proposal was still too onerous. The amount of the loan was finally settled at from 11 to 16 millions. It was hoped that with the assured development of the country loans could be subsequently contracted, not alone to liquidate the past debts but also to develop the country. The Haitian Government is therefore convinced that it can in the future, and determined that all the subsequent loans shall be made according to the protocol of October 3, 1919.

The loan of 16 millions must not be considered as a first series of loans, but as a definite loan.

3. It is clearly understood that the internal funded debt, as represented by bonds issues of 1912, 1913, and 1914, series A, B, C, do not come within the provisions of the protocol of October 3, 1919, as pecuniary claims, but are debts that the Haitian Government will have the right to redeem or to amortize at their service.

4. Concerning the members of the reclamation commission, the Government feels that it can not put into execution the protocol, which has not been ratified. The executive power can not of itself form the commission, nor give it the necessary authority and can not fix the salaries thereof without the assent of a law. Any pension, any gratuity, any subvention, any allowance can never be furnished by the public treasury can only be granted in pursuance of a special law proposed by the executive power. (Art. 112 of the constitution.)

5. The last paragraph of Article X of the protocol of October 3, 1919, follows: "In addition the Haitian Government pledges itself to take such legislative measures to put in force the provisions of the protocol." It has been misinterpreted, when you state that your Government understands that according to the last sentence of Article X of the protocol the Government of Haiti has pledged itself to pass a law in strict conformity to the provisions of the protocol. This paragraph is explicit enough to make comment unnecessary; that what our two Governments wanted to stipulate was that additional legislative measures would subsequently be taken to give full effect to the provisions of the protocol, the questions foreseen in this diplomatic agreement being so complex that all could not be regulated in this single document.

After the conversations which took place at the United States between the American High Commissioner, Ambassador Extraordinary, and the Haitian State Secretaries of Foreign Affairs and Finances, it had been agreed that a project of the loan by the Bank of Issue would be submitted to the Haitian Government. The same as for the French loans, all the conditions and stipulations of the loan, binding respectively on the Haitian State and the lenders, were to be incorporated in this project. The bill for this law, passed by the legislative body, would sanction this contract. As the project stands it robs the State of Haiti of all control of the loan, from now on forever, and by article 3 the executive power relinquishes all general authority whatsoever to the financial adviser's whim. A bill in this form, as a matter of principle, can not be submitted to the legislative body.

6. Concerning the internal revenue, the high commissioner had previously discussed with the Haitian representatives the measures to be taken that purpose he would ask the assistance of an expert, a resident of the Dominican Republic.

Hence it was with great surprise that the Government has been invited to the immediate consideration, and even to the "early enactment" of the internal revenue law, drafted with the assistance of American

when I suggested that that was so, Dr. Hudicourt made some reflection upon the honor and integrity of President Dartiguenave, as if he feared that this loan, which in his judgment, was prejudicial to the Haitian people, would be approved. Now, you make a statement that he did not approve it. It seems to me these representations are quite consistent when it comes to a determination of the character of President Dartiguenave. I do not quite understand that.

Mr. ANGELL. I think possibly, Senator, that there is something of a prehension on your part of the position of either Monsieur Hudicourt or I merely state that the government of President Dartiguenave did not accept or ratify a loan. That is a fact.

Senator POMERENE. I know; that is it, exactly. From your own statement, then, he stood by the Haitian people?

Mr. ANGELL. Yes.

Senator POMERENE. From the standpoint of Dr. Hudicourt he would have had no faith in him, and so forth.

Mr. ANGELL. I did not understand Monsieur Hudicourt's testimony to that effect. It is my recollection that you asked him, in effect, whether he thought of the integrity and patriotism of President Dartiguenave.

Senator POMERENE. I did, sir, and at first he refused to answer.

Mr. ANGELL. Yes, sir; he at first refused to answer.

Senator POMERENE. And later he did answer in his own way. That is a statement which was in effect an answer.

Mr. ANGELL. I did not see, sir, that there is a difference between Monsieur Hudicourt's statement and my own. And even if there were I do not see that it is of any material consequence. I am discussing the principle of the loan and the question of its acceptance or rejection by the Haitian Government, either the old Government or the new Government, as a free agent, and not the personality or integrity or patriotism of the particular incumbent in office. That has nothing whatever to do with the particular individual; that is not my interest at all.

The objection to the submission of the loan question to any Haitian Government organized as it is now is that no Haitian Government is a free agent under the American occupation. We helped in 1915 to put into office a candidate for President, a man who agreed in advance to do what the United States would want him to do—at least, under certain representations.

Senator POMERENE. Well, I can not accept that statement. Of course there is no question but what he was looked upon more favorably by the United States Government than other men.

Mr. ANGELL. It is a matter of interpretation of facts, of course.

Senator POMERENE. I think so.

Mr. ANGELL. In my judgment—and I believe it is a sound judgment—I submit it as my personal conviction for whatever it is worth—we held a large share in the choice and election of President Dartiguenave. There were several candidates for the presidency, in a time of extreme emergency. Our troops were in complete control of the capital, and our naval forces, under Admiral Caperton's personal direction, had canvassed the field of candidates. They had gone to different men and asked them to stand for President. Haitian citizens of real standing in the community had refused on the ground that they could not agree in advance to what the United States wished to do.

The CHAIRMAN. Let me interrupt you there for a moment. In the first place, assuming that the representatives of the United States preferred the election of President Dartiguenave, that does not imply that he would do whatever was demanded of him. Secondly, I submit that if Captain Angell wishes to conclude his testimony, he would better not cover ground which has already been covered. The committee is perfectly ready to sit again to-morrow, but I understand that Captain Angell wants to go back to New York.

Mr. ANGELL. I do.

The point has been raised, and I must answer it briefly. My statement is that the United States had a material hand in the election of President Dartiguenave in 1915, but after his election and when we could not get the Haitian Chambers to do our will in connection with the new constitution passed in 1917 we had the Chambers dissolved, and that in the new constitution, written largely in the city of Washington by American Government officials, and submitted to the Haitian people through the illegal form of a plebiscite, an ingenious device was introduced of a council of state, appointed by the

Senator POMERENE. What do you understand by the doctrine of Pan Americanism.

Mr. ANGELL. I think what that man means—

Senator POMERENE. Well, what does he mean by it?

Mr. ANGELL. I think what he means by it, and what many people mean by it, is—

Senator POMERENE. We are talking daily about Pan Americanism but means a friendly relationship of all the countries in South and Central America, as well as Mexico and the United States. That is what it means. It can not place any other construction upon that language than that Haiti be one of the Pan American states, just as Brazil or Argentina or Mexico the United States now is.

Mr. ANGELL. No, sir; I do not think so. My own interpretation of that particular man means, of course, is of no ultimate significance.

The CHAIRMAN. I think we are taking a great deal of time unnecessarily to discuss an article by an anonymous marine officer. You will recall that of Colonel Reed, in Santo Domingo, who issued a circular to his officers regarding annexation and who has since been reprimanded and had the record placed upon his record. And we know that representatives of the United States can people are here now negotiating with the State Department for the establishment of the Dominican Government.

Mr. ANGELL. I want to read to you, finally, a statement by Senator Harding when a candidate for President, a statement which I had never seen yesterday, made on August 28, 1920, at the time of the first public statement, believe, of some of the documents showing how the intervention was planned and the treaty put through in 1915. Senator Harding said:

"If I am elected president, as I expect to be, I will not empower my Assistant Secretary of the Navy to draft a constitution and jam it down the throats of a helpless people at the point of bayonets held by American troops. Nor will I misuse the power of the Executive to cover with a veil of secrecy repeated acts of unwarranted interference in the domestic affairs of the Republics in the Western Hemisphere, such as in the last few years have only made enemies of those who should be our friends, but have instead discredited us as their trusted neighbor.

"To the best of my information this is the first official admission of the rape of Haiti and Santo Domingo by the Wilson administration. To me, moreover, it is the most shocking assertion that ever emanated from a responsible official of the United States Government.

"Talk about self-determination! Talk about American ideals! Talk about equal rights for small nations! Before the confession of deeds such as these, what becomes of the smooth rhetoric of vaunted righteousness to which we have been so long accustomed?

"True we know little of the conduct of the wars of occupation and imposition of laws upon our helpless neighbors. The censorship is so strict that it was on the secret conferences and conspiracies in Congress has not been informed. The people are kept in ignorance."

I want to incorporate in the record at this particular point the conclusions which were drawn in this report of the 24 lawyers—the conclusions which appear at the end of the report. There are eight conclusions. I shall state them all, because they go back over the same ground to which I have constantly made reference, but the final conclusion is this:

"8. We declare, without qualification, that the honor and the good of the United States, the preservation of the sovereignty and the cherished interests of Haiti and her right to fair dealing on the part of the United States, as well as the possibility of assuring the continuance in the future of honorable and amicable relations between our country and Latin America, based on mutual confidence, all require:

"(a) The immediate abrogation by the United States of the treaty of 1904 unconditionally and without qualification.

"(b) The holding of elections of representatives to the legislative body of Haiti and of a President by the free will of the people at an early date.

"(c) The negotiation of a new treaty with a new Haitian administration, based on friendly cooperation between the United States and Haiti upon such terms as shall be mutually satisfactory to both countries and by the method of free and independent sovereign states."

That last suggestion provides the proper way out of the impasse which we are at the present moment. We all know that we can not withdraw the

which will not be a disgrace to the good name of the United States: an act of aggression against a weaker, helpless people. The method of action and of carrying out such a possible convention, if desired by both, must be such as are above any suspicion of reproach to a stronger power: no abuse of force and might.

Finally, gentlemen, I think you know that I am not of that school of and professional mud slingers who delight in the emotional frenzies of their own government for real or fancied sins common to all governments. I would far rather have discovered, as an attorney, that my clients, those of American and Haitian citizens, had at best a weak case, and that as a citizen, that my country had added just laurels to its own reputation, name, and brought the blessings of a wise and just peace in this interference with a weak and helpless neighbor. But I should be wanting, I think, both in my professional duty as a lawyer and in the higher loyalty of a citizen were I to fail to emphasize, with all the earnestness at my command, the great wrong we have done to Haiti, that small neighbor to our own country.

By sheer force of arms, unjustified by any wrong committed or done to our own country or to any other country, we have crushed the independence of another people, stamped out by force, and by clever devices bearing no sanctity of law, every vestige of native self-government, every possible effective opposition to alien intrusion and domination. We have made Haiti a vassal, a stepping stone under our southward marching absorption of America.

Haiti under the treaty of 1915, imposed by our "exercising military power at propitious moments in the negotiations," is and will remain a living illustration, as our friend the marine officer at Port au Prince puts it, of our Pan-Americanism, of repudiation in action of all our fair professions of faith toward Latin America and of the wanton destruction of Haiti.

Do not deceive yourselves, gentlemen, if Haiti is not freed now she will be. Ten years, 20 years hence, the invisible chains of trade and commerce, finance and industry, investments and vested interests, will be too strong for mere advocates of such an old-fashioned doctrine as "Liberty" to break. Haiti will then have been irrevocably absorbed by her powerful and greedy neighbor from the north.

You can not, I am confident, either by ignoring the facts constituting the seizure of Haiti in 1915 or by the palliation of skillful argument, reissue from the higher plane of fundamental freedom of peoples to the lower plane of temporary expediency.

Questions such as the building of roads, the incidence of coffee export efficiency in the collection of revenues, pale into insignificance in the glare of light of the wrong done by our irresponsible bureaucrats to the very touchstone of international justice, order, and freedom?

The CHAIRMAN. Who are the irresponsible bureaucrats?

Mr. ANGELL. Our executive officials in Washington who made us wage war on Haiti in 1915.

The CHAIRMAN. Well, they were not irresponsible, were they?

Mr. ANGELL. They were not authorized by Congress to make war.

The CHAIRMAN. I just want to define that. You mean the representatives of the executive power, responsible under our Constitution to the people? Or do you not mean "irresponsible bureaucrats"?

Mr. ANGELL. They acted in an entirely irresponsible manner, I think, Senator, and when the treaty was submitted for ratification in 1916 it was used to obtain that treaty on the part of Haiti were not disclosed.

The CHAIRMAN. I merely want to define the character of the persons responsible for this policy. You do not mean subordinate officials of the departments here in Washington, do you?

Mr. ANGELL. I do not know who conceived the idea and put it through, but it was done in the names of the Secretaries of the Navy and State. Who was responsible for it I do not know, whether those gentlemen or their subordinates.

Respectfully, but none the less firmly, I challenge this committee to the use of force and oppression which made possible in 1915 the complete control of all affairs public and private, which the United States exercised in Haiti in 1922.

If you pass over these facts in silence, you thereby admit that they have been explained away or justified. If you attempt openly and squarely to face them your own consciousness of what is inherently right and decent will





HEADQUARTERS FIRST PROVISIONAL BRIGADE  
UNITED STATES MARINE CORPS  
*Port au Prince, Republic of Haiti, December 7.*

From: The brigade commander.

To: Maj. Andrew B. Drum, A. A. and I., United States Marine Corps.

Subject: Investigation of alleged misconduct of certain members of the United States Marine Corps and the Gendarmerie d'Haiti.

Inlosures: 1.

1. Under the authority of section 183 of the Revised Statutes, as amended by the act of February 13, 1911, you are hereby detailed to investigate charges made before the select committee of the United States Senate by the inhabitants of the Hinche district, Republic of Haiti, against First Sgt. Patrick F. Kelly, United States Marine Corps, and certain other members of the United States Marine Corps and the Gendarmerie d'Haiti, names and which charges are set forth in the papers inclosed.

2. In accordance with the provisions of the statute above mentioned are given authority to administer an oath to any witnesses attending to testify or depose during the course of the investigation.

3. You will notify First Sergt. Patrick F. Kelly, United States Marine Corps, of the nature of the charges against him and of his right to be present at the investigation, and you will give him an opportunity to introduce witnesses and to make such statement as he may desire.

4. You will make a thorough investigation of the matters set forth in the papers above mentioned, and upon the completion of the investigation make a complete report to the brigade commander of the facts which you find to be established, together with your opinion and recommendations on the premises.

5. The commanding officer marine camp, Hinche, Republic of Haiti, is hereby detailed to afford you such facilities as may be necessary to the prosecution of the investigation and to furnish the necessary clerical assistance.

JOHN H. RUSSELL

ABSTRACT OF TESTIMONY TAKEN AT HINCHE, MONDAY, DECEMBER 5, 1919

OFFICE OF THE MILITARY GOVERNOR  
*Santo Domingo City, Dominican Republic, December 12, 1919.*

All witnesses sworn.

Madame Exile Onex'le, Section La Juan, complained that about June, 1919, her mule was stolen from her house and was located in the possession of Captain Kelly at Cercle La Source. Captain Kelly refused to return the mule and demanded 135 gourds from her. She went back home and got the money, then (?) gave them to Kelly, who, however, did not give her her mule. Captain Kelly had her put in jail for two days.

In March, 1919, she said Captain Kelly went with a patrol to her house and stole some money, tied her husband up inside the house, burned the house, killing the husband. She heard of this occurrence two months later from her younger brother, Damuls Jean. She received this word when she was in Ranquette, where Jean also lived. Neither the witness nor the husband survived the killing. She made complaint of all of this to Lieutenant Wachs on November, 1920. No one now living where her habitation was.

Prevoir Solond, of Section La Juanaria, took refuge in Hinche from his house in about November, 1919, accompanied by his wife and child. They went to his house for food, and then the marines shot them. The witness saw the killing. The next day one of the neighbors about Leger and Giraud did see the body of the wife, and Lorisca Phenor saw the wife buried. She lived one hour's journey away from Hinche on horseback. The son was killed, and was buried with the mother.

Charles Bursey Zamor, of Hinche, accused Colonel Hooker of occupying his house March 27, 1919, against his will, and without compensation. He accused him of stealing his two mules and one burro. Complaint was made to the military

3. Question. Has Madame Exile Onexile, of Section La Juan, ever under your observation?

Answer. I do not recall the name.

4. Question. Did any woman during the month of November, 1921, make a complaint to you to the effect that Captain Kelly stole her mule, 4-135 gourds from her and put her in jail for two days in or about January? And, further, that in March, 1918, the same Captain Kelly entered her house, stole some money, tied her husband in the house, and then burned it.

Answer. No. When Admiral Knapp visited Bahon in November, 1921, a woman whose name I do not remember made a statement to Admiral Knapp which I interpreted. The substance of her statement was something like that in the question. No complaint of this nature was ever made to me.

(There being no further questions to put to this witness, he verified his testimony and withdrew.)

(The investigation then, at 10:30 a. m., adjourned to meet at Hinche, Republic of Haiti, upon the arrival of the investigating officer thereat.)

#### SECOND DAY.

HINCHE, REPUBLIC OF HAITI  
December 29.

The investigation met at 8.45 a. m. Present: The investigating officer read the record of the proceedings of the first day of the investigation was read and approved. Then Pvt., First Class, Luke C. Wrisley, United States Marine Corps, entered, was duly sworn, and took his seat as recorder.

First Sergt. J. M. Darmond, United States Marine Corps, first lieutenant, Gendarmerie, entered, was duly sworn as interpreter, and took his seat.

The investigating officer called before him Madame Exile Onexile, the complainant, and First Sergt. Patrick Kelly, United States Marine Corps, Gendarmerie, the defendant, and announced that the investigation would be conducted with open doors.

The investigating officer reread the order directing him to make the investigation and the other papers transmitted to him by the brigade commander heretofore mentioned.

Madame Onexile and First Sergeant Kelly were informed of their rights present during the investigation and to be represented by counsel.

Neither desired counsel.

Madame Onexile and First Sergeant Kelly were informed of the rights given by First Sergeant Wood on the first day of the investigation and desired to question him further.

At this point First Sergeant Kelly requested that the complaint against him be not heard until he was given opportunity to go to Cerca La Source for tant evidence and return. The request being granted First Sergeant Kelly and Madame Onexile were temporarily excused and the investigation of case in which neither of them were interested was proceeded to by the investigating officer.

CHARLES BUSSEY ZAMOR was called as a witness and duly sworn.

1. Question. What is your name, residence, and occupation?

Answer. Charles Bussey Zamor, Hinche, farmer.

2. Question. You have accused Colonel Hooker of occupying your house without your consent, on March 27, 1921. Is this correct?

Answer. Yes.

3. Question. Did Colonel Hooker ever offer to give you money for the house?

Answer. Before they occupied the house they offered me 75 gourds for rent of the house, which I refused. I did not want to rent the house to anybody.

4. Question. Have you ever asked for any money or put in any bills for the house?

Answer. No. Because Colonel Hooker had gone and I did not think it worth while to ask any other officer.

5. Question. To what use was this house put when used by Colonel Hooker?

Answer. It was used as a barracks and hospital by the marines only.

6. Question. How long did the marines occupy this house?

Answer. Two years.

JOSE DERIBERT was called as a witness and duly sworn.

1. Question. What is your name, residence, and occupation?

Answer. Jose Deribert; section Aguahedione, near Los Palis; farmer.

2. Question. State what you know of the killing of your two brothers, Nestor Joseph and Joseph Deribert, in either October or November, 1919.

Answer. My two brothers are Joseph Deribert, age 25, and Nestor Joseph, age 15. I heard that three white men with 40 gendarmes entered the house and killed Joseph Deribert. Nestor Joseph entered and he was taken out after which they burned the house.

3. Question. State just what you yourself know concerning the shooting.

Answer. I saw three white men and 40 gendarmes pass before my house. It was about 4 o'clock in the afternoon. I was 300 yards away [witness indicated a distance of 300 yards] and did not see them enter the house. I heard shots. They passed right by my house, and I had a little baby in my arms. I didn't see them put fire to the house and I didn't see them shoot anyone.

4. Question. Did you see the bodies with your own eyes?

Answer. Yes; I buried them. I found Joseph Deribert in the ruins of the house which was burned, and he was dead. Nestor Joseph was dead in Joseph Deribert's house.

5. Question. Did you see bullet holes in the bodies of the brothers?

Answer. Yes.

6. Question. Was it a machine gun that killed them?

Answer. No; it was a revolver that I heard fired, and I know the difference between the sound of a rifle and a revolver.

7. Question. Did you recognize any of the white men or gendarmes who passed by the house?

Answer. No.

(There being no further questions to put to this witness, he verified his testimony and withdrew.)

VERGELINE MUSCIEN was called as a witness and duly sworn.

1. Question. What is your name, residence, and occupation?

Answer. Vergeline Muscien; Los Palis; I work on my farm.

2. Question. State what you know of the killing of the two brothers, Joseph Deribert and Nestor Joseph, either in October or November, 1919.

Answer. At about 3 o'clock in the afternoon, at Aguahedione, there were nine men, including my husband, Joseph Deribert, an invalid, sitting in the house playing cards. My husband was sitting on the bed and playing cards. The men saw the gendarmes and white officers coming and everyone ran. My husband was a cripple and could not run, so he hid in the bed. Nestor Joseph remained in the house. The gendarmes and white officers fired a volley at the people who ran. One white officer entered the house and fired once at my brother-in-law, who was standing at the right, and one shot at my husband, who was in the bed on the left, killing them both. Both shots were fired from a revolver. He then left the house. I was standing in the middle of the room with my two children. No one fired at me. Then, this white officer, before my very eyes, set fire to the house with a match, and the white officers and gendarmes left the section. My husband's leg was broken before we dragged his body out.

3. Question. Were the people in the house cacos or did they have arms?

Answer. They were good people and had no arms.

4. Question. Were there any cacos around?

Answer. Yes; there were cacos around, but I didn't see any because I was in the house.

5. Question. Could you recognize again the white officer who killed my husband and brother-in-law?

Answer. No.

(There being no further questions to put to this witness, she verified her testimony and withdrew.)

ERIE EMMANUEL was called as a witness and duly sworn.

1. Question. What is your name, residence, and occupation?

Answer. Eria Emmanuel; section Aguahedione; farmer.

2. Question. State what you know of the killing of the two brothers, Nestor Joseph and Joseph Deribert.

(Neither the investigating officer nor Captain Kelly wish to question further. She verified her testimony and resumed her status as complainant.)

DAKUIS JEAN was called as a witness and duly sworn.

1. Question. What is your name, residence, and occupation?

Answer. Damuis Jean, Ranquitte, farmer.

2. Question. State what you know of the killing of the husband of Madame Onexile, your sister.

Answer. On one morning in January, 1919, Captain Kelly and six men entered the house, tied up Madame Onexile's husband, choked him and hit him with a revolver despite a macout of money he had given them to save his life. They tied me and beat me, then took me outside of the house, beat Onexile's body. They took me to Hinche and left me on the curve for months.

3. Question. Was Onexile a relative of Norde?

Answer. No.

4. Question. Were there any cacos in the neighborhood at that time?

Answer. No.

5. Question. Were you the only witness that saw the killing?

Answer. Yes.

6. Question. Who shot your brother-in-law?

Answer. I don't know which one.

7. Question. Do you know Captain Kelly?

Answer. No.

8. Question. How do you know that it was Captain Kelly that was with the patrol?

Answer. Because he was in the command at Hinche and I knew him at the time.

9. Question. Is this Captain Kelly? [Pointing to Captain Kelly.]

Answer. I don't know.

10. Question. How far from Hinche is the place that the killing happened?

Answer. Four hours on foot.

11. Question. What is the name of this place?

Answer. Aguahedone.

NOTE.—When witness was asked a question he would always repeat in fashion the answer which he had given to question 2; then he would answer the question asked.

(Neither the complainant nor the defendant desired to question this witness. There being no further questions, he verified his testimony and withdrew.)

FEREND LE FORT was called as a witness and duly sworn.

1. Question. What is your name, residence, and occupation?

Answer. Ferend Le Fort, Hinche, justice of the peace of Hinche.

2. Question. State what you know concerning the death of Madame Onexile's husband.

Answer. A man named Lozama Supreme came here to get gendarmes out to the house of Onexile, where he claimed there were a bunch of cacos. A white officer went out with the gendarmes.

3. Question. Who was the officer?

Answer. I don't know.

4. Question. Was it Captain Kelly?

Answer. No.

5. Question. How do you know it was not Captain Kelly?

Answer. I saw the officer that went out on the patrol, and it was not Captain Kelly. I know Captain Kelly very well.

6. Question. Were there any cacos where Onexile was killed?

Answer. I don't know, but it was rumored that there were bands of cacos.

8. Question. State what you know of the death of the father-in-law and brother-in-law of Odilis Telisima?

Answer. He was arrested with his son by the gendarmerie for being up with Cacos. The father-in-law was named Arcilis Joseph.

9. Question. What became of Arcilis Joseph?

s rumored that they arrested him and put him in prison and has been heard of him. I don't know what became of his son.

State what you know of affair of Maxime Michel?  
 heard her mother was killed by white men and her brother was in the cape. It is only a rumor.

Were there Cacos around Aguabedione in 1918 and 1919?

They were all around there then. It was in a Caco district.

Do you know any of the gendarmes who went with Lozama

and not know any of them.

no further questions to put to the witness, he verified his testimony and withdrew.)

MICHEL MAXIME was called as a witness and duly sworn.

What is your name, residence, and occupation?

Michel Maxime, Hinche, farmer.

State what you know concerning the death of your mother in

law three white men pass my mother's house a Wednesday morning, 1919, and saw one man shoot my mother with a rifle. After that the men go into the house of my brother, and arrest him, and tie him. My brother was taken to the cape, imprisoned for here he died.

Where were you when your mother was shot?

was at my husband's house, and my little brother, Telor Faveus, called me and told me that my mother was shot.

You didn't know anything about the killing of your mother when she came and told you?

I heard the shots, and my brother came running and told me.

Then you have not told the truth. You did not see white men when she shot her?

I did not see them shoot her; my brother told me about it.

Show us relatively the distance from the house you were in to the house where she was shot?

ness pointed to a tree, which is 75 yards distant, and said that she was that far from the place where her mother was killed, and that was the house at the time.

ness again contradicted herself and said that, despite the fact that she was in her own house, she saw plainly the white men shoot her

Then you did know your mother was shot before your brother

5.

How did you know your mother was shot before your brother

from where I was standing; I saw her fall.

What was the name of your brother who was arrested?

Faveus.

1. Why was he arrested?

do not know. He was taken to the cape and condemned for six months, and died one month before his time was up.

1. Who else saw your mother shot?

my brother, Telor Faveus.

1. Is your brother here?

8.

n. Where did this occur?

Bohoc.

n. Were there any Cacos around Bohoc?

1.

oc was in the center of the Caco district and at all times was surrounded by Cacos. The marine pack train was fired upon every week at this

ing no further questions to put to this witness she verified her testimony and withdrew.)

TELOR FAVEUS was called as a witness and duly sworn.

1. Question. What is your name, residence, and occupation?

Answer. Telor Faveus, Bohoc, farmer.

2. Question. State what you know of the killing of your mother in 1919?

Answer. I came out of the house early in the morning and saw three coming along the road. Just at that time my mother came out of the house, one of the marines fired; my mother ran about 15 feet and fell. I then and watched them go into the house. They brought out my brother sick and made him a prisoner.

3. Question. How close were you to the house when they shot your mother?

Answer. I was right at the house standing beside mother. We watched white men and at 75 yards [indicated] they, or rather one of them, raised rifle and fired, I then ran.

4. Question. Where was your sister Michel Maxime?

Answer. At her house [indicating a distance of 800 or 1,000 yards];

5. Question. Did you sister see the shooting?

Answer. No. She knew nothing about it until after I buried mother.

6. Question. Were there more than three marines in the party?

Answer. I only saw three white men.

(There being no further questions to put to this witness he verified his testimony and withdrew.)

MERESSE WOOLLEY was called as a witness and duly sworn.

1. Question. What is your name, residence, and occupation?

Answer. Meressee Woolley, Hinche, former mayor of Hinche.

2. Question. Were you present in Hinche when Madame Onex's husband was killed?

Answer. Yes.

3. Question. Did Captain Kelly lead the patrol that killed this man?

Answer. No.

4. Question. Are you certain?

Answer. No. I am not certain.

(There being no further questions to put to this witness he verified his testimony and withdrew.)

ODALIS TELISMA was called as a witness and duly sworn.

1. Question. What is your name, residence, and occupation?

Answer. Odalis Telisma; Aguahedione; farmer.

2. Question. State what you know of the killing of your father-in-law or brother-in-law?

Answer. At Aguahedione on one Sunday at sunrise about three years ago I heard shooting and went out. I looked around and saw a house burning. I went to the house and found my mother-in-law hiding in a ditch. I then saw some more shooting and went down the road and found my brother-in-law dead in the road. My father-in-law was missing and I heard that the marines brought him to Hinche.

3. Question. How far were you from the shooting?

Answer. I was about 300 yards [indicated] away from the place my brother-in-law was killed. At no time did I see the ones that did the shooting.

4. Question. Who did see the shooting?

Answer. There was not anyone that could have seen it.

5. Question. Did you see your father-in-law in prison?

Answer. No.

6. Question. What is the name of your father-in-law?

Answer. Arcilis Joseph.

7. Question. What is the name of your brother-in-law?

Answer. Anselis Joseph.

8. Question. How do you know that your father-in-law is dead?

Answer. A Dominican who is now dead, told me.

NOTE.—Prison records at Hinche do not show names of either Joseph

(There being no further questions to put to the witness he verified his testimony and withdrew.)

EPH was called as a witness and duly sworn.

What is your name, residence, and occupation?

Jules Joseph; Aguahedione; farmer.

What do you know about the killing of Arcilis and Anselis

2 white men and 11 gendarmes. The white men made the two boys. When I saw these gendarmes and white men I ran. They fired shots at me and wounded me in the leg. 10 yards [indicated] away when I looked down and saw the my father and brother and lead them away. I never saw my father again.

No further questions to ask this witness he verified his testimony. The investigation then at 4 p. m., adjourned to meet to-morrow, at 8 a. m.)

### THIRD DAY.

HINCHE, REPUBLIC OF HAITI,  
Wednesday, December 21, 1921.

Session met at 11 a. m.

Investigating officers and all the parties to the investigation. Present, justice of the peace at Cerca la Source, a witness called to the stand, was duly sworn and testified as follows:

What is your name, residence, and occupation?

Met Salomon; justice of the peace, Cerca la Source.

State what you know of the affair of the mule of Madame Exile she claims was taken by Captain Kelly, G. d' H., at Cerca la Source.

About three years ago I heard that the chief of section at Cerca la Source. Later the magistrate called me to his office to assist in the sale of a lost animal. It was sold to Milcent Dubois by public auction for 130 gourds.

Is this the mule? (pointing to Captain Kelly's mule).

I do not remember.

The witness did not desire to question this witness. There being no further questions to ask this witness he verified his testimony and withdrew.)

Present, the former Mayor of Cerca la Source, was called as a witness, duly sworn and testified as follows:

State your name, residence, and occupation.

I am Apollon; Cerca la Source; former mayor of Cerca la Source.

State what you know of the affair of the mule of Madame Exile she claims was taken by Captain Kelly, G. d' H., at Cerca la Source.

The chief of the third section, Cerca la Source reported to me that the mule was in the section and that the owner could not be found. I ordered him to bring the mule to me. I kept the mule in the section for the required time. At the end of this time the mule still in the section, it was sold at public auction to Milcent Dubois for 135 gourds. Dubois later sold the mule to Captain Kelly for the same price. The mule was sold, this woman [pointing to Madame Onexile, the wife of the chief of the section] came to me claiming the mule. She brought two other animals along with her as proof of her statement. I compared the brands on the two animals. They were not the same. I gave her the mule. I told her that if she could bring papers to prove the mule was hers that I would return it to her. She never

Is this the mule that you sold at public auction and which she claimed? [Pointing to Captain Kelly's mule].

It is the same mule.

Is this mule the lawful property of Captain Kelly?

It is.

Where was Captain Kelly during the month of January, 1919? What is the year Cerca la Source was attacked Captain Kelly was at Cerca la Source the entire month.

Cerca la Source was attacked 2d February, 1919.

(The complainant did not desire to ask any questions but launched a tirade against the justice of the peace and the mayor. There being no questions to ask this witness he verified his testimony and withdrew.)

First Sergt. PATRICK F. KELLY, United States Marine Corps, took the stand, as at his own request, was duly sworn and testified as follows:

1. Question. What is your name, rank and present station?

Answer. Patrick F. Kelly, first sergeant United States Marine Corps, Gendarmerie d'Haiti, stationed at Grande Riviere, Republic of Haiti.

2. Question. Where were you stationed in the years 1918 and 1919?

Answer. During the months of September and October 1918 I was stationed in Hinche. All the rest of the time from January 1, 1918, to September 1, 1919, I was at Cerca la Source.

3. Question. Where is Aguahedlone?

Answer. District of Hinche.

4. Question. What do you know of the death of Exile Onexile?

Answer. Nothing.

5. Question. During the latter part of 1918, or first part of 1919, did you take a patrol to the vicinity of Aguahedlone?

Answer. No, sir.

6. Question. Is the mule which you now have, the same you purchased at Cerca la Source from Milcent Dubois for 135 gourds?

Answer. Yes, sir. I will send you the papers.

7. Question. Have you ever taken any money from Madame Exile Onexile?

Answer. No, sir.

8. Question. Why was Madame Onexile locked up at Cerca la Source?

Answer. She was not locked up. She was detained by the Gendarmerie for one and one-half days pending my return from Hinche. I let her return as soon as I arrived. She was about to have a baby.

9. Question. Do you know Charles Bussey Zamor?

Answer. Yes, sir.

10. Question. Was he a Caco?

Answer. No, sir. Just a Bolshevik and a trouble maker. He disorganized the occupation.

(The complainant did not desire to question this witness. There being no further questions, the witness verified his testimony and resumed his position as the defendant. There were at this time no witnesses to call. The trial adjourned at 12:30 p. m.)

#### FOURTH DAY

PORT AU PRINCE, REPUBLIC OF HAITI  
Wednesday, January 14, 1920

The investigation met at 9 a. m.  
Present: The investigating officer.

WILLIAM F. BECKER, captain, United States Marine Corps, was called to the stand by the investigating officer, was duly sworn, and testified as follows:

1. Question. What is your name, rank, and present station?

Answer. William F. Becker; captain, United States Marine Corps, stationed at Petionville.

2. Question. Have you ever been stationed in the district of Hinche?

Answer. Yes.

3. Question. During what months were you stationed there?

Answer. From April 20, 1919, to January 8, 1920.

4. Question. Are you familiar with a locality called Bohoc?

Answer. Yes; I am. It is between Hinche, Pignon, and Malassade.

5. Question. Were there any cacos in the neighborhood of Bohoc in 1919?

Answer. Yes, sir. I led a patrol into this district in June, 1919, in a battle with 200 cacos. I have my diary with me and it contains a full account of the affair written by me the day after the fight.

6. Question. Read from this diary such portions as pertain to the Bohoc.

3/19. Left Pignon at 2.30 a. m., with Major Lutz, United orps; Doctor Snowden, United States Marine Corps; and First er, United States Marine Corps; and 15 enlisted men, L. M. G. divisions, camped at Bohoc, La Tata; attack began 5.30 a. m., killed 9, seen, estimated 15; captured one bandit chief with name Calveus Pepet, four rifles, one revolver, one sword, one chette, and two horses, drove bandits toward Mombin Crochn, ; returned to Pignon 3.30 p. m., 18th."

Do you remember any other facts concerning this attack?  
sir.

State them.

Setting my information from bandit prisoner I had my inter-prisoner to be sure and lead me to the big chief's quarters first, that one big chief was worth more to me than 40 or 50 soldiers. Men informed me that he would lead me to the caille, where a hat made this native a prisoner in this bandit camp. At about 18, 1919, we arrived near a bandit outpost; several bandits [personally rushed in this caille that was pointed out to me by the big chief's quarters and grabbed a native by the neck that under his mat for a large machette. I dragged my prisoner out—my prisoner guide if he could identify him; the guide then was the big chief he wanted me to capture. The guide gave me rank as follows: Calveus Pepet, colonel. My patrol then ravine to attack the main camp. During this advance bandits both sides of this ravine and it took us until about 11 a. m. to tire five divisions camped in this section.

What became of Calveus Pepet?

It him to the prison at Cape Haitien, Republic of Haiti.

How many men were with you when you entered the Caille

tered alone. My entire patrol of 15 men was outside. I had ers not to fire.

Was a woman killed during this attack?

to my knowledge. A woman ran out of Pepet's Caille but irt.

But a woman might have been killed?

; because we were fighting right in the main bandit camp and men all around.

Were any other patrols in the Bohoc section during the month

to my knowledge, and I commanded in that section. However, ion pack train, guarded by marines, passed there every week.

Are there any of the persons who accompanied your patrol to 1919, now in Haiti?

sir. The guide later joined the bandits and was killed.

Did you have any fights with Cacos in November, 1919, in ' Savanne Leujeu [showing witness on the map the location as it is not known to him by that name]?

sir; but Sergeant Swanson of my command took a patrol on October 20, 1919, and encountered bandits. There were ; in this section, and they fired on every patrol that passed

Have you Swanson's patrol report?

sir.

Where is Sergeant Swanson now?

he United States; perhaps out of the service.

Was Bohoc a bad Caco district?

of the worst in Haiti. All the inhabitants were Cacos or Caco

Are you familiar with Aguahedlone in the Los Palis section?

sir. It was not in my district.

Are any members of Sergeant Swanson's partol still in Haiti?

sir. Neither have I any way of knowing who they were. ber of my old company is still in Haiti and he did not make

21. Question. During your stay at Maissade was there any other person by the name of Calveus arrested in the Bohoc section and sent to Cape Haitien?

Answer. No, sir; there was not.

(There being no further questions the witness verified his testimony and withdrew. There were no further witnesses to call. The investigation announced that the investigation was finished and adjourned at 11:30.

Before arriving at a finding the investigating officer carefully examined old patrol reports obtainable, but could find nothing that would throw light upon the matters under investigation. The names of the persons nowhere appear; neither do, in most cases, the localities mentioned. Localities named are clusters of a few huts surrounded by farms or plantations. They are all, without exception, situated in the sections where the cacos are most active. Every inhabitant either aided the cacos through force or cowardice or sought refuge in the adjoining towns.

There is no record at Hinche of any report about the killing of the brothers.

An affidavit by Capt. Philip Neuhaus, gendarmerie d'Haiti, relative to the claim of Charles B. Zamor, is hereto appended, marked "1."

There is no record in the prison at Cape Haitien of a Calveus Faveus being confined. There is, however, record of one Calveus Pepe being confined at Cape Haitien and every detail corresponds to the facts given by Michel Maxime concerning the arrest, confinement, and death of Calveus Faveus. Extract of the prison record of Calveus Pope is hereto appended, marked "2." Although Captain Becker testifies that the name of the prisoner was Calveus Pepet, the receipt given to Captain Becker for the prisoner by the prison officer at Cape Haitien reads "Calveus Pepe."

Every effort was made to ascertain the identity and whereabouts of the gendarmes who were members of any of the various patrols mentioned without success.

#### FACTS ESTABLISHED.

1. That Charles Bussey Zamor was offered 75 gourdes per month for the use of his house by Lieutenant Colonel Hooker, United States Marine Corps, and that he refused to rent the building. That the Marine Corps requested the house for use as a hospital and so occupied it for two years. That no rental has ever been paid for the house nor has any bill ever been paid by Zamor for rental.

2. That Madame Exile Onexile did not make a complaint to First Sergeant Harold R. Wood, United States Marine Corps, captain gendarmerie d'Haiti, concerning the alleged misconduct of First Serg. Patrick F. Kelly, United States Marine Corps, captain gendarmerie d'Haiti, but that she did make a complaint to Admiral Knapp, United States Navy.

3. That the wife and child of Previor Solon were killed at Juan-Maissade, Republic of Haiti, in November, 1919, by either the cacos or marines from Maissade, during an attack on the cacos, who were present at that time.

4. That Joseph Deribert and Nestor Joseph were killed by a caco patrol, officered by marines, names unknown, in October, 1919, at Agouadone, a place that was infested with cacos.

5. That Exile Onexile was killed either by cacos or by marines in January, 1919.

6. That First Sergt. Patrick F. Kelly, United States Marine Corps, captain gendarmerie d'Haiti, had nothing whatsoever to do with the death and robbery of Exile Onexile in any manner, shape, or form.

7. That the mother of Madame Michel Maxime, Madame Faveus, was killed in June, 1919, at Bohoc by a marine patrol under Captain Becker during a battle with the cacos.

8. That Ansell Joseph was killed at sunrise on a Sunday in January at Aguahedone by a gendarme patrol officered by white men (marines).

9. That Arcilis Joseph has been missing since the death of his son, mentioned in paragraph 8.

10. That the mule claimed by Madame Exile Onexile is the lawful property of First Sergt. Patrick F. Kelly, United States Marine Corps, captain gendarmerie d'Haiti, and that she has no valid or just claim to same.

Mediane, Savanne Lenjeu, and Bohoc are in the districts which were infested with cacos.

#### OPINION.

As Jean, the brother of Madame Exile Onexile, is lying. He is untruthful and a degenerate. His manner of telling his story to me has been most carefully coached. Exile Onexile was most anxious as it is strongly rumored that he was a relative of Norde, and was killed by a marine or gendarme, but not in the manner described.

The claim made by Madame Exile Onexile was most probably once in a while obtained in an illegal manner; otherwise she would have her papers for it.

As Bussey Zamor does not know who took his animals. He has not the circumstances before. He hates the occupation and would like getting the better of it.

As Faveus and Calveus Pepe are one and the same person. As arrested June 18, 1919, and sent to Cape Haitien, where he died on July 22, 1919, to six months' hard labor. He died in prison on December 24, 1919, just one month before his time was up. It appears to be about 60 years of age. Her "little brother" would be about 40 years old. Therefore the age of Calveus Pepe (45) is about that of Madame Maxime's brother. Captain Becker can find if any other Calveus was arrested in the Bohoc section during the command (April, 1919, to January, 1920), as he is very methodical in his excellent diary.

As Deribert and Nestor Joseph were killed the gendarme patrol upon a group of nine men, seven of whom ran. In this section I can be suspicious. Also it is not certain that the Haitians were afraid, the gendarmes shot quickly, and the two men were killed and burned. I do not believe that the incident occurred exactly as described.

As Ansell Joseph were undoubtedly cacos and killed as such. As Evoir and her child were innocent victims of the marines during the work on a caco camp.

#### RECOMMENDATION.

It should be appointed to consider the claims of Charles Bussey Zamor, and a decision be made. Further action be taken in regard to the other complaints.

A. B. DRUM,  
Major, Assistant, A. and I., U. S. M. C.,  
Investigating Officer.

QUARTERS FOURTEENTH COMPANY, GENDARMERIE D'HAITI,  
Hinche, Haiti, December 5, 1921.

Philip Neuhaus, G. d'H. district commander, Hinche, Haiti.  
of the Gendarmerie d'Haiti, G-2.  
As Bussey Zamor, statement of, concerning taking of house at Hinches.

During the course of a conversation in this office between Mr. Zamor and Mr. Zamor made the following statement:  
I was subjected to much ill treatment at the hands of the members of the cacos. They even threw me out of my house when I refused to turn it over.

I asked Mr. Zamor if he had not been paid rent for the time the house was occupied by the marines. His answer was:

"No; I have not been paid, nor will I ever be paid rent for my house. I can be paid rent if I never rented the house. I tell you the house was taken from me. Nothing can pay for that."

2. The above has been Mr. Zamor's attitude toward this difficulty at the time the house was taken. It is general knowledge that he was offered \$15 per month for the time the house was used. This amount is less than is being paid for the rental of any house in Hinche.

PHILIP NEWMAN,  
Hinche, Republic of Haiti

Subscribed and sworn to before me this 10th day of December, 1921

A. B. DRUM,  
Major, Asst. A. & I. U. S.

PORT AU PRINCE, CAPE HAITIEN  
January

BRIGADE, PORT AU PRINCE:

For chief of gendarmerie. Have record of prisoner named Calveus, extract from card as follows: Age 45, residence Pignon, occupation unknown, confined June 20, 1919, accusation being an active bandit. Sentenced December 1919, by provost marshal court, Cape Haitien, to six months' hard labor and fine. Next of kin, Mme. Calveus Pepe, section Compeyal, commune of Port-au-Prince. Doctor's examination placed him in class B, emaciated and syphilitic. December 24, 1919. Enteritis, acute. Signed Russell.

A true copy:

A. B. DRUM, Major, U. S.

[From "Le Courrier Haitien," published at Port au Prince, Haiti, November 2, 1921]

PANCARTES

1 Le Peuple haïtien tient à sa Souveraineté et son Indépendance. H. Haïtiens.

2. Vivre libre ou mourir.

3 Abrogation de la Constitution de 1918.  
Restauration de nos Institutions nationales.

5 Plus de finance sans contrôle.

6 Vive Haïti libre et indépendante.

7 Sous le régime d'Haïti libre le commerce était prospère.

8 Haïti aux Haïtiens.

9 Honneur à nos Hôtes de la Commission Sénatoriale.

Bienvenue à nos Hôtes de la Commission.

11 Reconstitution de la Force Publique haïtienne. Retrait de l'étranger.

12 Depuis 117 ans l'Etat donne l'Instruction gratuite à tous le degrés.

13 Haïti a toujours payé sa dette étrangère.

14 Abrogation de la Convention de 1915.

15 Que les condamnés de la Loi Martiale soient libérés.

16 Confiance en la justice et en l'impartialité de la Commission.

17 Bienvenue cordiale à nos Hôtes.

18. Le Peuple réclame son indépendance intégrale.

19 Espérance! Jeunesse enfantine.

20 Restauration de nos institutions nationales.

21 Abolition de la Loi Martiale et des Cours prévôtales.

22 Libération de Jolibois fils, Lanoue et Vieux.

23 L'Etranger a toujours voyagé sans crainte dans notre pays.

24. Abolition de la Loi Martiale.

25 Nos douaniers, nos ingénieurs, nos médecins n'avaient rien à apprendre des spécialistes américains.

26. Chapeau bas devant l'instituteur haïtien.

27 Nos institutrices ont droit à tous les hommages.

Quel pays a des campagnard aussi bons que les nôtres.

BANNIERES.

atique. Par l'Union la liberté.

de Port au-Prince a foi en la justice lu peuple américain,  
berté du peuple haitien confisquée, Le retrait de l'Occupation,  
Convention imposée à ce peuple.  
se soit effectivement libre sous le seul contrôle de nos lois

on de nos institutions démocratiques.

toujours en des juges compétents et intègres.

ntité d'Haiti en annulant la Convention de 1915, répudiant  
la violence.

INSCRIPTIONS ANGLISES.

ed Haitians ask for justice.

in People have been betrayed.

of our own Institutions.

erty or give us death.

be your Ireland?

be your Belgium?

be your Congo?

ination for Haiti.

HAITI—CONSTITUTION OF JUNE 12, 1918.<sup>1</sup>

TITLE I.—*The territory of the Republic.*<sup>2</sup>

Republic of Haiti is one and indivisible, free, sovereign, and

cluding the islands adjacent thereto, is inviolable and shall not  
ugh any treaty or through any convention.

ritory of the Republic is divided into departments; each de-  
vided into districts (arrondissements); and each district into

d limits of these subdivisions shall be determined by law.

TITLE II.—*Haitians and their rights.*

SECTION I.—CIVIL AND POLITICAL RIGHTS.

es governing nationality shall be determined by law.

signers who find themselves on Haitian territory shall enjoy  
on as that extended to Haitians.

ht to own real estate shall be given to foreigners residing in  
societies organized by foreigners for purposes of residence, and  
mercial, industrial, or educational enterprises.

ll cease after a period of five years from the date when the  
ave ceased to reside in the country or the activities of said  
have ceased.

Haitian citizen over 21 years of age shall be entitled to exer-  
its, if he has the other qualifications required by the constitu-

Foreigners may acquire the Haitian nationality by follow-  
ublished by law. Naturalized Haitians shall be admitted to the  
cal rights only after five years of residence in the territory of

ercise of political rights shall be suspended by virtue of a judi-  
n which must have taken place in accordance with the laws  
g with it the suspension of civil rights.

Herbert F. Wright from the French text in *Le Moniteur, Journal  
nique d'Haiti* (Port au Prince) of June 19, 1918.  
title in the official text appear the words, "Chapter First," which  
inserted through error.

## SEC. II.—PUBLIC LAW.

ART. 8. Haitians are equal before the law. They shall be equal in the right to civil and military employments, without any reason for preference than personal merit or services rendered to the country.

ART. 9. Individual liberty is guaranteed.

No one shall be detained except upon probable cause relating to an offence by law and upon the order of a legally competent functionary. A warrant of arrest to be executed, it shall be necessary:

1. That it state the cause of the arrest and the provision of the law which punishes the imputed act.

2. That notice, together with a copy of the warrant, be given to the party at the moment of the arrest.

Except in case of flagrante delicto, the arrest shall be executed in the forms and conditions above stated.

All arrests and all detentions made in opposition to this provision, acts of violence or severity accompanying the arrest are arbitrary acts which the aggrieved parties may, without previous authorization, bring before the competent tribunals, and cause the authors or the executors to be prosecuted.

ART. 10. No one shall be tried by other judges than those assigned to the constitution or the law.

ART. 11. Domiciliary visit and seizure of papers shall not be made by virtue of the law and in the forms provided by it.

ART. 12. No law shall have a retroactive effect.

ART. 13. No penalty shall be established except by law, nor shall any be imposed except in the cases which the law shall determine.

ART. 14. The right of property is guaranteed.

No one shall be deprived of his property except by reason of public utility and in the cases and in the manner established by law, and upon the payment of a just indemnity. Property shall not be confiscated for other reasons.

ART. 15. The penalty of death for political offenses is abolished except in the case of treason.

The law shall determine the penalty to be imposed in lieu thereof.

ART. 16. Everyone has the right to express his opinions on all matters to write, print, and publish what he thinks. Writings shall not be subject to previous censorship. Abuses of this right shall be defined and punished by law without thereby abridging in any way whatever the freedom of the press.

ART. 17. All forms of worship are equally free.

Everyone has the right to profess his religion and freely practice his worship, provided he does not disturb the public order.

ART. 18. Teaching is free.

Freedom of teaching shall be exercised under the control and supervision of the State in accordance with the law.

Primary instruction shall be compulsory. Public instruction shall be gratuitous in all its grades.

ART. 19. Trial by jury is established in all criminal cases and in political offenses and offenses committed through the press.

ART. 20. Haitians have the right to assemble peaceably and without arms for discussing any matter, provided they comply with the laws relating to the exercise of this right, but no previous authorization shall be required for this purpose.

This provision shall not be applicable to meetings in public places which shall remain subject in all respects to the police regulations.

ART. 21. Haitians have the right to join and form societies in accordance with the law.

ART. 22. The right of petition shall be personally exercised by several individuals, never in the name of a body.

Petitions shall be addressed to the legislative power or to the executive power.

ART. 23. The secrecy of private correspondence entrusted to the law is inviolable.

The law shall determine who shall be responsible for this violation.

ART. 24. French is the official language. Its employment shall be obligatory in administrative and judicial matters.

previous authorization shall be required to prosecute public  
done during their administration, except in those cases  
the constitution.  
ng shall be added to or taken away from the constitution  
. The letter of the constitution shall always prevail.

*sovereignty and the powers to which the exercise thereof is  
delegated.*

national sovereignty resides in the citizens taken as a whole.  
exercise of this sovereignty shall be delegated to three powers:  
power, the executive power, and the judicial power.  
in the Government of the Republic, which is essentially civil,  
representative.

power shall be independent of the other two in its attri-  
t exercises separately.

shall delegate its faculties, nor go beyond the limits pre-

individual responsibility shall be formally attached to all public

govern the procedure to be followed against public officials for  
g their administration.

## CHAPTER I.

### SECTION I.—THE LEGISLATIVE POWER.

legislative power shall be exercised by two assemblies: One  
ities and one senate, which shall form the legislative body.  
number of deputies shall be fixed according to the population,  
one deputy for every 60,000 inhabitants.

us of the population is being made, the number of deputies is  
ortioned between the arrondissements actually existing, to wit:  
ne arrondissement of Port au Prince; 2 each for the arrondisse-  
Haitien, Cayes, Port de Paix, Gonâives, Jérémie, Saint Marc,  
id 1 deputy each for the other arrondissements. The deputy

by a majority of the votes cast by the primary assemblies of  
onformity with the manner and the conditions provided by law.  
e a member of the chamber of deputies, it shall be necessary:

25 years of age.

enjoyment of civil and political rights.

sided at least one year in the arrondissement to be represented.

members of the chamber of deputies shall be elected for two

be reelected indefinitely. They shall begin to discharge their  
Monday of April of even numbered years.

ase of vacancy by reason of death, resignation, disqualification  
for any other cause, provision shall be made for a successor in  
strict, only for the remainder of his term, by a special election  
ely by the President of the Republic.

shall take place within a period of 30 days after the convoca-  
mary assembly, in accordance with article 107 of the present

cedure shall take place in case of nonelection in one or several

### SECTION II.—THE SENATE.

senate shall consist of 15 senators.

ns shall last six years and shall begin the first Monday of April  
ed years.

reelected indefinitely.

senators represent the departments, which are five in number,

Four senators for the department of the west.

Three each for the departments of the north, south, and the art.

Two for the department of the northwest.

Senators shall be elected by universal and direct suffrage in the assemblies of the several departments in accordance with the manner, conditions prescribed by law.

Those candidates shall be elected who shall have obtained the number of votes in the departments.

In the first election after the adoption of the present constitution elections shall take place in the following manner:

In each department the candidate who shall have obtained the number of votes shall be elected senator for this department for a term of six years; the candidate who shall have obtained the next highest number of votes shall be elected for a period of four years.

In each of the Departments of the North, of the South, and of the West, the candidate who shall have obtained the third highest number of votes, and, in the Department of the West, the candidates who shall have obtained the third and fourth highest number of votes, shall be elected for a period of two years.

In the following and in the regular elections, the candidates who shall have obtained the highest number of votes in the several departments shall be elected for the entire period of six years.

The Senate shall be renewed by thirds every two years.

ART. 38. To be elected senator, it shall be necessary:

To be over 30 years of age.

To be in the enjoyment of civil and political rights.

To have resided at least two years in the department to be represented.

ART. 39. In case of vacancy by reason of death, resignation, disqualification, or any other cause, provision shall be made for a successor in his department only for the remainder of his term, by a special election called immediately by the President of the Republic.

This election shall take place within a period of 30 days after the adjournment of the primary assembly, in accordance with article 107 of the constitution.

The same procedure shall take place in case of nonelection in the several departments.

### SECTION III.—THE NATIONAL ASSEMBLY.

ART. 40. The two houses shall meet in National Assembly, in the case provided for by the constitution.

The powers of the National Assembly shall be limited and shall not be extended to any other purposes than those which are specially assigned by the constitution.

ART. 41. The president of the senate shall preside over the National Assembly, the president of the Chamber of Commons shall be the vice president of it, and the secretaries of the senate and of the Chamber of Commons shall be the secretaries of the National Assembly.

ART. 42. The attributions of the National Assembly shall be:

1. To elect the President of the Republic and to administer to him the constitutional oath.

2. To declare war, upon the report of the executive power.

3. To approve or to reject treaties of peace and other international agreements and conventions.

ART. 43. In the years of regular presidential elections the National Assembly shall proceed to the election of the President of the Republic on the second day in April and shall not undertake any other work, remaining in session, except on Sundays and holidays, until the President shall be elected.

ART. 44. The election of the President of the Republic shall be made by ballot and by an absolute majority.

If after the first ballot no candidate has secured the number of votes required for his election, a second ballot shall be taken. If on this second ballot no candidate is elected, the election shall be concentrated on the three candidates who have obtained the highest number of votes. If after three

has been elected, the balloting shall be between the two who have the greatest number of votes, and the one who secured the majority shall be proclaimed President of the Republic.

If the two candidates are equally divided, the election shall be

in case of vacancy of the office of President the National Assembly shall meet within 10 days, with or without convocation of the Council of Ministers of the State.

Meetings of the National Assembly shall be public. Nevertheless it may resolve itself into a secret committee at the request of five members thereafter by an absolute majority whether or not the meeting is to be held in public.

In case of urgency, at a time when the legislative body is not in session, the executive power may convene the National Assembly in extra

session to communicate to the National Assembly, through a written message, his convocation.

The presence in the National Assembly of a majority of each of the houses is necessary to pass its resolutions; but a minority may adjourn in order to compel the absent members to attend the meeting, in any manner and under the penalties which the National Assembly

## CHAPTER II.

### SECTION I.—THE EXERCISE OF THE LEGISLATIVE POWER.

The seat of the legislative body shall be in the capital of the Republic.

The legislative body shall meet each year, without need of express summons, on the first Monday of April.

The session shall begin from the date when the bureaux<sup>1</sup> of the two houses

shall have met for the last three months. In case of necessity, this period may be extended for a longer or shorter time by the executive power or by the legislative body.

The President of the Republic may adjourn the houses. But the adjournment shall not last over one month, and more than two adjournments shall not be made during the course of the same session.

The interval between sessions, and in case of urgency, the President of the Republic shall call the legislative body to meet in extra session.

When he calls them, by means of a message, the reason for this measure.

When called to meet in extra session, the legislative body shall discuss only other matters foreign to those for which it has been convened. The President of the house shall be the judge of the election of its members and shall settle the contests which may arise on the subject.

Each member of each house shall individually take the oath to maintain the constitution of the people and to be faithful to the constitution.

The meetings of the two houses shall be public.

Each house may resolve itself into a secret committee at the request of five members thereafter by an absolute majority whether or not the meeting is to be held in public in regard to the same subject.

The legislative power shall make the laws on all subjects of public

administration. [of the legislation] shall belong to each one of the two houses in case of vacancy of the executive power.

The President of the Republic shall promulgate the budgetary law, the law concerning the assessment, distribution of collection of taxes and contributions, the laws having for their object the creation of revenue or increase of the expenses of the State voted by the Chamber of Deputies.

In case of disagreement between the two houses in regard to these laws, each house shall draw by lot an equal number of members to form an inter-commission which shall decide the disagreement with finality.

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Officers and clerks necessary for the conduct of business.

The executive power has the exclusive right to take the initiative regarding the public expenses, and neither of the two houses has the increase in whole or in part the expenses proposed by the executive.

ART. 56. Each house, by its own rules, shall establish its discipline and determine the method under which it shall exercise its attributions.

Each house may impose disciplinary penalties upon its members for reprehensible conduct and may expell a member by the vote of a majority of two thirds of its members.

ART. 57. The members of the legislative body, except in case of delicto, of treason, or acts entailing a corporal or ignominious punishment, shall not be prosecuted or arrested by way of repression during the legislative session without the authorization of the house to which they belong.

In no case shall they be arrested while they are attending a meeting of the house or while they are on their way to and from it.

ART. 58. Neither of the two houses shall adopt any resolutions in the presence of an absolute majority of its members; however, a lesser number of members may adjourn from day to day and compel the absent members to attend the meeting according to the manner and under the penalties which the house may prescribe.

ART. 59. No act of the legislative body shall be passed except by a vote equal to or greater than the majority of the members present, unless otherwise provided for by the present constitution.

ART. 60. No bill shall be adopted by either of the two houses which has not been voted article by article.

ART. 61. Each house shall have the right to amend and revise the bills and amendments proposed. The amendments voted by one house shall not be made a part of a bill until they have been voted on by the other house. A bill shall be enacted into law until after it has been voted on in the same manner by the two houses. Any bill may be withdrawn before said bill is voted upon.

ART. 62. Every law passed by the legislative body shall be immediately promulgated to the President of the Republic, who, before promulgating it, has the right to make objections thereto, in whole or in part.

In this case he shall return the law to the house in which it originated, together with his objections. If the law is amended by this house, it shall be sent to the other house, together with his objections.

If the law thus amended is passed by the second house, it shall be sent to the President to be promulgated.

If the objections are rejected by the house which originally passed the law, it shall be sent to the other house, together with the objections.

If the second house likewise votes to reject these objections, the law shall be sent to the President, who shall then be obliged to promulgate it.

The rejection of the objections shall be voted in both houses by a vote of two thirds of each house; in this case the vote of each house shall be recorded by yeas and nays and shall be noted down in the margin of the minutes, together with the name of each member of the Assembly.

If two thirds of either house shall not meet to consider the rejection of the objections, said objections shall be accepted.

ART. 63. The right to object should be exercised within eight days after the date of the presentation of the law to the President, exclusive of Sunday and the days of adjournment of the legislative body, in accordance with article 62 of the present Constitution.

ART. 64. If within the period prescribed by the preceding article, the President of the Republic does not make any objection, the law shall be promulgated unless the session of the legislative body shall have closed before the expiration of that period. In this case the law shall be held in abeyance.

ART. 65. A bill rejected by one of the two houses shall not be reintroduced during the same session.

ART. 66. The laws and other acts of the legislative body shall be promulgated through the *Moniteur* and shall be inserted in the bulletin, printed and sold under the title *Bulletin des Lois*.

ART. 67. The law shall take its date from the day of its definitive promulgation by the two houses; but no laws shall become obligatory until after the promulgation, which is to be made according to law:

ne shall personally present petitions to the legislative body.  
 member of the legislative body shall receive a monthly indemnity  
 beginning from his taking of the oath.  
 office of member of the legislative body is incompatible with  
 under the pay of the State.

### CHAPTER III—THE EXECUTIVE POWER.

#### SECTION I.—THE PRESIDENT OF THE REPUBLIC.

executive power shall be exercised by a citizen who shall take  
 sident of the Republic.

President of the Republic shall be elected for four years.  
 r upon his duties on May 15, except when he has been elected  
 y; in this case he shall be elected for the remainder of the  
 ill enter upon his duties immediately after his election.  
 it shall be eligible for immediate reelection. A President who  
 ted shall not be elected for a third term unless after the expira-  
 of four years.  
 has been elected President three times shall not be eligible for

re elected President of the Republic it shall be necessary :  
 een born of a Haitian father and never to have renounced his

40 years of age.  
 re enjoyment of civil and political rights.

President shall, before entering upon his duties, take before  
 ssembly the following oath:  
 ore God and before the Nation, to observe and cause to be ob-  
 ly the constitution and the laws of the Haitian people, to respect  
 the latter, to maintain the national independence and the in-  
 Territory.

President of the Republic shall appoint and remove the secre-  
 charged with seeing to the execution of the treaties of the

l the laws with the seal of the Republic and shall promulgate  
 e time prescribed by articles 62, 63, and 64.

charged with the enforcing of the constitution and the laws,  
 es of the legislative body and of the National Assembly.  
 ue all the regulations and decrees necessary for this purpose,  
 ver, the power to suspend or interpret the laws, acts, and de-  
 es or to interfere with their enforcement.  
 ke appointments to public offices and positions only by virtue  
 tion or of some express provision of a law and under the con-  
 prescribed.

ovide according to law for the internal and external safety of

ike all international treaties or conventions, subject to the ap-  
 National Assembly.

ve the right to grant pardons and commutation of punishment  
 al judgments rendered in actual trial, except in cases of impeach-  
 ourts or by the Chamber of Deputies, as is provided in articles  
 the present constitution.

ant amnesty in political matters according to the provisions of

mmand and direct the armed forces of the Republic, and shall  
 des according to the law.

ve power to demand a written report from the chief official of  
 inisterial departments on any subject relating to the conduct of  
 e departments.

the President shall become temporarily unable to exercise his  
 Council of the Secretaries of State shall be charged with the  
 icrity so long as the disability exists.

ART. 77. In case of vacancy of the office of President, the Council Secretaries of State shall be vested temporarily with the executive power. It shall immediately convene the National Assembly for the election of a successor for the remainder of the presidential term.

If the legislative body is in session, the National Assembly shall be convened without delay. If the legislative body is not in session, the National Assembly shall be called in accordance with article 45.

ART. 78. All the acts of the President, except the decrees appointing and removing from office the Secretaries of State, shall be countersigned by the Secretary of State in charge of the matter concerned.

ART. 79. The President shall have no other powers than those attributed to him by the constitution and the special laws enacted by the constituent assembly.

ART. 80. At the opening of each session the President, by means of a message, shall render to each of the two houses separately an account of his administration during the year, and shall present the general situation of the Republic both at home and abroad.

ART. 81. The President of the Republic shall receive from the public treasury an annual indemnity of \$24,000.

ART. 82. The President shall reside in the national palace of the capital.

#### SECTION II.—THE SECRETARIES OF STATE.

ART. 83. The Secretaries of State shall be five in number. They shall be distributed among the different ministerial departments as the services of the State may require.

A decree shall determine this distribution in accordance with the needs of the State.

ART. 84. To be appointed Secretary of State, it shall be necessary:

1. To be over 30 years of age.
2. To be in the enjoyment of civil and political rights.

ART. 85. The Secretaries of State shall meet in council under the presidency of the President of the Republic or of any one of them designated by the President.

All deliberations of the council shall be recorded in a book, and the minutes of each session shall be signed by the members of the council present.

ART. 86. The Secretaries of State shall have the right to the floor in both the two houses as well as to that of the National Assembly, but only to discuss the bills proposed by the executive power and to support its objections. They shall make any other official communication.

ART. 87. The Secretaries of State shall be responsible, each in respect of the concerns him, both for the acts of their department and for the promulgation of laws relating thereto.

They shall correspond directly with the authorities subordinate to them.

ART. 88. Each Secretary of State shall receive from the public treasury an annual indemnity of \$6,000.

#### CHAPTER III (BIS).—THE JUDICIAL POWER.<sup>1</sup>

ART. 89. The judicial power shall be exercised by a court of cassation, and by the inferior courts the formation and jurisdiction of which shall be determined by law.

ART. 90. The judges of all the courts shall be appointed by the President of the Republic.

He shall appoint and remove the officials of the public ministry at the court of cassation and the other courts, justices of the peace, and their substitutes.

ART. 91. No one shall be appointed judge or officer of the public ministry who is not over 30 years of age, for the court of cassation, or over 25 years of age for the other courts.

ART. 92. The court of cassation shall take no cognizance of the substance of cases. Nevertheless, in all matters except such as have been passed upon by jury, when the same case shall be presented again by the same parties on appeal, even upon an exception, the court of cassation, admitting the same

<sup>1</sup> This repetition in the numbering of the chapters is obviously a typographical error.

and the case but shall pass a decision upon the subject matter in

judges of the court of cassation, the judges of the courts of first instance shall enjoy irremovability.

It regulate the conditions upon which they shall cease to enjoy irremovability and the manner of their retirement on account of other disability, or by reason of the suppression of the court.

It be transferred from one court to another or intrusted with, even if superior, without their formal consent.

Official functions are incompatible with all other salaried public

ity resulting from relationship or marriage shall be regulated

It also regulate the conditions required to be a judge of any rank. Commercial litigation shall be submitted to the courts of the first instance, the justices of the peace, in accordance with the Code of Com-

sittings of the courts shall be public, unless it is deemed that detrimental to public order or good morals; in this case a declaration shall be made by the court.

In cases of political offenses or of offenses committed through which shall never be secret.

Every decree or decision shall state the grounds upon which it is made and shall be rendered in open court.

The court of cassation shall take cognizance and pronounce upon appeals in the manner established by law.

It is competent in all cases decided by a court-martial and brought before it on ground of lack of competence or excess of jurisdiction of that

The court of cassation, in full bench, shall decide upon the constitutionality of the laws.

It should refuse to apply all those laws which have been declared unconstitutional by the court of cassation.

It shall not apply the decrees and regulations of the administration which are in contravention of the law.

#### THE PROSECUTION AGAINST THE MEMBERS OF THE STATE POWERS.

The Chamber of Deputies has the right to impeach the president of the Republic before the senate for high treason or any other crime or offense committed by him in the exercise of his functions.

It may impeach—

Ministers of state in case of malversation, treason, abuse or excess of power, or any other crime or offense committed in the exercise of their functions.

Members of the court of cassation, of one of its sections, or of any other public ministry connected with the court of cassation, in case of malversation.

The impeachment shall not be pronounced except by a majority of two-thirds of the members of the chamber. By virtue thereof, the chamber indicates the president of the senate sitting as a High Court of Justice. At the opening of each session of the High Court of Justice shall take oath to impartiality and firmness proper to an honest and free man, before the president of the Republic is on trial, the president of the Court shall preside.

The Court of Justice shall not impose any other penalty than deposition, deprivation of the right to exercise any public function for not more than five years; but the guilty party may be re-instated in the ordinary courts in accordance with the law, if there is no other penalty imposed or deciding upon the institution of civil

It shall be tried or sentenced except by a majority of two-thirds of the members of the senate.

The time fixed for the duration of the session of the legislative assembly, article 50 of the present constitution shall not serve to put an end to the prosecution, when the senate is sitting as a High Court of Justice.

ART. 101. In case of prevarication, any judge or official of the public ministry shall be impeached by one of the sections of the Court of Cassation.

In case of a whole court, the impeachment shall be pronounced by the Court of Cassation, in full bench.

ART. 102. The law shall regulate the mode of procedure against the President of the Republic, the secretaries of state, and the judges in the case of crimes or offenses committed by them either in the exercise of their functions or outside thereof.

#### CHAPTER IV.—COMMUNAL INSTITUTIONS.

ART. 103. There shall be one council for each commune.

The president of the communal council has the title of communal president. This institution shall be regulated by the law.

The law shall determine in the communes or in the arrondissements the officials who shall represent directly the executive power.

ART. 104. The following principles must form the bases of the communal institutions:

1. The election by the primary assemblies of the communal council every two years.

2. The attribution to the communal councils of all that may be of interest to the commune, subject, however, to subsequent approval of their acts in cases and in the manner determined by law.

3. The publicity of the meetings of the councils within the limits established by law.

4. The publicity of budgets and accounts.

5. The intervention of the executive power to prevent the councils from going beyond their attributions and doing injury to the general interests of the Republic.

ART. 105. The communal magistrates shall be paid by their commune.

ART. 106. The communal council shall not spend every month more than one-twelfth of the total amount voted for its budget.

#### CHAPTER V.—PRIMARY ASSEMBLIES.

ART. 107. The primary assemblies shall meet without previous notice in their respective communes on January 10 of each even-numbered year in the manner and form established by law.

They shall have for their object the election, at the times fixed by the law, of the deputies of the people, the senators of the Republic, the communal councilors, and to decide on the amendments proposed to the constitution.

They shall not take cognizance of any other matters than those attributed to them by the present constitution.

They are bound to adjourn sine die as soon as this object is accomplished.

ART. 108. The law establishes the conditions required to exercise the right of suffrage in the primary assemblies.

#### TITLE IV.—FINANCES.

ART. 109. The imposts for the benefit of the State and of the communes shall only be established by a law.

No charge shall be levied on the communes except upon the formal authorization thereof.

ART. 110. The laws establishing the imposts shall be enforced only once a year.

ART. 111. No distinction in regard to imposts shall ever be made between exemption, no increase or decrease of imposts shall be made except by a law.

ART. 112. No pension, gratuity, subvention or subsidy of any kind, to be paid by the public treasury, shall be granted except by virtue of a law passed by the executive power.

ART. 113. The simultaneous holding of offices under the pay of the State is formally prohibited, except positions in secondary or higher education.

ART. 114. The budget submitted by each secretary of state shall be divided into chapters and must be voted by articles.

of appropriations is forbidden.

of State for Finance shall be bound, on his personal responsibility, to reimburse each month, for the benefit of each ministerial department, one-twelfth of the amount appropriated in its own budget. It may be made for extraordinary cases by decision of the Council of State.

The accounts of the receipts and expenditures of the Republic shall be kept by the Secretary of State for Finance under the system of accounting to be established by law.

The fiscal year begins on October 1 and ends on September 30 of the following year.

At the close of each year the legislative body shall settle:

1. The accounts of receipts and expenditures for the preceding year or years.  
2. The budget of the State containing the rough estimate and the needs assigned annually to each secretary of state, but no resolution shall be introduced with the budget for the purpose of increasing the salaries of public officials.

This nature shall only be effected by an amendment of the law. The general accounts and the budgets provided for in the preceding article shall be submitted to the legislative body by the Secretary of State for Finance at latest within eight days of the opening of the legislative session. The liquidation of the accounts of the general administration and the liquidation of the accounts of the general administration shall be made against the public treasury shall be made according to the law established by law.

The legislative body, for any reason whatever, should fail to adopt the budget of one or more of the ministerial departments before its session, the budget or budgets of the interested departments in force for the following year shall be maintained for the following budgetary year.

#### TITLE V.—*The public force.*

The armed force, to be known as the Gendarmerie d'Haiti, shall be organized in reserve order, guarantee the rights of the people, and police the country.

The only armed force of the Republic.

The regulations for the maintenance of discipline in the gendarmerie, the repression of the offenses committed by those who compose it shall be subject to the executive power. These regulations shall have the force of law.

The military tribunals shall establish the organization of the courts-martial of the Republic, shall prescribe their powers and shall determine the obligations of the members and the rights of the individuals who are to be judged.

The decisions pronounced by courts-martial of the gendarmerie shall be subject to revision by the Court of Cassation, and this revision shall be without effect of jurisdiction and of excess of powers.

#### TITLE VI.—*General provisions.*

The national colors shall be blue and red, horizontally placed.

The arms of the Republic shall consist of a palm tree surmounted by a wreath adorned by a trophy with the legend: "L'Union fait la force." The oath shall be required except by virtue of the constitution or of a law.

The national holidays shall be: That of the Independence, 1 January; That of Agriculture, 1 May.

The other holidays shall be determined by law.

The laws, decrees, or rule of the public administration shall be obligatory as soon as they have been published in the form established by law.

The elections shall be made by secret ballot.

A state of siege shall not be declared except where the external security is in imminent peril.

The President of the Republic declaring a state of siege must be approved by the majority of the secretaries of State present in the capital.

An account shall be rendered of it at the opening of the houses by the executive power.

ART. 126. The effects of the state of seige shall be regulated by a law.

ART. 127. The present constitution and all the treaties actually in force shall be concluded hereafter, and all the laws decreed in accordance with the constitution or with these treaties, shall constitute the law of the country. Their relative superiority shall be determined by the order in which they are here mentioned.

All the provisions of the laws which are not contrary to the provisions of this constitution or to the treaties actually in force or to be concluded hereafter, shall be maintained until they have been formally abrogated or modified, but those which are contrary thereto shall be and shall remain abrogated.

#### TITLE VII.—*The revision of the constitution.*

ART. 128. The amendments of the constitution must be adopted by a majority of votes of all the electors of the Republic. Each of the two branches of the legislative power, or the President of the Republic, through either of the legislative power, may propose amendments to the present constitution. These amendments shall then be published immediately in the official gazette.

For three months before voting on the proposed amendments, the text of the amendments shall be posted by each communal magistrate in the principal public place of his commune, and shall be printed and published twice a month in the official papers.

At the next biennial session of the primary assemblies, the proposed amendments shall be submitted to vote, one by one, by yeas and nays, and a separate ballot, and those amendments which should have obtained the majority of votes in all the territory of the Republic shall become a part of the constitution from the day on which the legislative body meets.

#### SPECIAL ARTICLE.

All the acts of the Government of the United States during its occupation of Haiti are ratified and validated.

No Haitian shall be amenable to civil or criminal prosecutions by virtue of any act executed by virtue of orders received during the occupation of Haiti by its authority.

The acts of the courts-martial during the occupation shall not be subject to revision, without prejudice, however, to the right of pardon.

The acts of the executive power performed up to the promulgation of the present constitution are likewise ratified and validated.

#### TITLE VIII.—*Transitory provisions.*

ART. A. The duration of the mandate of the citizen President of the Republic at the moment of the adoption of the present constitution shall be five years, to end on the 15th day of May, 1922.

ART. B. The duration of the mandate of the communal councillors shall be five years, to end on the 15th day of January, 1920.

ART. C. The first election of members of the legislative body after the promulgation of the present constitution shall take place on the 10th of January, 1920, even-numbered year.

The year shall be fixed by a decree of the President of the Republic at least three months before the meeting of the primary assemblies.

The session of the legislative body then elected shall convene on the constitutional date immediately following the first election.

ART. D. A council of state, created in accordance with the same conditions as those of the decree of April 5, 1916, and composed of 21 members distributed among the different departments, shall exercise the legislative functions until the legislative body is constituted, on which date the council shall cease to exist.

ART. E. The irremovability of judges shall be suspended for a period of six months beginning from the date of the promulgation of the present constitution.

re Hudicourt, former president of bar association, Port au Prince, Haiti.]

MITTED AT THE REQUEST OF CHAIRMAN MEDILL McCORMICK.

n of 1918 provides (art. 26) :

in not add to or detract from the constitution. The letter of must always prevail."

letter of the constitution must always prevail" means that the es of the constitution is not open to any interpretation other the terms used express. There is no ground to read into this other than that which the words themselves express. No ssible.

le which must be invoked in order to understand the logic of ussion.

le constitution says:

state, formed according to the same principles as that of the i, 1915, composed of 21 members divided among the different ll exercise the legislative powers until the formation of the at which time the council of state shall cease to exist."

of this article is what is known in law as a "temporary pro- to say, that the results intended shall be without further pur- pening of a specified event.

cil of state shall cease to exist upon the formation of a legis-

the legislative body does not exist, the council of state is vested ons; that is to say, it shall exercise the functions which are e of the legislative body.

gislative body?

of the State which exercises the legislative power (art. 28). power is exercised by two houses, a chamber of deputies and together form the legislative body (art. 31).

e power is not exercised by the two houses acting jointly, but t is to say, by each house separately, the action of one following

functions of the legislative power?

cribes:

re power enacts laws on all matters of public interest."

udget, it votes the laws concerning tax assessments, tax quotas, of levying taxes and aids.

as to ascertain the real powers of the council of state, under ust for such information consult articles 31 and 55 (first and as), which prescribe the only functions of the legislative power. ons of the legislative power, as just indicated, it is impossible tsoever to the council of state, because according to article 26 ing) of the constitution must always prevail.

o pretend that there is included in the functions of the council er to proceed to elect a President of Haiti, because that func- given by the same constitution, of which "the letter (wording) vall," to the national assembly exclusively.

ational Assembly?

nsist, as does the legislative body, of two houses functioning one following upon the other.

meeting of the Chamber and the Senate (deputies and senators) form but a single body. In this body deputies and senators tive identity as such representatives. The vote of a senator s that of a deputy is counted as one. (Art. 40, par. 1.)

(powers) of this body are three in number, and the constitu- them and does not intend that they shall be extended to other ose which are specifically attributed to it by the constitution.

)

ves, the constitution has believed it necessary to be expressed still more the provision of article 26, sufficiently explicit in

tions (functions, powers) are:

t the President of the Republic and to receive from him the th.

Second. To declare war on the advice of the executive branch.

Third. To approve or to reject treaties of peace and other international conventions.

In short, if it be true that the council of state exercises the functions of the legislative branch, it has not, however, the functions of the National Assembly.

The council of state is consequently without power to elect the sovereign M. Dartiguenave.

According to the contrary opinion, although not at all widely held, that the council of state, having declared war on the German Empire and having ratified the treaty of Versailles, has full power to elect the sovereign M. Dartiguenave.

I reply that it is in violation of the constitution that the council declared war on Germany and that it was further violative of the constitution that it approved the treaty of Versailles. And I add that two violations of the constitution can not validate a third violation.

N. B.—This memoir, prepared by M. Hudicourt, is signed by the leaders of the Port au Prince bar, including the present and three former presidents of the bar association, a former judge of the Court of Cassation, professors at the law school, a former Secretary of the Department of Justice, etc.

In the matter of the investigation of the occupation and administration of Haiti and Santo Domingo before a select committee of the United States Senate.

STATE OF NEW YORK,

County of New York, ss:

Pierre Hudicourt being duly sworn, deposes and says: That he is a resident of the Republic of Haiti, a resident of Port au Prince, and is temporarily in the United States; that he has already testified before the Senate committee on the subject of the occupation of Haiti; that he makes this affidavit to cover certain matters concerning which he was omitted to testify before the said committee in Washington on the 11th day of February, 1922, and that in making this affidavit he considers himself bound by the oath taken by him before the said committee on February 11, 1922.

Deponent was in the city of Port au Prince in the month of December, 1914, and on or about the 13th day of December, 1914, United States marines landed from the U. S. S. *Machias*. Said marines, in uniform and armed, proceeded to the building occupied by the Bank Nationale d'Haiti and received \$500,000 in gold, which said marines then and there transported to the streets of Port au Prince between 12 noon and 2 p. m. of the said day. The wharf and thence loaded the same on board the U. S. S. *Machias*. The aforesaid events were not witnessed by deponent personally, but were witnessed by considerable numbers of passers-by in the streets through which they proceeded openly, and the said facts were and are a matter of common knowledge in Haiti. Deponent's knowledge of these facts is derived from the papers printed in Port au Prince in the late afternoon of the same day.

On the same day the Government of Haiti instituted a formal investigation and complaint against the bank for delivery of the said gold, the proceeds of the Haitian Government, held in trust by the bank as security for paper money then in circulation, to which reference is made in the report of M. Louis Borno, Secretary of State for Foreign Affairs for the year 1916, Volume II, page 100.

During the year 1916 deponent was a member of the special commission of the Haitian Government to negotiate with the Bank Nationale d'Haiti and the National City Bank of New York certain matters then in dispute between the Haitian Government and said Bank Nationale d'Haiti, and as a member of said commission deponent was one of the signatories on behalf of the Government of Haiti to a convention between the aforesaid parties signed on the 10th day of July, 1916, at the city of Washington, D. C., which said agreement is set forth in the aforesaid report of M. Borno, page —.

Deponent avers to the best of his knowledge and belief that the bank has fulfilled the engagements entered into by it in said convention, and that the statements made by Mr. Roger L. Farnham before this committee on page 123 of the printed record of these hearings, the aforesaid sum of \$500,000 belonging to the Haitian Government has not been returned to Haiti, otherwise used or disposed of to the credit and for the benefit of the Government of Haiti.

her says, referring to the constitution of 1918 that he is in information and belief avers it to be a fact that in order to bring opposition and indignation universally manifested in Haiti constitution when proposed and after same had been voted by voters, and agents of the military occupation of the United States the towns and villages of Haiti, to five persons chosen in each of statement by the terms of which these aforesaid citizens in affirm that on the contrary, the constitution of 1918 was accepted and joy by the population of Haiti, and that the aforesaid by which the said constitution was purported to have been sincere and free.

her says that it is a matter of common knowledge in Haiti that of cases the citizens aforesaid refused to sign this document. er says in extension of his statements in this connection that it was not presented to deponent for signature.

PIERRE HUDICOURT.

ore me this 20th day of February, 1922.

JOSEPHINE E. BESSEY,

*Notary Public, Kings County.*

ed in New York County.

xpires March 30, 1922.

MEETINGS OF A BOARD OF INVESTIGATION CONVENED AT GENDARMERIE AUX CAYES, REPUBLIC OF HAITI, BY ORDER OF THE DEPARTMENT DEPARTMENT OF THE SOUTH, GENDARMERIE D'HAITI, TO INQUIRE ALLEGED MISCONDUCT OF ACTING FIRST LIEUT. CHARLES E. KENNEY, D'HAITI.

GENDARMERIE D'HAITI,

HEADQUARTERS DEPARTMENT OF THE SOUTH,

*Port au Prince, Haiti, November 26, 1921.*

ment commander.

L. Perkins, Gendarmerie d'Haiti.

of investigation.

of investigation consisting of yourself as senior member and H. Sullivan, Gendarmerie d'Haiti, as additional member, will Cayes, Republic of Haiti, at 10 o'clock a. m., Monday, November the purpose of inquiring into the alleged misconduct of Acting Charles E. Kenney, Gendarmerie d'Haiti, as set forth in the papers

authorized to administer an oath to any witness attending to the investigation.

notify Acting First Lieut. Charles E. Kenney, Gendarmerie nature of the charges against him and of his right to be present estigation, and you will give him an opportunity to introduce to make such statement as he may desire.

make a thorough investigation of the matters set forth in the mentioned and such other matters as you deem pertinent, and, on of the investigation, you will make a complete report to the commander of the facts which you deem established, together ion and recommendation in the premises.

A. B. DRUM.

#### FIRST DAY.

GENDARMERIE BARRACKS, AUX CAYES, REPUBLIC OF HAITI,

*Monday, November 28, 1921.*

met at 10 a. m. Present: Capt. Jesse L. Perkins, gendarmerie, r; Second Lieut. Herbert Sullivan, gendarmerie d'Haiti, member.

ing order was read, and the board determined upon its provided to sit with open doors.

then called before it Acting First Lieut. Charles E. Kenney, in his status as a defendant, and of his right to be present during ion and to be represented by counsel.

Mr. ALVIN GERDES, a witness called by the board, entered and was sworn.

1. Question. What is your name, residence, and present occupation?

Answer. Alvin Gerdes, assistant public health officer, Aux Cayes.

2. Question. Do you know First Lieutenant Kenney of the gendarmerie?

Answer. Yes.

3. Question. Did he come under your observation recently at a concert at the Cercle Union in Aux Cayes; and if so, state the circumstances under which the board what Lieutenant Kenney did on that occasion.

Answer. Yes; I was there and I saw Lieutenant Kenney. It was a concert given by Jehan Riko, the singer. Lieutenant Kenney and Lieut. Freidman came in together; Lieutenant Kenney sat down and Lieut. Freidman was standing at his right; Lieutenant Kenney was approached by the president of the club, Mr. Douyon, who said to him in English: "Buy a program," to which words Lieutenant Kenney took exception. He seemed to mean him, who was not yet acquainted with the people, customs on such occasions, "you are obliged to buy a program in order to be present." The president of the club, who does not speak English well, desired to know whether or not Lieutenant Kenney wished to give something out of generosity. Then Lieutenant Kenney turned and said to someone near by: "Give Lieutenant Freidman a chair." After having a second time and no chair came forth, Mr. Dartigue told him it had not been the custom to furnish chairs to the people who come; that everybody was to use their own chairs. Then Lieutenant Kenney asked me who was president of the club, and I introduced him to Mr. Ernest Douyon, and he asked Mr. Douyon who gave them permission to have the meeting. Mr. Douyon replied that he had sent notice to the gendarmes already that they intended to have a meeting, etc. I do not recall all the conversation that ensued; I do recall that Lieutenant Kenney told President Douyon that in the future he would have a gendarme present for the sake of the people in case anyone attempted to cause disorder. He also stated to those near by that it would be convenient in the future to have a few chairs there for any public office that might desire to come. I stayed there until the end of the meeting, and it happened that was not right.

4. Question. Do you know whether or not Lieutenant Kenney was under the influence of liquor, judging from all appearances and actions?

Answer. To the best of my knowledge he was not.

(None of the parties to the inquiry desired further to examine him, so he verified his testimony and withdrew.)

Mr. J. A. GERDES, a witness called by the board, entered and was duly sworn.

Examined by the BOARD:

1. Question. What is your name, residence, and present occupation?

Answer. J. A. Gerdes, proprietor of the Hotel d'Haiti, Aux Cayes, Haïti.

2. Question. Where were you on the evening of November 19, 1921?

Answer. In Aux Cayes.

3. Question. Do you know Lieutenant Kenney?

Answer. Yes.

4. Question. Did he come under your observation on the evening of November 19, 1921; and if so, state briefly the circumstances to include what you actually saw and heard, and of your own knowledge know to be true?

Answer. I was in front of the Hotel Haiti with the pompiers when Lieutenant Clermont came to me and told me that the district commander had ordered him to order the bugles of the firemen company stopped. As I was the only man in the company who could talk English, I asked the commander of the company, Mr. Joseph Delorme, for permission to go and explain the matter to Lieutenant Kenney. The whole company approved of this, and I asked Lieutenant Clermont to come with me to see Lieutenant Kenney. We were in the street coming toward us about 150 yards from where the band was; I addressed Lieutenant Kenney, and tried to explain to him that it was for us to have fire drill at other hours, as the most of us were employed by commercial concerns. Lieutenant Kenney replied that he had an order and wanted it carried out, and that if he should happen to hear noise again he would have Mr. Delorme and those who were blowing the horns put in prison.

4. Question. Did Lieutenant Kenney order the drill to be stopped, or was the drill already stopped and some one was just blowing the bugles?

drill had suspended for a few minutes, and we were having a tel; we had finished drilling with the pumps but had not had our en were practicing on the bugles.

When you saw Lieutenant Kenney, was he drunk or did he ap-  
pen drinking?

n not say that he was; I did not talk at length with him.

What happened after that?

n I answered him, "All right, sir; your orders will be executed."

and went back to the firemen's company, to whom I related ex-  
been said between Lieutenant Kenney and myself. Then we all  
as best that we should try again to ask Lieutenant Kenney to  
order, so we all marched toward the Hotel International, where  
tenant Kenney standing on the gallery with Lieutenant Clermont.  
nt ordered the company to halt. The commandant and myself  
utenant Kenney. I respectfully addressed Lieutenant Kenney  
ng terms: "Excuse me, Lieutenant Kenney; here is the com-  
would like to tell you a few words"; and he replied, "At the  
y office hours." So the commandant ordered the company to  
station without blowing the horns. When we arrived there we  
it it was better for us to make a decision as to what to do about  
not know whether or not we would be allowed to have any more  
ecided to dissolve the company until we could get further infor-  
he matter. Mr. Delorme stated that if we were going to dissolve  
e would have to write and notify the district commander to that  
as done, and signed by all members present.

Did you all maturely deliberate upon the matter before writing  
er written hastily or on the spur of the moment?

was written hastily and on the spur of the moment, perhaps, as we  
think everything over and the possible consequences. The affair  
to some of the others; the lieutenant was perhaps misunderstood;  
ow.

Do you think you people were justified in dissolving the com-  
as you did?

um the point of view we had at that time; yes. We are a volun-  
ion and are business men who can not have these drills in the  
well. We had the impression that Lieutenant Kenney wanted us  
ls in the evening, so we could not see how it would be possible to  
istence. So we dissolved.

Did you see Lieutenant Kenney any more after that?

s. Two days later, when I was well again, I went down to the  
ad a very nice talk with him. I found that he had not intended  
ntinue our drills, but that he simply was opposed to blowing the  
ark.

1. What do you think the pompiers had to do with Mr. Delorme  
ral going to Port au Prince to report this affair to the senatorial

um absolutely sure that upon the release of Mr. Delorme every-  
ought the affair was a closed incident. I knew nothing about the  
Delorme until two days after he had left. I consider Mr. Car-  
ant Kenney's interpreter, largely responsible for the whole affair,  
personal enemy and, of course, tried to antagonize Lieutenant  
st us.

he parties to the investigation desired further to examine this  
erified his testimony and withdrew.)

u, a witness called by the defendant, entered and was duly sworn.

ed by the BOARD:

What is your name, residence, and present occupation?

chard Cardoza, a clerk of Taverne & Co., of Aux Cayes.

Where were you on November 19, 1921?

re in Aux Cayes.

. Do you know First Lieut. Charles E. Kenney, of the gend-

s; I do.

. Did you see Lieutenant Kenney on the evening of November 19;  
ise state the circumstances?

Answer. At about 6.45 p. m. I was standing at the Hotel Intercontinental. Lieutenant Kenney came in one door and walked out the other and stood on the porch looking at the volunteer firemen, who were congregated in front of the hotel. I then got up from where I was sitting and went to the kitchen for supper. Afterwards, at about 8.30, I met him on the street in front of the ice-cream parlor, near the hotel. From there we took a walk and arrived at Kenney's home at about 10 o'clock. While there some one brought me a letter, which had marked on the envelope the words "very urgent." It was in French, and I knew French, Lieutenant Kenney asked me to read it for him.

(At this stage of the testimony, the defendant produced a copy of the letter which was certified correct by the civil officials of Aux Cayes, of which is appended, marked "Exhibit No. 1," and same was read before the board. The board directed the witness to continue his testimony.)

Answer. I translated Mr. Delorme's letter, which had been signed by the members of the firemen's company, and explained the contents to Lieutenant Kenney. Then Lieutenant Kenney sent for Mr. Delorme and, when he came, explained to him that no bugles were to be sounded nor drills to be held at night; that they had been holding such drills near the hospital and there where there were two cases of sickness. They talked for about two hours on the question of having such drills at night, and of such regulations as were necessary for the government of a firemen's company. Mr. Delorme agreed with Kenney on every point it seemed, so Kenney told him to leave the bureau only after he had thoroughly understood his attitude on the matter. He turned Mr. Delorme over to Lieutenant Clermont and told Lieutenant Clermont that when Mr. Delorme had fully understood matters, what Lieutenant Kenney wanted him to do, he should release him. When he started to go, Kenney turned toward Delorme and told him that in case of fire that night Delorme would be held responsible in case the firemen did not assist. As he said this, he had a crop in his hand, which he shook in the face of Delorme as he talked to him, emphasizing the remark.

5. Question. How did Lieutenant Kenney use the crop?

Answer. He held the crop in his right hand, beating it on the palm of his left hand, in front of Delorme's face, which made Delorme more angry, and he told Lieutenant Kenney to not point the whip in his face. Then Delorme grabbed hold of the crop and pushed it back toward Kenney. With his left hand, grabbed Delorme back of the neck and pulled the crop away from Delorme and walked away.

6. Did Lieutenant Kenney hit Mr. Delorme?

Answer. No; he did not. He only took the crop away from him and walked away; and, as he was leaving the room, he turned to the first sergeant and told him to confine Delorme. Kenney and I then left and went home.

7. Question. When did you see Lieutenant Kenney again?

Answer. The next afternoon at about 3 p. m. with the civil officials had come to see Lieutenant Kenney and ask for the release of Delorme. He stated that Mr. Delorme wanted his letter back, and that if Lieutenant Kenney would release him they would stand good for any disorder he might make. Consequently, Delorme was released that date. Then we all went home.

(Neither of the parties to the investigation desired to further examine the witness; he verified his testimony and withdrew.)

MR. EMILLE SENDRAL, a witness, called by the board, entered, and was sworn.

Examined by the BOARD:

1. Question. What is your name, residence, and present occupation?

Answer. Emille Sendral, an employee of Henri Sendral, Aux Cayes.

2. Question. Do you know Lieutenant Kenney?

Answer. Yes; when I see him.

3. Question. Did Lieutenant Kenney come under your observation on the evening of November 19? And if so, state the circumstances.

Answer. I saw him at about 6.45 p. m. in front of the Hotel Intercontinental talking to Mr. Delorme on the porch. I was one of the firemen who were assembled there, while my uncle, Mr. J. A. Gerdes, was also speaking to Lieutenant Kenney. As they were talking in English, I could not hear what they were saying, but when they were through talking, the firemen returned to their station. Upon our arrival there we accepted to drink

ne had written in the name of the company, to be sent to ney. About midnight the boy who works for Mr. Gerdes me up telling me that Lieutenant Kenney had sent for him, too sick to go down. I went to Mr. Gerdes's place and found or there making out a certificate to the effect that Mr. Gerdes come to the bureau. This certificate was sent to Lieutenant bureau. At about 1 or 2 o'clock in the morning some of us e street and in front of the bureau. While passing by we over- on on the inside between Mr. Delorme and Lieutenant Kenney. s later I heard something that sounded like a slap, followed tion from Mr. Delorme: "You are a coward, you have struck l man." Very soon afterwards Mr. Delorme came downstairs i the first sergeant, and as he came out of the bureau he told me a hit, and that we was on his way to the prison. Did you actually see either Lieutenant Kenney or Mr. Delorme cussion?

I did not see either of them; I only overheard them talking at direction a noise that sounded like a slap. Can you swear that it was a slap you heard? I can not; as I did not actually see either of them. Could not the firemen arrange different hours for their drill? with the consent of the patrons. By whose suggestion did the firemen write the letter to ney?

as proposed by Mr. Delorme.

ie parties to the investigation desired further to examine this lified his testimony and withdrew.

Lieut. HENRY CLERMONT, a witness, was called by the board, was duly sworn.

the BOARD:

What is your name, rank, and present station?

ri Clermont, acting second lieutenant gendarmerie d'Haiti, sub- nder at Aux Cayes.

Where were you on the evening of November 19?

e in Aux Cayes.

Did Lieutenant Kenney come under your observation on that date? e the circumstances.

aw him near the Hotel International at about 7 p. m. I had iple calls about the town so Lieutenant Kenney sent me to stop e blowing the bugles, as it was not the hour for such noises. at Hotel d'Haiti, I met Mr. Gerdes and Mr. Delorme with several e firemen company. Some of them were inside drinking at the vere in the street playing on the bugles. I told Mr. Delorme and e orders that Lieutenant Kenney had given me. They informed en there were the firemen having their drill, that they had just ig the affair before going home. I told them to go see Lieutenant alk with him, which they did. I did not exactly understand all s I do not speak English very well. It seemed that Lieutenant e repeated the same orders he had given me. Then Mr. Gerdes e Hotel d'Haiti and had the firemen fall in and they marched down e Hotel International. Then Mr. Gerdes told Lieutenant Kenney en wished to talk with him, and he replied that they could do rning at his office; that he had given them an order and he wanted Then they all marched away to their station.

When Mr. Gerdes made this request of Lieutenant Kenney did ensue?

Did you see Lieutenant Kenney any more after that?

s. I went to the bureau and turned in. At about 10.30 Lieuten- me to me and told me to get up and dress. He showed me a letter eral people with their "Pompier rank" under their signatures. nd the first sergeant to get Mr. Delorme and have him come to the

Did he tell you to arrest him?

, he told us to tell Mr. Delorme that he wanted to see him at He also told us to have Mr. Gerdes come down to the bureau, but

we found that Mr. Gerdes had taken sick. Upon arrival at Mr. Gerdes' room we found some of his friends there also, including Lieutenant S. . . was sick with the fever. From there we went to Mr. Delorme's house at the door, and were admitted. We told him that Lieutenant Kenney's presence at the bureau, and he came along willingly.

7. Question. Did you arrest Mr. Delorme or simply request him to leave the bureau?

Answer. We simply requested him to come and he came readily.

8. Question. What happened at the bureau?

Answer. Upon arrival there Lieutenant Kenney asked Mr. Delorme if he had to write him such a letter as he did.

9. Question. Were you present during all the discussion?

Answer. No; as soon as I arrived there with Mr. Delorme I went to see Mr. Gerdes, as the lieutenant had given me a note for Lieutenant S. . . who was sick at the hotel. Finding that Mr. Gerdes was too sick to get down, and that he had had his doctor make a certificate to that effect, I returned to the bureau.

10. Question. Did Mr. Delorme explain why he had written the letter?

Answer. He told the lieutenant that the firemen had been having trouble. The lieutenant replied that they had no right to blow their bugles at night when drilling. Mr. Delorme also stated that he was not the one who had written the letter, that the firemen had written the letter and signed it themselves. Lieutenant Kenney asked for an explanation as to why it had been done, as Mr. Delorme was their commandant. Mr. Delorme stated that the firemen were employed in the business houses and could not drill all day, that it was necessary for them to continue after dark, and that they could not have their drills after dark they would have to dissolve the company. Then the lieutenant told him that as the company had no protection in case of a fire at night the town would be without protection and the commandant would be responsible, especially he, Mr. Delorme, their commandant. Delorme replied that on the contrary Lieutenant Kenney would be responsible, as he had made it impossible for them to drill, as he had not allowed them to sound their bugles after dark, which meant that they had no protection in case of fire. A hot argument followed, during which many words were passed, all of which I can not remember at present. Mr. Delorme argued that the firemen had been responsible for putting out the Bridault's store, and Lieutenant Kenney argued that the gendarmes were the most of it.

11. Question. Were you at the Bridault fire? And if so, state what you saw.

Answer. The firemen arrived there at the last minute. I was not there. I saw it all; the gendarmes had put it out with buckets and the water from a near-by well.

12. Question. Tell what else happened while Mr. Delorme was at the bureau.

Answer. In the argument that occurred between the two, Mr. Delorme did not give the reasons why the firemen had taken such sudden and unexpected action in dissolving the company. Lieutenant Kenney also asked if they had not announced to the gendarmerie in advance that they were to have their drill and sound their bugles after dark, to which Mr. Delorme replied that as they were free they were not obliged to say anything to the gendarmerie before drilling. Mr. Delorme said that he was at home and slept, that he had no further explanations to make. Then Lieutenant Kenney turned to me and said that he was going to leave Mr. Delorme's company until he was willing to give some satisfactory explanation for the action that had been taken by the firemen. In starting to leave the lieutenant turned to Mr. Delorme, and with a crop in his right hand shaking same in the face of Mr. Delorme as he spoke, announced that if a fire occurred during the night Mr. Delorme would be held responsible for the firemen not being there. Mr. Delorme became angry and pushed the crop back from him and told the lieutenant not to shake the crop in his face. As he pushed the crop away he also caught hold of it, and to recover the lieutenant with his left hand caught Mr. Delorme at the back of the head and with his right hand pulled the whip away from him and walked out.

13. Question. How hard did Lieutenant Kenney hit Mr. Delorme?

Answer. He did not hit him at all; it happened exactly as I just said.

Could the impact of Lieutenant Kenney's hand have been e, 20 meters away?  
ndeed; impossible.

Are you sure of that, as cerctain people passing by have stated a blow inside the bureau at that time?

sure of it. Moreover, I know who it is that have been saying a band of liars whom I have known for some time to be against

They are all related to each other in the same family, the erdes, and the Spanish consul. They always search for some the occupation or some one connected with it to exaggerate and fterwards.

Why do you suppose that? Mr. Delorme grabbed Lieutenant said he thought Lieutenant Kenney intended to hit him in the

What did they do after Lieutenant Kenney recovered posses-  
o?

Delorme called the lieutenant a coward, saying that as the armed he had no right to hit him, that fortunately a com-  
stigation was coming down from the States. The lieutenant  
st sergeant and told him to arrest Mr. Delorme and confine him  
After Mr. Delorme left the bureau in company with the first  
enant Kenney went home.

Did Lieutenant Kenney send you to the Hotel d'Haiti earlier to arrest Mr. Gerdes?

he did not. He only told me to tell him to come down to the with him, as he, Lieutenant Kenney, had said that he would have  
early the next morning and he wanted to settle the affair with  
efore going.

Can you tell the board where Lieutenant Kenney had been on  
noon and whether or not he had been drinking?

is not here in the afternoon after 5 o'clock so I can't say just  
efore 6:15, but I am sure he had not had anything to drink. He  
s the cafés except on occasions when outside friends come to  
told that even then he takes very little.

Was Mr. Delorme angry during the discussion with the lieuten-

he was impatient and hot-headed, becoming very angry and  
rue.

Have you ever heard of any affair that Lieutenant Kenney ever  
or concert, and if so, state the circumstances?

only that he had made a proclamation about three weeks ago  
ain dances, amusements, etc.

parties to the investigation desired to further examine this wit-  
ned his testimony and withdrew.

en, at 3:00 p. m., adjourned until 10 a. m. to-morrow (Tuesday).

#### SECOND DAY.

#### HEADQUARTERS, DISTRICT OF AUX CAYES, HAITI,

*Tuesday, November 29, 1921.*

met at 10 a. m.

the members and the parties to the investigation.

f proceedings of yesterday, the first day of the investigation, was  
oved.

CHARLES LIAUTEAUD, Gendarmerie d'Haiti, a witness called by  
entered and was duly sworn.

ad by the BOARD:

What is your name, rank, and present station?

Charles Liauteaud, first sergeant Gendarmerie d'Haiti, on duty at

Where were you on the evening of November 19, 1921?

re in Aux Cayes.

What do you know of Lieutenant Kenney's affair with Mr.

Answer. At about 11 p. m. Lieutenant Kenney sent for me at my room at the bureau, and when I arrived at the bureau, the lieutenant told me Mr. Delorme; that he had to see him.

4. Question. Did Lieutenant Kenney send you to arrest Mr. Delorme? Answer. No; indeed. He told me to tell Mr. Delorme that he was to see him at the bureau, which are the exact words I told Delorme.

5. Question. Did anyone accompany you to Delorme's home?

Answer. Only Lieutenant Clermont.

6. Question. Were any gendarmes near by when you arrived?

Answer. No; but as we left there, two gendarmes were standing at the corner of the block; one was a town patrol, the other was a man on liberty.

7. Question. Had Lieutenant Kenney sent you to get Mr. Gerdes?

Answer. He had told me to see Mr. Gerdes while on my way to Mr. Delorme's home and tell that he would like to see him.

8. Question. How many times did the lieutenant send for Mr. Gerdes?

Answer. Twice; the second time was to obtain the doctor's statement. Mr. Gerdes was too ill to come.

9. Question. Did he tell you to arrest Mr. Gerdes?

Answer. No, indeed.

10. Question. Relate what happened at the bureau after your return?

Answer. When Mr. Delorme arrived, Lieutenant Kenney offered him a chair and informed him that he had sent for him to find out about the fire, why he had written it, and why they had dissolved the firemen. At that moment I left for the hotel to see Mr. Gerdes the second time. I returned about 20 minutes later with the doctor's certificate.

11. Question. Who all were present here upon your return to the bureau?

Answer. I found Lieutenant Kenney, Mr. Cardoza, and Mr. Delorme.

12. Question. State briefly as possible all that happened which was at Lieutenant Kenney's.

Answer. Mr. Delorme was asked by Lieutenant Kenney to explain the sense and for what end and purpose he had written such a letter to Lieutenant Kenney, to which Mr. Delorme did not reply directly, always evading the question. He did this way during the entire session. After Lieutenant Kenney had asked the same question of Mr. Delorme about 8 or 10 times, receiving the same kind of an answer, Mr. Delorme got angry and refused to further reply. Then he said to the lieutenant, with considerable anger, "you are going to send me to jail, send me to jail; if you are going to send me to my home, send me there." I remember all that very distinctly. Then Lieutenant Kenney got up and told Mr. Cardoza, the interpreter, to tell Lieutenant Clermont that when Mr. Delorme had explained to him in French and for what purpose he had written the letter, he should let him go home. As he was leaving, Lieutenant Kenney turned to Mr. Delorme and said, with his riding crop in his right hand and shaking it in front of Mr. Delorme: "If a fire occurs in this town to-night, you will be responsible if the firemen do not come." Then Mr. Delorme replied: "What is it putting that crop in my face?" in exclamation.

13. Question. Had the lieutenant touched Mr. Delorme with it?

Answer. Not that I know of. Then Lieutenant Kenney replied in Creole: "Listen, if a fire occurs here in the town to-night, and if it does not come, you alone will be responsible." Mr. Delorme caught the crop and held it, while Lieutenant Kenney with his left hand pushed one side against his neck, and pulled his crop away from him with his right hand, and walked away.

14. Question. Was Mr. Delorme affected in any way by that?

Answer. Not in the least. He had not received a blow at all. He went out in anger and began cursing the lieutenant and calling him a scoundrel. Then Lieutenant Kenney turned to me and told me to lock him up the following morning, when the matter would be settled. As Mr. Delorme was going down the stairs, he said that if Lieutenant Kenney were a commander or in the gendarmerie he would like to go outside and settle the matter with him personally. I then took Mr. Delorme to the prison.

15. Question. Who accompanied you to the prison besides Delorme?

Answer. Nobody, except three civilians, who followed us at a distance. They claimed that they were friends of Mr. Delorme.

16. Question. As far as you know, had Lieutenant Kenney been drinking?

Answer. I do not know, but he did not seem to have been.

17. Question. Do you think Mr. Delorme had been drinking?

not know, but from the way he talked with such an air of which was very droll, one might easily think so.

'till the board of anything you may have heard against Lieutenant Kenney from time to time around the town here, especially in reference

responsible element praise him; I have never heard anything

are there any who do not understand him well, perhaps?

at I know of.

Why, do you suppose, is the Lieutenant so disliked by this family?

answer to that is very easy to give. There are two political parties at the present time—the *Partie Nationale*, composed usually of the *Partie Libérale*, composed usually of mulattoes. Mr. Kenney is the head of the *Partie Libérale*, and, naturally, the *Sendral* and a few others belonging to that party consider it a crime on the part of that party.

The parties to the investigation desired to further examine this witness and he withdrew.

At 1 p. m., adjourned until 10 a. m., Thursday, December 1.)

### THIRD DAY.

HEADQUARTERS, DISTRICT OF AUX CAYES, HAITI,

Thursday, December 1, 1921.

At 10 a. m.

The members and the parties to the investigation.

The proceedings of the second day of the investigation were read and

DELERME, a witness called by the board, entered and was duly

by the BOARD:

What is your name, residence, and present occupation?

John V. Delorme, a lawyer of Aux Cayes.

Are you connected with the firemen of Aux Cayes, and if so, in

as the commandant of the firemen's company at Aux Cayes.

Do you know Lieutenant Kenney?

I became acquainted with him on November 19.

Did he come under your observation on the evening of November 19? Describe the circumstances?

So that I will have to begin further back. The volunteer firemen were organized in 1885. They are not paid, and almost all of them have commercial concerns in the town. On November 19 we decided to have a drill. We gathered at the station at about 5.30 p. m. I had started out the pumps, as some of them were not in good working order. At 6.30 we were at Mr. Gerdes's hotel, Mr. Gerdes being the proprietor of the company. They were practicing on the bugles when the order came with an order from Lieutenant Kenney telling us to

Did he order the drill stopped or simply the bugles?

He said to stop the bugles, which must mean of course the drill, as given by the bugle signals.

What were the firemen doing when the order came to stop the

those who were not playing them were listening to the ones who

Were any of them drinking?

They did that later after the order came.

How was the firemen's company organized?

It is purely voluntary with the consent of the people. The people had about \$1,000 actual cash already toward the purchase of a pump. The commune will give the remainder of about \$1,200.

When you received the order to stop blowing the bugles did you

Answer. We stopped immediately. I sent the instructor, Mr. Germain, Lieutenant Kenney that the bugles were indispensable.

10. Question. Did you later see the lieutenant?

Answer. Yes; having received an unfavorable reply I had them march down to where the lieutenant was at Hotel Ferrandini. They refused to listen to me, saying that it was not the hour for officers. The firemen returned to their station. There the firemen wrote: Lieutenant Kenney announcing that since he had prevented us to drill the company was necessarily dissolved.

11. Question. Did you people consider that as being just to the patrons of your organization?

Answer. We had dissolved the company until such a time as we were permitted to renew the drills.

12. Question. Did you say that in your letter?

Answer. Yes.

13. Question. Did you ever retract that letter?

Answer. No; the Commissaire du Gouvernement and the Magistrate the letter to me from Lieutenant Kenney the next day.

14. Question. Tell what further dealings you had with Lieutenant Kenney.

Answer. At about midnight some one knocked at my door and when I found Lieutenant Clermont and First Sergeant Liauteaud there, corner near by, were 10 gendarmes; I had a saddled horse. I was. Lieutenant Kenney wanted to see me at the bureau gendarmier. Entering the door of his office, I saw him seated at his desk. He told me that all Haitians were poorly raised. I replied that there were Americans who were well raised, but that he himself was too ignorant to perform police duty for the Haitian people. He told me that I was a liar and I replied that he was more so than I.

15. Question. Are you sure he can speak the language well enough to tell you all that?

Answer. He told me so in Cerole.

16. Question. How long had you been in the room when this occurred?

Answer. I had just entered.

17. Question. How could the lieutenant ever thought that, not having seen you before? Did not something else lead up to all that?

Answer. When I first entered the room he asked me if I was the captain of the firemen's company, and I replied "Yes." He replied, "What do you say 'Yes, sir,' when you answer a question asked by the commander?" He then told me that if a fire should occur that night I was responsible. I answered that if my countrymen should lose by such a fire, would his, as all the insurance on the buildings here was from American companies. He then invited me to withdraw my letter and reform the company. I said I would take back my letter with pleasure—that I would reform the company, but on the condition that he give us the liberty to conduct our drills. He told me that after the fire at Bridault's some of the firemen went to Gerdes's hotel to drink, to which I replied that such a thing was expected after one was hot and had been perspiring, and wet from the rain of the pumps, that they had gone there at my invitation to take such a drink, this had always been the custom after drills. He asked me who had started the fire at Bridault's to which I replied that the town firemen had started the fire, with their pumps. He then called up four gendarmes and asked them who had put out the fire at Bridault's and they all replied that they had put it out. He then tried to have Lieutenant Clermont say that after 8 o'clock when he had ordered the bugles stopped, but he answered him that it was at 6.30. He asked me about ten times why he had stopped the fire at Bridault's to which I answered each time that it was the "Pompier" or the town firemen. Mr. Cardoza had translated the answers to his questions. Then he told me that I was a liar. I replied that it had not been his habit to lie he would not be calling me one. From that time he refused to answer any more questions. He then talked about a half hour with his interpreter, finally telling me that he was going to lock me up.

18. Question. In what words did he tell you that?

Answer. He said that he would lock me up if I did not take back my letter. I again told him that I would take it back if he would take back his letter. He said that I had no fear of the prison. He then threatened me with death but I replied that as I had committed no bad act I had no fear of the

send me to Port au Prince for trial, to which I replied that glad for there I could find the senatorial committee. Then he approached me with a riding crop in his hand. He shook my face saying "Investigation" and some words in English I did not understand. I pushed him back with my hand. He left me the door. Later coming back to where I was and talking again he struck me in the face with the whip. I then returned the whip, by bending it back upon him, as he had been holding

Did he strike you intentionally or not?

I do not know as he was talking and gesticulating at the

by the DEFENDANT:

Did I not tell Lieutenant Clermont that when you had understood was that you could go?

by the BOARD:

Continue your testimony.

He had hit me in the face he exclaimed "Ou frappez-moi?" I—"Yes, as you have hit me first."

Where was the crop then?

Lieutenant Kenney had hold of it in his left hand and I had my right. He then struck me on the neck with the flat of his hand and the whip away from me. I was stunned for a moment, first sergeant. I told Lieutenant Kenney he was a coward to have taken advantage of me—he was armed and I was not—that I was in the United States Marine Corps, the Atlantic Fleet, and I was to handle me with. He told me that I was against the law which I replied that in a journal that I had published here I had said so. I then told him of the times when I had been on the Hill on his inspection trips, that I had been against the law on account of the corvée. In going downstairs on my way I told Lieutenant Kenney that if he were a civilian I would go out on him and regulate the difficulty personally man to man. In going below I met three friends of mine who wished to accompany me. At the prison, which I entered at 3 a. m., I was put in between two cells each of which had a "fool" in it. Consequence was unbearable, and I did not sleep. I was offered a bed, to remain until morning in a chair. I stated in my letter to you that the cell was filthy and infested. That was a mistake, as they were washed out daily and were very clean. Consequently I retract that statement. I have nothing to say against the prison. At 4 p. m. the prefect came to me with the letter from Lieutenant Kenney the evening before, saying that I should accompany him. The prefect and the magistrate told me that they would like to see me at his home, but I refused to go. I accepted company in case the lieutenant would recall his order about me. They assured me that the lieutenant would do that all right. Why did you refuse to see the lieutenant at his home?

Because he had hit me.

When were you released?

Evening at 7 o'clock. The next morning I was told by Mr. Lieutenant was still opposed to blowing the bugles after dark, effect and the magistrate that I still found the same difficulty with the reorganization of the firemen's company. Then I went out and saw General MacDougal, who assured me that he would protect the firemen's company would be protected in the future. Then I joined the company.

Do you know whether or not Lieutenant Kenney had been in the prison on November 19?

It is possible he had been; he acted like it, although I had never seen him before. Some one told me he had been in the Cafe Intermediaire that day.

After General MacDougal assured you that the firemen's company would be protected, etc., why did you go before the senatorial committee to make a complaint again?

Answer. I went to complain about Lieutenant Kenney and to prevent the firemen's company. I would just as readily tell President H. or Mr. Hughes the same thing had I the opportunity. I am not against occupation at all, but I am against those officers who do badly and against the Haitians, the only report I attempted to make against Lieutenant Kenney other than the one affair. I did not tell of the time he danced with some ordinary women at a "tombau" dance in town here once.

26. Question. Tell us about that.

Answer. I do not remember when it was exactly, but I heard about it as far as the fire at Bridault's is concerned the firemen and not the people put it out.

27. Question. Now, since this whole affair is over with what is your frank, and candid opinion of it all?

Answer. It was an unfortunate affair, more of a misunderstanding than anything else on the part of the company as well as the lieutenant, perhaps.

28. Question. How could the lieutenant have misunderstood; he had an interpreter?

Answer. There is the point. Mr. Cardoza is a bad little character, headed, and a trouble maker, who is not one of the firemen at all. I think he has taken advantage of this occasion to direct the lieutenant against us.

29. Question. Going back to the matter of the letter you sent to Lieutenant Kenney from the firemen, were you not the instigator of it?

Answer. No; it was the company who wrote that. I was not responsible.

Neither of the parties to the investigation desired to further question the witness; he verified his testimony and withdrew.

(The board then, at 1 p. m., adjourned until to-morrow, Friday.)

#### FOURTH DAY.

#### HEADQUARTERS, DISTRICT OF AUX CAYES, HAITI Friday, December 2.

The board met at 10 a. m.

Present: All the members and the parties to the investigation.

The record of proceedings of yesterday (the third day of the investigation) was read and approved.

Mr. RICHARD CARDOZA, a former witness, was recalled by the board; he warned that his former oath was still binding.

Examined by the BOARD:

1. Question. On the evening of November 19 were you acting as interpreter for Lieutenant Kenney?

Answer. Yes; at his request.

2. Question. Do you happen to remember whether or not Lieutenant Kenney said anything to Mr. Delorme as to who had really been responsible for the Bridault fire?

Answer. I remember that having been mentioned three or four times.

3. Question. What remarks did Lieutenant Kenney make about the Haitian people in general?

Answer. None that I know of, and I was there all the time.

4. Question. Was Mr. Delorme dazed very much from the cuff he had received from Lieutenant Kenney?

Answer. No; on the contrary, he was more excited and livelier than usual.

5. Question. Do you know anything about where Lieutenant Kenney spent that afternoon?

Answer. No; not before 3 o'clock, when he left in a car going toward the town. I do not remember the time exactly now. He returned about 6 o'clock in the evening. (Neither of the parties to the investigation desired to further examine the witness; he verified his testimony and withdrew.)

Second Lieutenant HENRI CLERMONT, a former witness, was recalled; he defended and warned that his oath was still binding.

Examined by the BOARD:

1. Question. When you went with the first sergeant to Mr. Delorme on the evening of November 19, were any other gendarmes there?

her gendarmes were there when we arrived; as we were leaving town patrol and one on liberty were standing on the corner king on.

during the discussion between Lieutenant Kenney and Mr. recall how often Lieutenant Kenney asked Mr. Delorme who fault fire?

not exactly, but it seems that it was three times he mentioned was disposed to argue.

parties to the investigation desired to further examine this tied his testimony and withdrew.)

BRIDAULT, a witness called by the defendant, entered and was

by the BOARD:

What is your name, residence, and present occupation?

I Bridault, representative of Roberts-Dutton Co.

Were you present at a fire recently that the gendarmes helped if so state the circumstances?

I was present at the fire on November 10 when my place of e. I was at my residence at the time it began, but I soon arrived. When I got there the fire was well under control. The formed a bucket line from a well near there, and with the help of the firemen, it had almost been put out.

What part did the town firemen take in this case?

I arrived too late to be of much assistance, as the gendarmes were in charge. Lieutenant Kenney was there in charge, keeping those no bucket, etc. The presence of the gendarmes also prevented the firemen from doing more. I wanted to give them a present of two hams and six for what they had done but Lieutenant Kenney objected, saying too much already.

What did the firemen do after the fire was over?

Some of them blew their bugles promiscuously almost all night. I was not directly in that respect.

parties to the investigation desired to further examine this tied his testimony and withdrew.)

FERRER, a witness called by the board, entered and was duly

by the BOARD:

What is your name, residence, and present occupation?

Line Ferrer, Spanish consul at Aux Cayes.

Where were you on November 19, 1921?

I was in Aux Cayes.

Did you come into contact with Lieutenant Kenney on that date? At 2 a. m. on the following morning, Mr. Gerdes, my brother-in-law, called and told me that he was very sick. So I got up and went to the house of the two Sendral brothers there also. He said he had been with Lieutenant Kenney. Lieutenant Clermont was there getting a report. After awhile later I decided to take my family and go to the bureau also, as I had heard that Mr. Delorme was there. I overheard part of a very lively argument on the inside, so I went to the porch of the store opposite the bureau. I heard a noise that sounded like a slap, which seemed to come from that direction. I did not go in; then I heard the voice of Mr. Delorme saying, "I have hit me, coward," which words he repeated at least a dozen times. I followed by the phrase, "because you are armed and have the right to defend yourself." Then he came down stairs with the first sergeant on his way to the prison. I went up to him and told him to quit such scandal, as he still was in the street crying. I told him to go to the prison peacefully. I went out as the prison door in company with the Sendral brothers, and returned home. I know nothing about the affair beyond that. The parties to the investigation desired to further examine this tied his testimony and withdrew.)

LEON, the commissaire du gouvernement, a witness called by the board, entered and was duly sworn.

What is your name, residence, and present occupation?

Cour Leon, commissaire du gouvernement, Aux Cayes.

2. Question. Where were you November 19 and 20?

Answer. At Aux Cayes.

3. Question. Are you acquainted with Lieutenant Kenney of the merie?

Answer. Yes; I am well acquainted with him.

4. Do you know anything about the affair he had with Mr. Delorme November 19; and if so, state what you know about it.

Answer. I can not state anything as to what happened on that date, the two, but I can regarding the events of the following day. At about Sunday Mr. Philippe Hall came to my house and told me of Mr. Delorme's arrest, that he had been in jail during the night, and he asked me if I could not see Lieutenant Kenney and obtain his release. I went to Lieutenant Kenney's house, accompanied by the prefet and the magistrat. When Lieutenant Kenney was still asleep we did not bother him until that afternoon. We asked Lieutenant Kenney to release him, to which he gladly assented. So I sent for Mr. Delorme to come up to Lieutenant Kenney's house to tell him that the lieutenant did not have anything against him, that everything could be well settled and explained there. He repeatedly refused my offer, so we made out a copy of the letter that Mr. Delorme had written before, and returned Mr. Delorme's letter to him, the minute he was released. The lieutenant was very kind and reasonable about the matter.

5. Question. Do you know Mr. Delorme well?

Answer. Yes; I have known him for many years. He is a [hot-headed] man, always trying to raise difficulty, praising or criticizing a thing, according to his own interests in the matter. He is the kind of man who wants to be the head man in everything, but everybody knows him and considers him accordingly. He is impulsive. Nobody pays any attention to his actions.

6. Question. How has Lieutenant Kenney conducted himself while at Aux Cayes, judging from what you actually know?

Answer. For my part I can truly state that he has tried his best to do duty and do something for the city, but the people do not seem to like him; they are afraid of his regularity and his strict observance of order. I must compliment him for trying to cooperate with me.

7. Question. How has he treated the people in general?

Answer. So far as I know he has never harmed or wronged anybody.

8. Question. Did you see the letter Mr. Delorme wrote Lieutenant Kenney and if so what is your opinion of it?

Answer. I have read the letter, and I told Mr. Delorme that he should never have sent it.

9. Question. Did you make a proces verbal of Mr. Delorme's arrest and imprisonment, as he stated you did, when he was testifying before the committee?

Answer. No; I did nothing of the kind.

(Neither of the parties to the investigation desired to further examine the witness; he verified his testimony and withdrew.)

Mr. STEPHANE FOUGERE, a witness called by the board, entered and was sworn.

#### Examined by the BOARD:

1. Question. What is your name, residence, and present occupation?

Answer. Stephane Fougere, magistrat du communal, Aux Cayes.

2. Question. Where were you on November 20?

Answer. Here in Aux Cayes.

3. Question. Did you see Lieutenant Kenney on that date? And if so, under what circumstances?

Answer. On that date early in the morning Mr. Sicard came to my house and informed me that Mr. Delorme had been arrested the night before by Lieutenant Kenney. He asked me if I wouldn't see Lieutenant Kenney to obtain his release. Later Mr. Philippe Hall, president of the firemen company, Ernest Douyon, president of the lawyers' club, came to the communal office and formed me as to the imprisonment of Delorme, and made the same request. I went at 8 a. m. to see Lieutenant Kenney, but as he was still asleep I did not return until the afternoon. By that time our group had increased, the prefet and the commissaire du gouvernement. After conferring with Lieutenant Kenney we obtained Delorme's release. Then Mr. Delorme, in explanation,

said that he had been hit by the lieutenant, which the lieutenant true.

Did it seem to you that the firemen had acted wisely by dissolving because Lieutenant Kenney had stopped them from blowing at 6.30 p. m.?

They did not act wisely at all. In my opinion Mr. Delorme is not the man he has. He is a little crazy at times and disposed to cause trouble to the authorities by taking great exception to very small things. At first he permitted certain of his men to blow their bugles over the town for the greater part of the night, keeping the town awake. When I asked him why he did it, he tried to tell me that it was for the purpose of their exercises; which is, of course, untrue. Do you think Lieutenant Kenney made a mistake by confining the firemen?

I do not. Lieutenant Kenney seems to have done it simply to cause disorder on the part of Delorme.

He then called the parties to the investigation desired to further examine this and then he withdrew his testimony and withdrew.)

PRESSOIR, a witness called by the board, entered and was duly sworn.

Interrogated by the BOARD:

What is your name, residence, and present occupation?

I am Ebe Pressoir, the prefet at Aux Cayes.

Do you know Lieutenant Kenney?

Did he come under your observation on November 20? And if so, under what circumstances?

On the arrest of Mr. Delorme, knowing that the town was more or less in a state of confusion, I went in company with the other officials to see Lieutenant Kenney out why he had been arrested, and in case his offense had not been such as to obtain his release, if possible. I was received splendidly by him, who showed the letter Mr. Delorme had written, and asked me to sign it. I replied that I saw nothing about the letter itself that should cause trouble, and that if he would release Mr. Delorme he would be doing so to great favor. Lieutenant Kenney agreed very willingly to this, and at 6.30 p. m. Mr. Delorme was released.

Do you think the company acted wisely by writing that letter?

Apparently wrote the letter in a moment of heat. They had no other motive for the company for what had occurred.

What is your opinion of Mr. Delorme?

He is hot-headed at times, always an enemy to the occupation, and takes advantage of small mistakes to exaggerate and advertise them to the public, connected in any way with the Government.

He then called the parties to the investigation desired to further examine this and then he withdrew his testimony and withdrew.)

SENDRAL, a witness called by the board, entered and was duly sworn.

Interrogated by the BOARD:

What is your name, residence, and present occupation?

I am Henri Sendral; a merchant in Aux Cayes.

Where were you on November 19?

Aux Cayes.

Did you see Lieutenant Kenney on that date; and, if so, state the circumstances, telling what you actually saw and heard.

That afternoon, at about 5 o'clock, the volunteer firemen of Aux Cayes held drill. At about 6.30 Mr. Delorme, our commandant, led up to the town. As we were going out to assemble there was a moment when it was said that Lieutenant Kenney had sent word to stop the drill. We then decided to go in a body to see the lieutenant. When we got there he told our commandant that that was not the time for a drill, that he would see him at his office at 9 the following day. When we returned to the fire station a letter was addressed to me and I took it myself to the bureau to have it delivered to him.

In the night I was awakened by a servant from Mr. Gerdes

saying that Mr. Gerdes, the instructor of the firemen, was sick; that Lieutenant Kenney had sent to arrest him. My brother and I immediately went home and found that he was too sick to come down to the bureau. Lieutenant Clermont, Mr. Ferrer, and some others were there. My brother and myself left the hotel at about 2.30 a. m. and passed by the gendarmerie. In passing we overheard a violent argument between Lieutenant Kenney and Mr. Delorme. I saw Lieutenant Kenney raise his hand but I could not go down, but that was immediately followed by a slap, very loud, as Delorme said in a loud voice that he was a coward to have struck a man who was not armed like himself, inviting the lieutenant to go down with him to settle the insult man to man. It is needless to say that the lieutenant turned himself back. He then sent Mr. Delorme to the prison in the hands of the gendarme. The following morning myself and Mr. Philippe Hall, Ernest [?], and some others took the necessary steps to have him released. I saw Delorme at 7 p. m., accompanied by the authorities of the town, as he was leaving the prison. Lieutenant Kenney is not the man for Aux Cayes, a peaceful and quiet town. All his American predecessors who have served here can say so. I wish to say also in closing that as a foreigner, impartial and nonpartisan, the same thing.

4. Question. What was your motive in going before the senatorial committee?

Answer. I did not go to Port au Prince for that purpose. I went there on business, but while there I was called before the committee at the suggestion of Mr. Delorme to confirm certain of his statements.

(Neither of the parties to the investigation desired to further question the witness. He verified his testimony and withdrew.)

Acting First Lieut. CHARLES E. KENNEY, Gendarmerie d'Haiti, the doctor requested that he be sworn as a witness. His request was granted, and he duly sworn, having been informed by the board that his examination was governed by the same rules as govern the examination of an accused who stands at his own request in trial by court-martial.

#### Examined by the BOARD:

1. Question. What is your name, rank, and present station?

Answer. Charles E. Kenney, acting first lieutenant, gendarmerie.

2. Question. Where were you on November 19?

Answer. At Aux Cayes.

3. Question. State briefly all you did on that date which has any reference to Mr. Delorme and the firemen's company.

Answer. I was ordered by Maj. W. G. Emory, G. d'H., to accompany him about 5 p. m. on a trip of inspection to Cavaillon, St. Louis du Sud, and Aux Cayes. At the foot of Morne St. George the car broke down. I walked with the foreman to St. Louis du Sud to get animals. I returned to Morne St. George with the animals, four of them, finding Major Emory was to leave then for Port au Prince in a car from Aux Cayes. The machine was repaired there, and I accompanied Lieutenant Schneider, Doctor White, and myself got into the car and started for Aux Cayes, arriving there at 6 p. m. At 6.30 p. m. I heard the fire bugles sounding and left the house to investigate, finding that the firemen were in the hands of the gendarme d'Haiti. I told Lieutenant Clermont to go to the hotel and have the firemen stopped, as the hotel adjoins the hospital, and also because there were many people in the hotel itself, Lieutenant Sullivan and one baby. I was on the way to walk outside the Hotel International when Mr. Gerdes came to me from the firemen's company, which had marched in a body from the Hotel d'Haiti to the Hotel International, and asked me if Mr. Delorme could talk with me regarding the order I had just issued regarding the bugles. As I already knew that Mr. Delorme was vice president of the Union Patriotique here and that all the firemen had been drinking before coming down, I replied that I never discussed business matters on the street; that Mr. Delorme could see me any time at my office at the caserne daily. Mr. Gerdes saluted and returned to the caserne. I received a letter late at night, which I did not open at first, as I was busy writing out a report of the inspection trip. I later opened it and found it was from Mr. Delorme, the commandant of the fire department, telling me that the company had disbanded, and that I would be responsible for the city in case of fire. I sent for Mr. Cardoza and told him I would like for him to accompany me to the bureau, as I was going to have to talk with some people. I went to the bureau and the first sergeant to get Mr. Delorme and Mr. Gerdes. Mr. Delorme came at 2 a. m., and I talked with him about the letter, telling

pany was acting hastily and asking him if there was any reason other than the excuse given in the letter. I mentioned the supporting the fire company and the large contributions that had been made from them for the purchase of a steam pump. I did my best to see the matter in a reasonable light, but he talked drunkenly, his answers, finally refusing to talk at all. Finally I tried to use to him and told Lieutenant Clermont that when Mr. Delorme had been told him that he was to let him go home, as I had said sleep. As I started to leave the office Mr. Delorme made the gendarmes were no good. I told him to stop and think; that I saw one gendarme he was not to think that he did not represent the army, and 105,000,000 people. Mr. Delorme was standing in front of me talking. I was tapping the palm of my left hand with a riding crop to emphasize my remarks. Mr. Delorme grabbed the crop with his hands, and remove it from his grasp I was obliged to jerk the crop away. Mr. Delorme; and as seemed that the man was either under the influence of alcohol or mentally deranged, I thought that for the safety of the town and the possibility of fires occurring during the remainder of the night, I better confine him for safe-keeping, which I did. The following morning the magistrat du communal, and the commissaire du gouvernement came and asked me to pardon and release him as he was hot-headed and wished to retract his letter. I returned the letter to the magistrat after I had had a copy made and certified correct and the commissaire du gouvernement, at the same time sending the letter to the prison.

Had you been drinking on that day?

Did Mr. Delorme call you a coward, and invite you to fight outside?

No; he did, but, of course, I paid no attention to that.

Just why did you confine Mr. Delorme?

Coming from his actions and his talk, I thought the welfare of the town indeed that he be confined. He is a man of very bad history and is against the occupation and the Government. In our files are reports against him showing that he has given trouble to practically every officer that has served here. He is the vice president of the league here, and always ready to misconstrue and exaggerate what he can, if he can make use of it in his attacks on the occupation. Had you been drinking on the evening of November 5 at the concert?

I had not.

Why did you go there?

As had been told by Lieutenant Friedmann that the concert was of a patriotic nature, and as we were told at that time to look out for George Sylvain, and as I knew that Jehan Ryko was a member of the union at Port au Prince, I felt that I should go. I had only a few weeks, and had not yet gotten well enough acquainted with the town and people about the town to realize any differently.

Have you ever had any altercations with Lieutenant Sullivan?

No; never; we have always gotten along splendidly.

The parties to the investigation desired to further examine this defendant and resumed his seat as defendant.

When the examination was finished, all parties thereto withdrawing.

The board, the defendant, nor any of the parties to the investigation had any more witnesses.

After having thoroughly investigated all the facts and circumstances of the allegations contained in the precept, and having considered the evidence adduced, finds as follows:

#### FINDING OF FACTS.

The defendant did not strike Mr. Joseph V. Delorme as alleged; that he did not order the firemen's drills stopped as alleged; that the defendant was not intoxicated as alleged; that the defendant did not say that the gendarmes were "poorly raised" as stated in the testimony of the commandant; only 2 gendarmes were near by when Lieut. H. Clermont entered

the house of Mr. Delorme, instead of 10, as alleged; that the firemen  
the bugles after the fire, on the night of November 5, blew them to excess  
an unnecessary hour, thereby creating disorder and necessitating a re-  
that practice.

**OPINION.**

In view of the facts established and of the attending circumstances, the manner and bearing of the various witnesses, and of the testimony in Aux Cayes of both the defendant and the complainant, the court is of the following opinion: That the defendant is temperamentally incapable of performing the duties of a district commander; that the conduct of the defendant has not been such as would discredit the uniform; that the defendant is unable to exercise good judgment in his dealings with the complainant; that the defendant has on certain occasions been undiplomatic and rude to the American point of view as well as the Haitian point of view; that the defendant and his firemen had once been warned as to the uncalled-for blowing of horns and that he purposely sought an opportunity to so involve and consequently discredit the uniform of the defendant as to eventually necessitate his withdrawal from Aux Cayes; that the complainant, Mr. Delorme, is of unsound mind, as shown by his contradictory statements.

### RECOMMENDATIONS.

After maturely deliberating upon the facts established and the derived therefrom, the board recommends the following: That the defendant be transferred from his present station, but not before January 1, 1902, the defendant be assigned to duty under the direct control of a commissioned officer, and that a commissioned officer of experience be assigned to district commander at Aux Cayes.

J. L. FRY

**Captain Gendarmerie d'Haïti, N° 1025**

H. SIMON

*Second Lieutenant Gendarmerie d'Haïti. Member and R.*

**Exhibit No 1.**

**CONSTANCE--PERSEVERANCE--DEVOTION.**

**VOLUNTEER FIRE DEPARTMENT of AUX CAYES, November 19**

**From: The Commandant and the Company of Volunteers.**

**To: The District Commander Aux Cayes.**

The rules of the volunteer fire company of this town provide that we be held twice a month at 4:30 p. m. on Saturday. In the present case, you know, it becomes dark early, and nearly all the firemen are married, and can not leave their places of business except from 4 to 5 o'clock. I have just given you orders to stop the drill. This is a hardship that even the military authorities in the most turbulent times never thought to be laid upon the fire department, for as you know well that a fire department that is not drilled can not be useful in case of fire. In this supposition of a fire at night, if no firemen are allowed to blow bugles, it would be dangerous for them to be in the streets. Consequently, you are advised to inform me that you have retracted your verbal orders, the fire company of Aux Cayes is dissolved, and we leave at your charge all responsibilities in case of fire. We are not doing anything wrong, and if we have a need of 15 days it is only for a purpose that all civilized men must agree to. Our predecessors here, we must say, have always encouraged and taken pleasure upon the drill of the fire department.

Accept, Mr. District Commander, our respectful greetings.

Jn. V. Delorme, chief of the fire department. J. A. Genta-  
tor; J. Claude, Richard Regis, Joseph E. Labossiere, C.  
tor, Jn. Baptiste, S. Villarsen, E. Sandral, J. H.  
H. Sandral, Franck Mirambeau, F. Polorge, R.  
Evales Depart Medina, A. Merlin, Maurice, A. Matari,  
teau, L. St. Remy, R. Cailliet, N. Mathieu, Auguste V.  
Polorge, J. Bourjeols, C. M. Neptune, Andrus, J. H.

Jolibois Fils was arraigned on the charge of violation of a law of the commanding officer of the United States forces ashore in the Republic of Haiti, dated May 26, 1921, by publishing in a newspaper, the *Courrier* on May 27, 1921, articles of an incendiary nature; said articles read adversely upon the United States forces ashore in the Republic of Haiti; being to stir up an agitation against the United States officials who are and supporting the constitutional government of Haiti; furthermore articles attacking a member of the Haitian Government, and pleaded as "Not guilty."

Witnesses for prosecution: Capt. W. H. Rupertus and Lieut. E. Kirk. United States Marine Corps.

Witnesses for defense: None.

Finding: "Charge proved."

Sentence: "To be confined for a period of 6 months at hard labor and a fine of \$300, United States currency."

HEADQUARTERS FIRST PROVISIONAL BRIGADE,  
UNITED STATES MARINE CORPS,  
Port au Prince, Republic of Haiti.

Approved,

JOHN H. RUSSELL,  
Colonel, United States Marine Corps, Commanding Brigade.

J. J. MEADE,  
Major, United States Marine Corps, Prosecutor.

The court adjourned at 12.30 p. m. June 3, 1921.

Certified to be a true copy.

PAUL C. MARMON,  
Captain, United States Marine Corps.

[Third indorsement.]

DEPARTMENT OF THE NAVY,  
Washington, December 2.

Subject: Court of inquiry to inquire into the conduct of the personnel in naval service that has served in Haiti since July 28, 1915.

1. In accordance with the recommendation of the major general commandant United States Marine Corps, the proceedings, findings, and conclusions of the court of inquiry in the foregoing case is approved.

JOSEPHUS DANIEL,  
Secretary of the Navy.

[Second indorsement.]

HEADQUARTERS U. S. MARINE CORPS,  
Washington, December 1.

From: The major general commandant.

To: The Judge Advocate General, Navy Department.

Subject: Court of inquiry to inquire into the conduct of the personnel in naval service that has served in Haiti since July 28, 1915.

1. Returned, recommending approval of the proceedings, findings, and conclusions of the court of inquiry.

JOHN A. LEWIS,

[First indorsement.]

DEPARTMENT OF THE NAVY,  
OFFICE OF THE JUDGE ADVOCATE GENERAL,  
Washington, December 1.

From: The Judge Advocate General.

To: The major general commandant, United States Marine Corps.

Subject: Court of inquiry to inquire into the conduct of the personnel in naval service that has served in Haiti since July 28, 1915.

1. Forwarded for consideration and recommendation.

2. The proceedings, findings, and conclusions in this case are, in the opinion of this office, legal.

GEO. R. CANNON

X





All matters preliminary to the inquiry having been determined, the court having decided to sit with open doors, the court was opened.

Each member and the judge advocate were duly sworn.

No witnesses not otherwise connected with the inquiry were present.

The president of the court announced that before proceeding with the taking of testimony the court and the judge advocate would study what documents might be available preliminary to further inquiry.

The members of the court and the judge advocate then proceeded to study.

The court at 11 o'clock a. m. adjourned until 10 a. m. to-morrow.

#### SECOND DAY.

NAVY DEPARTMENT

Washington, D. C. October 20 1920

The court met at 10 a. m.

Present: All the members and the judge advocate.

The record of the proceedings of yesterday (the first day of the inquiry) was read and approved.

No witnesses not otherwise connected with the inquiry were present.

The members of the court and the judge advocate continued consideration of available documents.

The court at 12.10 p. m. adjourned until 10 a. m. to-morrow.

#### THIRD DAY.

NAVY DEPARTMENT

Washington, D. C., October 21 1920

The court met at 10 a. m.

Present: All the members and the judge advocate.

The record of the proceedings for yesterday (the second day of the inquiry) was read and approved.

No witnesses not otherwise connected with the inquiry were present.

The members of the court and the judge advocate continued the consideration of available documents.

The court at 12 m. adjourned until 10 a. m. to-morrow.

#### FOURTH DAY.

NAVY DEPARTMENT

Washington, D. C., October 22 1920

The court met at 10 a. m.

Present: All the members and the judge advocate.

The record of the proceedings of yesterday (the third day of the inquiry) was read and approved.

No witnesses not otherwise connected with the inquiry were present.

The members of the court and the judge advocate continued the consideration of available documents.

The court at 12 m. adjourned until 10 a. m., Tuesday, October 23, 1920. The members separately to continue examination of documents meanwhile.

#### FIFTH DAY.

NAVY DEPARTMENT

Washington, D. C., October 24 1920

The court met at 10 a. m.

Present: All the members and the judge advocate.

The record of the proceedings of Friday (the fourth day of the inquiry) was read and approved.

No witnesses not otherwise connected with the inquiry were present.

The court then took a recess until 2 p. m., at the expiration of which the court reassembled.

Present: All the members and the judge advocate.

The judge advocate introduced Alexander H. Galt as stenographer, the authority whereby he was appointed as such, the employment of stenographer being authorized by a letter from the Secretary of the Navy of the 16 of October, 1920, File 26, 271-145, to the judge advocate of the

induce, and compel, by force, Sirius Selde, a Haitian subject, to engage in proper and illicit sexual relations with him.

Case No. 31473, charge 2, conduct to the prejudice of good order and discipline.

Specification: In that a private in the United States Marine Corps at Port au Prince, Haiti, did, on or about the 19th day of October, 1915, forcibly enter the residence of Berrier O'Riol, and willfully and maliciously and without justifiable cause break and damage five chairs to the extent said chairs were made unusable.

Case No. 33288, charge 1, murder.

Specification: In that a sergeant in the United States Marine Corps at Port au Prince, Haiti, willfully, unlawfully, feloniously, and with malice aforethought did murder and kill by shooting with a Colt automatic pistol, caliber .45, a person unknown.

Charge 2, assault with a deadly weapon and wounding another person: In that a sergeant in the United States Marine Corps at Port au Prince, Haiti, did, about eight hours postmeridian of the 1st of January, 1917, while on shore in Port au Prince, Haiti, willfully, maliciously, and without justifiable cause assault and wound by shooting with a Colt automatic pistol, caliber .45, a Haitian citizen.

Charge 3, conduct to the prejudice of good order and discipline: In that a sergeant in the United States Marine Corps at Port au Prince, Haiti, while on shore did willfully, deliberately, and without proper authority, disobey orders in French to a private in the Seventeenth Company of the Haitian Gendarmerie, who was then and there on duty, in substance as follows: "Leave the rifle and shoot everybody."

Case No. 45425, charge, assaulting with a deadly weapon and wounding another person.

Specification: In that a private in the United States Marine Corps at Port au Prince, Haiti, did on May 26, 1919, willfully, maliciously, and without justifiable cause assault and shoot with a pistol, and thereby wound a native citizen of the Republic of Haiti.

Case No. 46201, charge 2, conduct to the prejudice of good order and discipline: In that a gunnery sergeant, United States Marine Corps, did at Port au Prince, Haiti, on or about November 13, 1919, enter a house occupied by a resident of the city of Port au Prince, and did set fire to the house occupied by the citizen, causing damage to the extent of \$35 United States currency.

Case No. 31539, charge 3, assault, in that a private in the United States Marine Corps at Port de Paix, Haiti, on or about the 21st day of October, 1917, willfully and maliciously, and without justifiable cause assault a native citizen of the Republic of Haiti by striking him on the head with a rifle.

Case No. 48725, charge, conduct to the prejudice of good order and discipline: In that a private, first class, United States Marine Corps, at Port au Prince, Republic of Haiti, having been regularly detailed as a member of a patrol, while on said patrol, carelessly and negligently discharged a pistol, thereby unnecessarily alarming and endangering the residents of Port au Prince.

Case No. 45226, charge, assault, in that a private United States Marine Corps, did, at St. Michael on or about May 26, 1919, make an assault upon a native citizen of the Republic of Haiti, and did then and there strike, beat, and otherwise treat said citizen.

Case No. 44455, charge 2, conduct to the prejudice of good order and discipline: Specification 1: In that a private, United States Marine Corps, at Port au Prince, Republic of Haiti, did, on or about March 13, 1919, say to a native citizen of the Republic of Haiti, "God damn," or "God damn you," or words to that effect.

Case No. 42340, charge 1, assaulting with a deadly weapon and wounding another person.

Specification: In that a private, United States Marine Corps, at Port au Prince, Republic of Haiti, did, on or about December 9, 1918, willfully and maliciously, and without justifiable cause, assault a Haitian citizen.

Case 45401, charge, assault.

Specification: In that a private, United States Marine Corps, at Port au Prince, Republic of Haiti, did make an assault upon a citizen of the Republic of Haiti, and did then and there strike, beat, and otherwise ill-treat said citizen.

Case 46465, charge 2, assault, in that a private, United States Marine Corps, at Bahon, Republic of Haiti, did, on or about September 21, 1919, willfully and maliciously, and without justifiable cause, assault a citizen of the Republic of Haiti.

Charge 3, rape, in that a private, United States Marine Corps, did, on or about September 21, 1919, willfully and maliciously, and without justifiable cause, assault a citizen of the Republic of Haiti.

Case No. 44413, charge, assault with intent to commit rape, in that a private, United States Marine Corps, did, on or about April 21, 1919, in the town of Saut d'Eau, Republic of Haiti, feloniously, forcibly, and against her person, assault a native girl about 9 years of age, with intent to commit the crime of rape upon her.

Case 44690, charge, conduct to the prejudice of good order and discipline in that a private, United States Marine Corps, serving, on July 28, 1915, in regular detail, as a guard over certain native prisoners, did, on the date said, willfully, maliciously, and without justifiable cause, maltreat, by means of his rifle or other blunt instrument, three of said prisoners who were entrusted to his care, thereby inflicting such injuries that the said prisoners aforesaid were placed on the sick list by the medical officer.

Case 31534, charge 2, conduct to the prejudice of good order and discipline in that a private, United States Marine Corps, did, on or about the 19th of October, 1915, forcibly enter the home of a resident of Jacmel, Haiti, and there, willfully, maliciously, and without justifiable cause, break and damage five chairs to the extent that said chairs were made unfit for use.

The above-noted cases and offenses, representing convictions of the accused persons by general court-martial and approval by proper authority, are presented as sufficient evidence that the alleged offenses have been committed against the citizens of Haiti, or damage or destruction of their property by persons in the United States naval service since the 28th of July, 1915.

Examined by the Court:

3. Question. How many cases have you cited?

Answer. Twenty-seven cases.

4. Question. Have you any record of cases in which charges of a similar nature have been made, but have been investigated by the proper court and found unfounded?

Answer. The volumes in question contain the records of all trials by general court-martial on naval personnel in Haiti since the date in question and contain about 25 additional cases where offenses were alleged but were not proven, and where the accused was acquitted by the court; and a few cases where conviction was had but the findings and sentences were set aside by the department owing to errors in the prosecution of the case.

Neither the court nor the judge advocate had any further questions to ask this witness, and the witness then resumed his seat as judge advocate.

The court was cleared.

The court was reopened, and at 3.30 p. m. adjourned until 10 a. m. tomorrow.

#### SIXTH DAY.

NAVY DEPARTMENT  
Washington, D. C., October 27, 1919.

The court met at 10 a. m.

Present: All the members and the judge advocate.

The record of the proceedings of yesterday (the fifth day) was read and proved.

No witnesses not otherwise connected with the inquiry were present.

Brig. Gen. GEORGE BARNETT, a witness called by the judge advocate, appeared and was duly sworn:

Examined by the JUDGE ADVOCATE:

1. Question. What is your name, rank, and present station?

Answer. George Barnett, brigadier general, United States Marine Corps, under orders to command the Department of the Pacific, with headquarters at San Francisco, Calif.

2. Question. Were you major-general commandant of the Marine Corps from the 28th of July, 1915; and if so, for how long thereafter?

Answer. I was appointed commandant of the Marine Corps February 1, 1914; served until 1918, and was reappointed and served until June 30, 1919.

3. Question. I hand you a document, Exhibit 1 in this case, and ask you to identify it?

Answer. I do, as a copy of a report that I made to the Secretary of the Navy, October 11, 1920.

4. Question. In that report, there was included a copy of a letter from you to Colonel Russell, under date of December 24, 1919. Do you recall that?

Answer. That is a letter signed by General Haines.

5. Question. To Colonel Russell?

numbers were mentioned. They referred particularly—those two cases—the unlawful killing of two natives, and, as will be shown by this statement that I have referred to by Lieutenant Spear, counsel for Private Johnson—stated, among other things, that he had been present when others were unlawfully, and that was a prime factor in inducing me to write that letter. And I wish to say here in writing that letter I marked it "Personal and confidential," because of two reasons. The first reason was that only a few before, on September 27, I had written a strictly official letter covering the cases, but between that and October 2 I read both cases again and I was so impressed with the necessity for prompt and effective action that I deemed it advisable to write to Colonel Russell, the major general commander, and let him know that I was deeply interested in the cases, not only officially as commandant of the Marine Corps but personally. My letter was marked "Personal and confidential" for another reason, too. I did not want it to be public property in Colonel Russell's office. I put it of that letter on file at the headquarters, where it was found in less than three minutes, when it was wanted.

I wish to say here that in writing that letter I was writing to express my personal feelings, as those two cases had appealed to me, and the words I used and the conclusions I reached were from the effect that those two cases produced on my mind, and I felt I could not do too much toward clearing the matter, even if there were exceedingly few unlawful killings. But the words "indiscriminate killing," as I have since stated, I did not mean "miscellaneous." There are other equally good meanings of "indiscriminate," the best one is, I think, "without judgment." I did not mean "promiscuous," because I was referring particularly to those two cases filed by the court-martial and which occurred, as I remember now, in and about the district of Hinche.

Those two cases passed over my desk, and I read them very carefully on September 27, 1919. It was manifest to all that the commandant of the Marine Corps had not time to read all court-martial cases that came before him, but attached to the office of major general commandant is the adjutant-general's department, General Haines in charge, and in his office there is a disciplinary section—at that time and at present in charge of Col. Hay Lay—whose duty it is to read carefully all court-martial cases that are sent before the major general commandant. If the case presents no unusual conditions or circumstances it is taken by Colonel Lay to General Haines, adjutant-general, who prepares a formal indorsement for the signature of the major general commandant; but if there are unusual circumstances, as there were in those cases, Colonel Lay's duty is to bring it to the attention of General Haines, as he did in this case, and General Haines would bring it to the commandant's attention, as he did in those cases.

I read those cases over very carefully and, as I expressed it in that letter, I was terribly shocked at what developed in those two cases. So instead of putting on the formal notation for indorsement and returning it to the judge advocate general, as I would do in an ordinary case, I just put on the statement that the major general commandant concurred in the recommendation of the judge advocate general.

In that connection I wish to say that when I first came here as commandant I deemed it my duty in a court-martial case to make remarks in my comments with reference to the conduct of a trial in a certain case—no connection with this case, but it is just to show what came afterwards. That indorsement went to the judge advocate general, and the indorsement came back to me that I had nothing whatever to do with the trial of the case or the evidence introduced; that my duties ceased when I had commented with reference to the disciplinary features involved in the sentence "adjudged by the court-martial."

This was taken to the Secretary of the Navy, and the Secretary of the Navy wrote me—I have a copy of the letter here—which shows that he sent it to the judge advocate general. I have simply mentioned that to show the action that was taken in those cases.

I would like here to present to the court a copy of the letter from the Department, under date of the 19th of September, 1917, from the Secretary of the Navy to the major general commandant Marine Corps, on the subject of the jurisdiction of the major general commandant in commenting upon court-martial.

The COURT. I would like to ask what bearing this has on this matter?

The WITNESS. It has a bearing to show what action I took on those two cases. I am going to state that in a minute, and I think you will see it very clear.

tion of the case before the court, the court will take an adjournment at 10 o'clock a. m. on Monday, November 1.

(The court then, at 10.35 a. m., adjourned until 10 a. m. Monday, November 1, 1920.)

## EIGHTH DAY.

NAVY DEPARTMENT  
Washington, D. C., November 1

The board met at 10 a. m.

Present: All the members and the judge advocate.

The record of the proceedings of Thursday (the seventh day of the inquiry) was read and approved.

No witnesses not otherwise connected with the inquiry were present.

The court was cleared.

The court was opened.

The president announced that in view of the fact that the judge advocate reported that he had no further testimony to bring before the court at present or in the immediate future in Washington, the court would adjourn to the Republic of Haiti for the purpose of conducting inquiry there.

The president further announced that he would address a letter to the governing authority, notifying him of the proposed movement of the court.

The court adjourned, to be reconvened at the call of the president.

## NINTH DAY.

BOARD ROOM  
Port au Prince, Haiti, November 1

The court met at 8.50 a. m.

Present: All the members and the judge advocate.

The record of the proceedings of the eighth day of the inquiry was read and approved.

No witnesses not otherwise connected with the inquiry were present.

The judge advocate introduced Frank M. Williams as stenographer in relief of Alexander H. Galt.

The stenographer was duly sworn.

The judge advocate introduced Commander Robert L. Ghormley, United States Navy, as counsel to assist the judge advocate of the court. He came with authority from the Secretary of the Navy, dated October 2, 1920, file No. 28028-348.8.

The judge advocate announced that he was not ready to proceed with the taking of testimony, being engaged in preparatory work at this place.

The court then, at 9 o'clock a. m., adjourned until 10 a. m. to-morrow.

## TENTH DAY.

BOARD ROOM  
Port au Prince, Haiti, November 1

The court met at 10 a. m.

Present: All the members, the judge advocate, and counsel.

The record of the proceedings of yesterday (the ninth day of the inquiry) was read and approved.

No witnesses not otherwise connected with the inquiry were present.

Maj. THOMAS C. TURNER, United States Marine Corps, a witness called by the judge advocate, entered and was duly sworn.

Examined by the JUDGE ADVOCATE:

1. Question. What is your name, rank and present station?

Answer. T. C. Turner, major, United States Marine Corps, First Marines, Haiti.

2. Question. On what date did you join the First Brigade, and what have you performed since?

Answer. October 1, 1919, I reported here. Since that I have been adjutant and chief of staff.

3. Question. According to the corrected report by General Barnett, Secretary of the Navy, there have been a total of 2,250 Haitians killed by marine forces in Haiti. These figures were compiled by General Barnett, those on file in the Navy Department, being reports from the commander in Haiti. Do the records of the office of the brigade adjutant show how this data was obtained?

Answer. None that I know of have been sent to headquarters of the United States Marine Corps as to the number of men killed in action in Haiti except the

the troops of occupation and talk to the people in his section in an effort to bring them in. As far as killing them with arms in their possession concerned, that is not so. No man was ever killed, except perhaps in a few cases, and if that was discovered that man was tried and convicted. Sometimes they would surrender 400 at a time. In February of last year bands marched in from the Valley of the Orange, one 450 and the other with their chiefs, and surrendered to the gendarmes at Croix de la Chapelle, and then the bandits went to work right away for the sugar people.

16. Question. They were not confined then?

Answer. No; when a man surrendered he was given his bon inhaïr and we wanted them to go back to the fields and go to work in the country cultivated.

17. Question. Have any orders ever been issued from the headquarters requiring or authorizing the killings of the bandits or revolutionists, after they had surrendered, without trial?

Answer. Absolutely not. The orders have been issued from time to time cautioning the troops in the field not to maltreat in any way the prisoners. These orders were issued because it was alleged there had been a mistreatment of prisoners, and every effort was made and insisted on, and when a man disobeyed those orders, he was tried by a court-martial.

#### Examined by the Court:

18. Question. You stated that your records here show the number of encounters since the 1919 campaign, dating, as I understand it, from October 1, 1919. Answer. Yes, sir.

19. Question. But they do not contain the number of encounters prior to that date, since the occupation?

Answer. No, sir.

20. Question. How, then, did they get information or estimates as to the number of killed before that time?

Answer. When I came to the office I found some data that I compiled. In my opinion is not correct. It was taken out of radiograms and letters.

21. Question. And that is the information that was forwarded to the headquarters, and presumably that is the information on which they based their data as to the number of killed?

Answer. As far as I know; yes, sir; because I have never forwarded data to headquarters that I know of as to the number of killed or wounded, except some important encounter like the matter at Port au Prince.

22. Question. There have been no compilations, then, of the number of encounters with bandits since 1915?

Answer. Not that I know of.

23. Question. Is it possible to make such a compilation?

Answer. Yes, sir; but I doubt if it would be correct. It would be a great deal of work. It would necessitate going back to the radiograms since 1915 and sorting out those records—some of those old records in 1915, 1916, and 1917—in shape.

24. Question. Then, it is your personal idea that the vagueness of the records on which estimates were based accounts in your mind for the state are presumably exaggerations as to the number of men killed?

Answer. Yes, sir.

25. Question. You stated that the number of killed in encounters starting of the 1919 campaign, the number of encounters being 236, the number killed compared with the number surrendered was about 1 to 1?

Answer. Yes, sir.

26. Question. I understand you to say also previously to that that the number surrendered was 17,000?

Answer. Yes, sir; but that went back before the 1st of October, 1919. I look at my records. Since October 1, 1919, we have 7,608 surrendered.

27. Question. In that time how many were killed in action, according to your records?

Answer. One thousand one hundred and thirty-two.

28. Question. And that number corresponds with the 236 encounters?

Answer. Yes, sir; that includes killed.

29. Question. May I ask you to repeat the number killed in this campaign?

Answer. One thousand one hundred and thirty-two. The first two months of October and November, 1919—might be a little wrong, because that was before we insisted on the actual count.

That is what you consider the intensive campaign against the current since the occupation?

sir.

And that leaves, from General Barnett's estimate, a little over the four years preceding?

sir.

And you think that number is exaggerated?

sir.

To make this perfectly clear, the total number surrendered, the best records, is in the neighborhood of 17,000?

It is from the records we have now and what went on before—no date.

You stated that orders in regard to the treatment of prisoners at orders were issued containing warnings against any maltreat-

sir.

And that the reason for the issuance of such orders was to say reports or rumors?

Reports of alleged maltreatment of inhabitants, which were sent to Washington.

Can you give that date when these orders were issued?

The first was issued October 15, 1919, and the other one on the 1st of November, 1919, which is merely a modification of the October 15, 1919, order. The parties to the inquiry desired further to examine this witness (see previous page.)

Then, at 10.30 a. m., adjourned until 9.45 a. m. to-morrow, Thursday.

#### ELEVENTH DAY.

BOARD ROOM,

Port au Prince, Haiti, November 11, 1920.

Met at 9.45 a. m.

The members, the judge advocate, and counsel.

Reviewed the proceedings of yesterday (the tenth day of the inquiry) and approved.

The judge advocate read a modification of the precept, original prefixed,

The judge advocate introduced John Alfred Holly as interpreter, stating the reason why he was appointed as such. The interpreter was duly sworn.

Monsieur D'ARTIGUENAVE, President of the Republic of Haiti, having appeared as a witness before the court, was called by the judge advocate, read, and was duly sworn.

Examined by the JUDGE ADVOCATE (through interpreter):

Have you ever had brought to your attention that practically no killing of Haitians by marines, or gendarmerie acting under orders, has occurred?

Witness, no. I have heard regrettable acts spoken of as having been committed at Hinche, at St. Marc, at Croix des Bouquets, at Grande Rivière, at Mirebalais, at Lascahobas, etc. To the reproach that I have for not having kept the Government informed of all that was going on, the answer, rightly or wrongly, has been that they are afraid that they might come in conflict with martial law. The victims, or rather the leaders, have never brought their grievances to me, because the leaders have given them to understand that there was not a Haitian chief

—saying a few exceptions, such as are to be found in every country at the coming of the Americans. They were expecting liberty, respect for their persons and property; but the corvée, as it has been called, the advice and counsel of the Government, has given rise to which has led to the revolt of the cacos, hence certainly the misdeeds as possible in cases of repression.

Have other unjustifiable acts of violence of oppression against their property by persons in the naval service been brought to your attention? Have the accused have not been brought to trial by naval courts?

Answer. Not having had to report to the occupation any acts of repression, I had no interest to find out if any person engaged in the service who might be guilty of such acts had been tried by naval court.

3. Question. In case there should have been numerous cases of homicides or other unjustifiable acts of violence against Haitians or property by marines, have you means whereby such acts would have been reported to you?

Answer. My answers to the preceding questions show that I had no means of disposal to prove the existence of cases of homicide or violence that have been committed by marines. They have been accused by public rumor.

None of the parties to the inquiry desired further to examine this witness, he withdrew.

The judge advocate announced: I have no further witnesses or evidence present to the court at this time and am unable to state when I will have witnesses to bring before the court. I request that the court adjourn at the call of the president.

The court then, at 10.30 a. m., adjourned to meet at the call of the president.

#### TWELFTH DAY

BOARD ROOM

Port au Prince, Haiti, November 17

The court met at 9 a. m., pursuant to the call of the president.

Present: All the members, the judge advocate, and counsel.

No witnesses not otherwise connected with the inquiry were present.

The record of the proceedings of the eleventh day of the inquiry was read and approved.

Lieut. Col. R. S. Hooker, United States Marine Corps, a witness called by the judge advocate, entered and was duly sworn.

Examined by the JUDGE ADVOCATE:

1. Question. What is your name, rank, and present station?

Answer. R. S. Hooker, lieutenant colonel, United States Marine Corps, attached to and serving with the gendarmerie of Haiti, Port au Prince, as assistant chief.

2. Question. What duty were you performing in January, 1920?

Answer. Assistant chief of the gendarmerie of Haiti, stationed in Port au Prince.

3. Question. What information can you give the court relative to the number of killed in the attack on Port au Prince by the cacos in January, 1920?

Answer. At daylight on the 15th of January, I gave orders for the gendarmes to go and pick up the dead or wounded that could be found in the streets. There were actually delivered at the hospital 17 wounded and 27 dead. Of these wounded, 5 died subsequently. On the 15th and 16th 49 prisoners were taken, and on the 17th 14 of these 14, 2 subsequently died from gunshot wounds.

These prisoners were interrogated, and on the 21st of January the total number of prisoners taken was 39 in all, the wounded 9, and the official report of the chief of the gendarmerie sent in, which was based on the number delivered to the hospital and subsequent reports from the outlying detachments, brought the total number of dead to 66. The extra 29 or 30 are from the only, and there may be inaccuracy as to two or three of that number. 37 mentioned above were actual dead in the streets of Port au Prince as reported by the medical officer after they were brought to the hospital.

By the Court:

4. Question. Please inform the court as to the circumstances under which these men, reported as dead, were killed, as concisely as possible.

Answer. Yes sir. About 4 o'clock in the morning I was notified—

5. Question. What date?

Answer. On January 15, 1920. I was notified by the brigade adjutant that a report had come to him that a large number of bandits were entering Port au Prince. Almost immediately afterwards from my house I heard much gun fire. Twelve marines had encountered them at the market place, which is the center of the business section of Port au Prince. I saw Lieutenant Colonel Clinton, and he continued with his marines in that direction. The gendarmes took everything from the main street eastward and by the

scattered shots, but the main force of the attackers had been of the city limits.

rs' statements there were about 300 that actually left the i to make this attack on Port au Prince. They had about 70 ere joined by quite a number of Haitians in town, the number

The dead were scattered from the center of the town to the n, and I should judge most of the dead were through machine fire. There were one or two persons not in the attacking

From letters and from the chief, who was captured later, made as a demonstration against Port au Prince and for future bolster up the so-called cacos' cause. They had instructions, r could hold the town to remain in Port au Prince, and if they the town to burn as much as possible and retreat. The attack affair, planned by the bandits against the Government, the s, and the gendarmerie.

And these men that were killed were all engaged in an armed : city of Port au Prince?

sir.

parties to the inquiry desired further to examine this witness (w.)

AGGETT, a witness duly called by the judge advocate, entered worn.

1 by the JUDGE ADVOCATE:

What is your name, residence, and present occupation?

y A. Daggett; Port au Prince; export and import business agram Co.

Were you ever located in Hinche, Haiti?

sir; I was.

What was your occupation and business there at that time? nd lieutenant, gendarmerie of Haiti.

When did you serve there?

rved there from approximately September 20 until January 10.

COURT:

What year?

to 1919.

d by the JUDGE ADVOCATE:

Do you know of any occasion where any Haitian was unjusti- any person in the naval service?

sir; I do not.

Do you know of any case where any person in the naval service stifiable violence toward a Haitian, or unjustifiably destroyed

sir; I do not.

Didn't you tell General Butler at one time that you had seen erson in the naval service having unlawfully killed Haitians? awfully killed them?

Yes.

when I talked with General Butler—

Answer my question first—did you?

not remember telling him that, sir.

What did you tell him?

I remember, I told him that there were some three or four prison- o not know exactly yet whether they were prisoners. They were acos, as they were termed up there, that were killed close to the own of Hinche in the district of Hinche—and I also told him that at Lieutenant Lang, who was then serving in Hinche, shot the a machine gun; that the prisoner was running away. Whether ner or not, he was a Cacos, a Haitian, so they said. That is all telling him, sir.

. In relating those facts to the General, did you not so express e would believe the shootings had been unlawful or unjustifiable? practically everything I told him was hearsay. I was not pre-

pared to make any sworn statement to General Butler. It all happened two years ago. He called me in there, and I had never given the matter much thought, and, in fact, I had never done so until the last couple of days, and I was not in a position to state the true facts to General Butler, and not, until the last few days—I could not swear that anyone killed that man, that it, any person did unjustifiable killing.

13. Question. Did you not explain to me, within the past few days, that you were ready to testify under oath that a Mr. Lang had taken a man out of the barracks and shot him at Hinche?

Answer. As I remember it, I did not say he was taken out of prison. I said Lieutenant Lang shot a person up there on the plaza in front of the gendarme barracks, which I can explain—

14. Question. Never mind explaining it. Did you not say that Mr. Lang told you he was going to shoot a prisoner, and afterwards a man was taken out of the prison and shot?

Answer. No, sir; I do not remember saying any such thing.

15. Question. Well, is not that the fact, that he told you that?

Answer. No, sir; it is not.

16. Question. How about former Lieutenant Seeger. What do you know about his shooting prisoners?

Answer. I could swear to nothing. I do not know anything. I could not swear to Lieutenant Seeger shooting anybody.

17. Question. Did he not tell you at one time that he was going to shoot some prisoners out and shoot them?

Answer. I do not remember his telling me such a thing, sir.

18. Question. What has happened to affect your memory since two or three days ago?

Answer. Nothing, sir. I—nothing, sir.

19. Question. Did you not tell me two or three days ago that Lieutenant Seeger told you at one time that he was going to shoot some prisoners?

Answer. I do not remember telling you that Lieutenant Seeger said he was going to shoot some prisoners, sir.

20. Question. Do you know Lieut. Julian André, of the gendarmes?

Answer. Yes, sir.

21. Question. Have you any knowledge of his having shot prisoners?

Answer. No, sir; I could not swear to his killing any prisoners.

22. Question. Do you know that he had any prisoners killed under his direction?

Answer. No, sir; I could not swear to any such statement.

23. Question. Did you ever see him shoot any Haitians?

Answer. No, sir; I can not swear to that.

24. Question. What do you mean—that you can not swear to it?

Answer. I mean as far as I—I do not remember of his killing any prisoners. After careful thought, I do not remember of his killing any prisoners.

25. Question. You have given this whole matter very careful thought, have you?

Answer. Yes, sir; in the last couple of days.

26. Question. But when you were around accusing these people you gave it much thought?

Answer. I do not know I was accusing them, sir.

27. Question. When you say that people performed these acts, do you call that accusing them?

Answer. No, sir; not until I swear to it.

28. Question. What you say not under oath you do not hold yourself responsible for?

Answer. In a case like that, when I had not given the thing due thought and consideration; but having given it due thought and consideration, I do not swear that I have seen any unjustifiable killings in Haiti.

The COURT. Was that word "justifiable" or "unjustifiable"?

The WITNESS. Unjustifiable.

29. Question. What do you understand by "unjustifiable killings"?

Answer. A killing that is not justifiable; a killing that a person could not be justified for by the laws of the country or by the occupation for so doing, but not in accordance with the laws of the country.

30. Question. Suppose a prisoner, a Cacos, captured in the field and refuses to give information about where his band is located: Would a commanding officer under whose charge he is be justified in having him

sir; he would not. He would not be justified in doing anything he was tried.

Have you any knowledge of any prisoners ever being taken Hinche and being shot with or without legal authority?

sir; I could not say—this was all I heard: That these pris-

Just state what you know.

sir; I do not know that they were taken.

Did you ever see any Haitian shot in or in the vicinity of

any Haitians shot?

In or in the vicinity of Hinche?

ime of battle and in time of war; yes, sir.

At no other time at all?

aw three or four prisoners that were about—just a couple of they were shot.

When was that?

t was, as I remember, in the latter part of November or the first per?

What years?

3 or 1919.

Tell us the circumstances of that.

afternoon—I do not remember the exact afternoon—I went to on my horse; in fact, I did go for a ride—and I got just beyond re, if you know where that is, and I heard some shots fired, and id and went back to where the shots were fired, and they were our men; I would not say whether it was four or three, exactly—it hill just opposite from the prison. When I got up there I saw —I can not remember exactly how many—lying on the ground ppeared to be dead. I guess they were dead; as far as I know d; and there were two or three gendarmes up there. I asked y were doing, and he said they were killing some Cacos. I asked asked if Captain Lavoie knew anything about it, and he said not remember what he did say. I know he said Captain Lavoie id not know about it. But I immediately reported it to Captain

. Was any American person near when you arrived at the scene? rst observed it?

sir; I do not remember of any American being present or any

. Now, you can add anything you desire to make that clear?

en I asked this man if Captain Lavoie knew about it, I do not ther he said he did or did not know about it. That is what I clear.

. From statements that you have made to people heretofore you ng suspicion to be directed against several former gendarme-

used to be what, sir?

ADVOCATE. Please read the question.

rather then read the last question as above recorded.)

1. Do you wish to stand by those prior statements, or do you n?

epudiate them.

1. Why?

epudiate them for the simple reason that anything I said before and was not facts. I had never any intentions to swear to any his thing happened about two years ago. They did not seem to ery much, and I do not remember all the exact details, and I a study since I have found I was to be called up to testify, and even it a study I am ready to make a sworn statement—make the. ent that I have already made.

ed by the COURT:

1. Who was the individual with whom you talked on the occasion. e men lying dead?

do not remember, sir. As I remember it was a gendarme.

1. You do not know his rate?

Answer. No, sir.

46. Question. You say you reported the matter to Captain Lavelle?

Answer. Yes, sir.

47. Question. Did he seem to be acquainted with what was going on?

Answer. Sir, I do not remember.

None of the parties to the inquiry desired further to question him and he withdrew.

Harris Lifschitz, a witness called by the judge advocate, entered the witness stand and was duly sworn.

Examined by the JUDGE ADVOCATE:

1. Question. What is your name, residence, and occupation?

Answer. Harris Lifschitz.

2. Question. Where is your residence?

Answer. San Luis Sud.

3. Question. In Haiti?

Answer. Yes, sir.

4. Question. What is your business or occupation?

Answer. Coffee business—coffee manufacturing from the raw coffee.

5. Question. Have you any personal knowledge of any person in the United States naval service having unlawfully killed any Haitian? Do you speak English?

Answer. Perfectly; yes, sir. But excuse me, I want to give an explanation.

4. Question. Wait a minute. Just answer the question.

Answer. I do not understand—

5. Question. You do not understand the question?

Answer. No, sir; about the Naval Service.

6. Question. The Naval Service includes United States marines and enlisted men, and officers and enlisted men in the United States Navy?

Answer. How about the gendarmes?

7. Question. It includes certain officers and enlisted men of the United States Navy or United States Marine Corps who are detailed as officers or enlisted men of the gendarmes.

Answer. Now I understand perfectly.

8. Question. It does not include any Haitians. No Haitians are in the United States Naval Service.

Answer. I want to ask another question before I answer. How about the Haitian gendarmerie?

9. Question. No; it includes only the white officers in the gendarmerie.

Answer. Now I understand. Yes; I know.

10. Question. State the circumstances.

Answer. I know one of the men, Lieutenant Keskoski.

11. Question. How do you spell that?

Answer. I could not tell you. It is a long time.

12. Question. Well, go ahead.

Answer. He had been sent to Aux Cayes, and when he came to be like one of the gendarmes. I do not know what he had against him.

13. Question. How do you know this—that he did not like one of the gendarmes?

Answer. He told me himself.

14. Question. He told you himself?

Answer. Yes, sir; and he tried to discharge him from the service and discharge him.

15. Question. Who was this officer; what was his rank?

Answer. A second lieutenant, I believe.

16. Question. Go ahead.

Answer. And then he in the morning discharged him and gave to him pay—

17. Question. Speak slowly and distinctly, so that we may understand.

Answer. In the morning—in the evening—I do not know how he met him again in the street, and he killed him about 7 o'clock in the evening.

18. Question. Were you present?

Answer. Yes; it was before my place where I stopped in the same street.

19. Question. Did you see the killing yourself?

Answer. I do not understand.

20. Question. Did you see the killing yourself?

Answer. Yes, sir.

. How did the officer kill the Haitian?

h a revolver.

. Was the sun shining?

o not know.

. Was the sun shining?

sir; it was about 6 or 7 o'clock in the night—something like sun was down; it was dark.

. How far away were you from where the killing took place?

t very far—about half a block. He called for him to stop, and and he ran away, and he fired.

. Where were you born?

as born in Russia. And this Keskoski, as he claims, he was a and he even understands the language, but I forget the spelling

. Then you are a Russian citizen?

sir; an American citizen.

. For how long?

r the last 25 years.

. How long did you live in the United States?

, over five years.

. What year did you arrive in the United States?

rrived in 1893.

. How long did you remain a resident there?

emained in the first place five years, and after that I came back States and stayed three years more.

. Have you any further personal knowledge?

at is all what I know. They arrested right away the lieutenant, an in the office—

. Never mind about that. Have you any further personal knowl- killings?

s, sir; I have. They have one Lieutenant Barrett in Aux Cayes.

. State the circumstances; state what you know yourself.

an not exactly say what year it was—what time it was—because long time; about three years, if not more.

. Two or three years?

nothing like that; I could not say exactly. It was the election.

. The election of the president?

, sir; the election of the mayor, and the people were bringing y—there were two candidates, and each party bring up his people

n, and as the election took a couple of days in each town to name the candidates—they prepared some drinks for their people.

: drinks in the bureau of the gendarmerie.

. Were you in the bureau of the gendarmerie yourself?

ver.

. Then how do you know?

ey used to bring—

. Have you been in the bureau?

, sir.

. Well, go ahead with your story.

om time to time those people, when they come to vote, they lo you call it—a promenade along the plaza, and from time to d to go to the bureau of the gendarmerie to take their drink.

. Were you in there?

, sir; only when I was in town I saw it.

. And you saw them getting their drinks from looking in from

s, sir.

. You looked through a window?

; from the gallery of my place where I stop. I stop in the square.

. Were they drinking there?

s, sir. I do not know what kind of trouble they have—these the gendarmerie. The gendarmes, one or two arrest the head people and they wanted to arrest him and put him in prison.

n. Go ahead.

hen they bring up the head man to the prison, they are pushing g to prevent him going to prison. They come to the corner and the prisoner's side. The chief of the band said he would not go

to prison and preferred better to go to the white man for justice in that is going on, and Lieutenant Barrett, he had been in the bureau of election, and at the same time they are fighting like, this one pushing and this the other way, wanting to prison and not to take him to prison; do not know whether he said something to Lieutenant Barrett about he come from the office and seen the trouble, and he come in the house, began firing and he killed a man.

45. Question. Was any report made to the regular authorities with respect to these two killings you have mentioned?

Answer. I believe yes.

46. Question. Did you ever tell about these cases to any officer of the gendarmerie—brigade commander or other person?

Answer. No, sir; because in one case General Williams come from Aux Cayes and investigated the matter; and the first case they sent to Aux Cayes to Port au Prince, but whether he finds out anything I do not know, because everybody has been obliged to keep those things to himself.

47. Question. Well, never mind; just answer the question. Have you any other information within your knowledge?

Answer. I have other cases not that I have seen. Yes; I have seen.

48. Question. Tell about them.

Answer. I can not again say exactly the date. I know it was about a month ago. A lady had been accused for stealing goods—some money—from a house in the country, and they bring her to the bureau of gendarmes in the place where I live, San Luis. Well, they arrest the woman and bring her in the office about two days and they beat her there. I did not see her with my eyes, but I heard crying from the woman.

49. Question. Do you know it was that woman?

Answer. There was no other woman in the place.

50. Question. There was no child there?

Answer. No, sir.

51. Question. You mean to swear there was no other woman in there?

Answer. Yes, sir.

52. Question. And no other child?

Answer. Yes, sir.

53. Question. Did you ever go into the office?

Answer. Yes, sir; I used to go.

54. Question. During the two days that the woman was there?

Answer. No; not the day when she been in. I have been in the office in the front, but they shut her off behind in another room.

55. Question. Go ahead.

Answer. Afterwards the gendarme take her and carry her to the house in the country where they say she steal the money.

56. Go ahead.

Answer. And the same day I come from Aux Cayes. It was in the morning about 7 o'clock in the night, and I met the gendarme and the lady on the horse, on the same horse. I asked the gendarme what was the matter—“you want to kill the horse?” He tell me about the woman—this same woman—that she was arrested, and “We beat her and she did not say where the money. Of course, we want to find out where is the money, and I bring her to the place where she stole the money, and from the morning for that she refused to tell, and when I bring her back she refused to go on the horse. She says she is weak, and I have been obliged to take her on the horse.” Before the house of the notable man the gendarme come, and the woman come outside on the street, and he says, “My good friend, the woman is here. I looked up, and says, “Is she dead, the woman riding with you?” She got off the horse and the body fell down on the ground.

57. Question. Did the gendarme with whom you talked admit that he beaten the woman?

Answer. Yes, sir; he told me.

58. Question. He told you that?

Answer. Yes, sir.

59. Question. This gendarme who had the woman and who admitted that he beaten her, was he an American or a Haitian?

Answer. A Haitian.

Examined by the Court:

60. Question. How far were you away from Lieutenant Keenaki when he was shot, killed a man at Aux Cayes?

about—I been about a half a block away.

This was at sunset?

sir.

Was it light or dark?

as not very dark. It was not very dark.

Were the streets lit in any way?

use me—

streets lit—were there light in the streets?

sir; there were lights.

Had there been any row or quarrel between Lieutenant Kos-discharged gendarme?

not know if it was a quarrel between them or not; that is what alluded on him to stop and he ran away.

Did you hear him say "Stop"?

sir.

Did he say "Stop or "Halt"?

Creole—

Well, halt is the same in all languages, "halt"?

means halt in English, because he spoke the Creole, as the gen-tailian and could not speak English.

In the case of Lieutenant Barrett, did you actually see him

, sir; that was in the day; I seen him; yes, sir.

u identify the individual that he was firing at?

sir.

Do you know at whom he was firing, whether at an individual, ately?

ould not tell exactly how it was. We stand out in the street w. Lieutenant Barrett ran from the place and shot. I don't it was—I could not say—

. Was he shooting at any particular man?

ould not say exactly.

. Did he hit anybody—did his bullets strike anybody?

, sir; he killed the man.

. Was the man under arrest?

sir; because they wanted to arrest him. They were trying to rison to guard him as a prisoner, and he said he refused, and he go to the white man for justice, and why did they arrest him; then came together. Naturally I did not meddle in such busi-ehended nothing. I did not go very near. I was 500 feet away.

. Five hundred feet?

is an open place perhaps more than 500—perhaps a thousand square, an open place, and there is nothing to prevent us seeing. daylight.

. And you were practically a thousand feet from Lieutenant he shot—when he did the shooting?

s; if not more.

. If not more?

s, sir; I stand up in the place and I see everything.

. Did you see the man struggling to resist arrest?

cuse me—

. Did you see the man at whom he fired struggling to resist

, sir; I did not see him.

. That is what you heard afterwards—there was a rumor after-effect?

nat is that?

. That he was resisting and trying to go to the white man for

at is what I heard afterwards.

. That was a rumor?

s, sir.

. Then, you do not know the circumstances under which he was

to now I do not know.

. You do not know whether it was accidental or deliberate?

Answer. That is not for me to judge. You see, I explain how it is. I know Barrett he came out to see what the trouble was. It looked as if he wanted to see what the trouble was about.

85. Question. Do you know the name of the individual he shot?

Answer. No, sir; because even the general, when he passed through Cayes, he stopped at my place. It is a small place, and no hotel as he even came to my place we never talked about it.

None of the parties to the inquiry desired further to examine this man and he withdrew.

Lieut. Col. LOUIS MCC. LITTLE, United States Marine Corps, a witness by the judge advocate, entered and was duly sworn.

Examined by the JUDGE ADVOCATE:

1. Question. What is your name, rank, and present station?

Answer. Louis McC. Little, lieutenant colonel, United States Marine Corps, commanding Eighth Regiment (provisional brigade) and troops in the headquarters at Mirabalais, in the Republic of Haiti.

2. Question. In your official capacity have you ever received any orders against persons in the naval service that came through the President of Haiti? And if so, explain the circumstances.

Answer. I have, through the minister of justice, sent to the chief of the gendarmerie, Lieut. Col. F. M. Wise, a copy of telegram received from Lascahobas, and in this letter it said that—the translation of the words: "The marine doctor at Lascahobas, under the influence of liquor, attacked the judge of the peace at Lascahobas, breaking his jaw and knocking several of his teeth."

I immediately telephoned Major Stone out at Mirebalais to take Curtis and go over to Lascahobas and investigate it. I later went by airplane to Mirebalais and went over to Lascahobas myself to investigate. I spoke to all the principals in this matter in this report, and found that there was a hospital apprentice, a pharmacist's mate, third class, George C. Tomsen, United States Navy. The Hospital Corps man at Lascahobas had been on liberty, and coming up the street with two gendarmes had stopped in front of the house of M. Cerant. He was the clerk of the court of Lascahobas and not the judge of the peace. He came out to shut his door—the gendarmes saw him—and Tomsen resented this, being very tight, and an argument started, but the gendarme tried to keep the two people apart. After pushing aside the gendarmes the Hospital Corps man struck the gendarme. I have seen Monsieur Cerant and I had the doctor examine him, and while there were two teeth loose from the blow in the mouth, there was no other damage done at all; and two days later he was all right. There was no mark. I forgot to add that he also accused the gendarme, a gendarme named Solon, of taking part in the assault.

Examined by the COURT:

3. Question. Have you the telegram?

Answer. Yes, sir; I have the translation of the telegram in these papers recommending Tomsen for general court. It was proved clearly by the witnesses that Solon merely tried to separate the two and was doing so in preventing the corpsman from hitting the clerk. He took no part in keeping the judge's clerk away from the man. I immediately had him confined. He had been confined previously by Captain Perkins, but I sent him into town and he was confined here at the brig at this post. These are papers recommending him for a general court-martial, and an order from the general commanding to try him. This occurred about the 21st of October and he has been here for some time. You asked about Mirebalais: I believe?

Examined by the JUDGE ADVOCATE:

4. Question. Yes.

Answer. At Mirebalais on the 7th of October of this year, 1920, the gendarmes were given liberty. They returned, as has been proved by the results of inquiry, under the influence of liquor. There were three quite drunk that one fell from his horse. He got into a discussion in a little room in a little town with one of these men, and later on, about an hour later, he met on the street. This sergeant drew his revolver, and in the street I am giving now the finding of the court of inquiry of which I was the

ed by the brigade commander—the revolver was discharged, been tried by general court, but the finding has not yet been The revolver was discharged, and entered the temple of a sermes, inflicting a wound from which he died about an hour later.

sir; the pistol of the sergeant of marines. Sergeant Renault gendarmes, and the marine was Swydeski. The court of inquiry did not intentionally shoot Sergeant Cleyber.

ved this telegram from Colonel Wise, also from the Minister of ie power of the President, it stated that a first sergeant of gennarily executed by a sergeant of marines, and requested that sures be taken to see that justice be done. This was, of course, vydeski was undergoing trial in town some time later. Both so badly stated that I requested Colonel Hooker to see the Presihey could not be more careful in wording whatever reports they did get the exact—the dangers from rumors would have a bad

e only two cases.

arties to the inquiry desired further to examine this witness, and

RGOT, a witness called by the judge advocate, entered and was

the JUDGE ADVOCATE. (through the interpreter):

What is your name, rank, and present station?

lphé Bourgot, acting corporal, at Hinche.

Did you ever see any Haitian prisoners killed at Hinche?

the time of the battle there were three prisoners who were

How were they killed?

ing an attack which began at 10 o'clock at night after the ided at half past 10. At that time there were three men in the Lieutenant Lentz (?) called for the prisoners. When the out, the lieutenant shot him in the back. He called for another, second came out he shot him also, and the same thing for the n the prison myself, and spent 13 days there.

You, yourself?

I witnessed these things because I was in the yard of the body in town was sent into the prison yard to escape injury ing that was going on.

Was it moonlight or dark?

onlight.

Could you see each of the prisoners clearly and distinctly?

uld distinguish their faces because they passed by me, but I do not mes.

Could you distinguish the gendarme officer?

; I know him by sight.

Do you see him here in the court room?

Point him out.

re [indicating Mr. Lang].

. What is his name?

ie witness pointed to Mr. Lang.)

. Pronounce the name of the officer in English, as near as you can. tz.

. I will ask Mr. Lang to stand up.

hereupon stood up.)

. Is this the officer?

. Can you give the month or the year of this occurrence?

o not remember the month or the year. I remember that the ppened in 1917.

. Was this the night of the first attack?

; it was not on the first attack, but on the second attack.

. Are you sure how many prisoners were shot?

y three that I saw with my own eyes.

17. Question. Do you know of any cases of prisoners being shot, or being shot, outside of combat?

Answer. No; not from personal knowledge, because I was at a place called Thomasiki before the attack, and I spent about nine months there, at the time of the attack I went back to the town and was in the prison yard.

The court was cleared.

The court was opened.

The president announced: It is the duty of the court to advise you from the evidence adduced, you are, Mr. Lang, an interested party. It is your right to be present, and although not compulsory, you have the right to cross-examine the witness on matters relating to any alleged act of violence, and also to call such witnesses as you may desire, through the aid of a lawyer, and you may be represented by counsel if you so desire.

THE JUDGE ADVOCATE. Do you wish to be represented by counsel at this time?

Mr. LANG. Yes, sir; but I would like to ask a slight delay in order to get counsel.

THE JUDGE ADVOCATE. And also in regard to the cross-examination of the witness after he has given his testimony—

Mr. LANG. If I have the right, sir, to call witnesses at any time, I would like to ask the delay in regard to counsel, and I think I can get counsel by the end of the day.

THE JUDGE ADVOCATE. You can introduce your counsel at any time you desire. Do you desire to introduce your counsel before we proceed further?

Mr. LANG. No, sir; but I would like to have the right to recall the witness at a later date. I should be glad to cross-examine him myself, but what I want to know, sir, is after this witness is through here to-day, and I have to-morrow, can I recall this witness?

THE JUDGE ADVOCATE. Yes; you may recall him at any time. You may recall the witness now.

Mr. LANG. I would like to cross-examine the witness.

Cross-examined by Mr. FREEMAN LANG (an interested party):

18. Question. You have stated that I asked for the first prisoner?

Answer. Yes.

19. Question. Whom did I ask for this prisoner?

Answer. The sergeant who was in charge of the jail.

20. Question. You stated that I took this prisoner and shot him in the back?

Answer. As he came out of the prison door.

21. Question. Where was I?

Answer. Standing outside of the prison door.

22. Question. Where were you?

Answer. I was in the prison at the time.

23. Question. Whereabouts in the prison were you?

Answer. I was not shut up in the prison, but in the prison yard.

24. Question. Were you one of the prison guard?

Answer. I was not a prison guard. I was standing out in the yard.

25. Question. Why were you in the prison yard?

Answer. I was not shut up because there was no cause for being shut up.

26. Question. If you were not of the prison guard, what right had you to be in the prison yard?

Answer. I was there for making bricks. I was in the prison yard as a brick maker.

27. Question. You state that you were in prison as a brick maker, and how, in the prison, did you make bricks?

While the interpreter was interpreting the witness's answer, the witness occurred:

Mr. LANG. I object. I do not think this interpreter is capable of interpreting my questions and the answers the way I would like to have them. He does not understand what this witness says. I know what he says, but he does not understand what he says. I do not believe I can bring out the witness sufficiently well with this interpreter.

THE INTERPRETER. May I explain something to the court?

Mr. LANG. I am speaking directly to the court.

THE JUDGE ADVOCATE. You are not satisfied with the manner in which the interpretation is being made?

Mr. LANG. No, sir; I am not. He does not seem to understand the witness.

VOCATE. Have you an interpreter that you would like to bring yourself?

BY, I would like to ask first whether that interpreter has to be—may he be an American interpreter or a Haitian interpreter?

VOCATE. Any person.

ARE there those here in the court who I believe could interpret my witness's answers.

VOCATE. In view of the statement of the interested party, I court adjourn until tomorrow, and we will endeavor to have an adjournment to all parties.

AND, at 11 o'clock a. m., adjourned until 9.30 a. m. tomorrow

THIRTEENTH DAY.

BOARD ROOM,  
*Port au Prince, Haiti, November 18, 1920.*

at 9.30 a. m.

the members, the judge advocate, counsel, and the interested

not otherwise connected with the inquiry were present.

the proceedings of yesterday (the twelfth day of the inquiry) approved.

vocate announced: Before proceeding further, the judge advocate correct an error in the procedure of yesterday, in that he failed to ask the interested party if he objected to any members of the court. Mr. [Name] object to any members of this court?

BY, sir.

VOCATE. Do you wish to introduce counsel this morning?

BY, sir.

VOCATE. Whom?

BY, Mr. Rault.

BY, Lang, the interested party, with the permission of the court, to call Clem V. Rault, Dental Corps, United States Navy, as his

advocate introduced Pascal Stines, as interpreter, stating the by he was appointed as such.

BY, he was sworn.

THE COURT resumed the stand, and was cautioned by the president of the court that the oath previously taken by him is still binding.

VOCATE. You may proceed with your examination.

EXAMINED BY COUNSEL FOR THE INTERESTED PARTY:

Were you not stationed at Thomassique prior to November,

I was stationed at Ouanaminthe.

Were you not stationed at Thomassique prior to the second attack?

second attack I was stationed at Hinche.

Where were you immediately before the attack—a few days

before the attack I was at Thomassique.

Why were you transferred to Hinche?

of us was transferred there to Hinche—the company.

Was the whole company transferred?

it 20 of us in the company were transferred to Hinche. The of the company were transferred to the Cape.

Were you not transferred from Thomassique and confined at Thomassique?

my duty in the company was cook, and I was relieved to go

Were you not confined for communicating with Charlemagne, the chief?

When I came in Thomassique I was put in prison. At that time I was in the kitchen.

That was not an answer to the question. The question was, that you were confined for communicating with Charlemagne?

Answer. No.

36. Question. Why were you confined at Hinche?

Answer. I was confined in prison for 13 days, but I do not know until now.

37. Question. Why were you confined?

Answer. I do not know. But I was released by Major Doxey.

38. Question. Was not Lieutenant Lang instrumental in having you at Hinche?

Answer. I do not know exactly, but the sergeant who arrested me was apprehended by orders of Captain Lavole.

39. Question. Were not Captain Lavole's orders transmitted through tenant Lang to have you confined?

Answer. I can not state if the orders for my arrest were given to Lieutenant Lang, but anyhow I was arrested by the sergeant.

40. Question. Were you ever charged with communicating in any way with Charlemagne or his allies?

Answer. I do not know this.

41. Question. Don't you think this was the reason you were confined?

Answer. I don't know.

42. Question. Is this possible?

Answer. No; I had no communication with Charlemagne.

43. Question. Did you ever have communication with the Cacos?

Answer. No; I fought against the Cacos in the woods. That is all I know of them.

44. Question. When the gendarmes are arrested and confined, are they told for what reason they are confined?

Answer. Yes. When a gendarme is confined in prison they always tell him the charge against him; but in my case they never told me anything.

45. Question. How long were you confined in the brig at Hinche?

Answer. Thirteen days.

46. Question. Were you in prison before the attack on Hinche?

Answer. I was confined in prison at 2 o'clock p. m. on Monday at 2 o'clock p. m. they had the attack.

47. Question. You were confined on Monday at 2 p. m., and state the attack was at 10 p. m. on the same day, while, as the facts prove, the attack was really on Tuesday at 10 p. m. How do you reconcile these facts?

Answer. My wife came from Thomassique and saw me at Hinche about 2 o'clock when she arrived. It was at that same time I was put in prison, but I do not know the reason, and remained confined there for 13 days. Major Doxey released me.

The JUDGE ADVOCATE. That is not an answer to the question. Read the question.

The stenographer repeated the question.

Answer. What I know is that the attack taken place at 10 o'clock on Monday.

The INTERPRETER. He says that the attack occurred at 10 o'clock in the morning, and I asked if he was fighting all morning, and he said, "No," which means that the attack occurred, and the next morning everybody spoke of it.

48. Question. Were you confined in a cell in the prison during the attack?

Answer. No.

49. Question. Where were you confined?

Answer. In the yard.

50. Question. Was this yard inside of the prison?

Answer. Yes; it is surrounded with the wall.

51. Question. How many people were confined with you?

Answer. Between 10 and 12 gendarmes.

52. Question. Was there anyone else confined in the prison, or in the yard?

Answer. Other civilians were confined also.

53. Question. Why were these other people confined?

Answer. They were in there so as to be protected from the bandits' words, so they should not be killed by the bandits.

54. Question. Did Lieutenant Lang enter the prison after the attack in company with some one else?

Answer. Lieutenant Lang entered the prison with an interpreter, a fellow, or a British subject.

55. Question. Was the interpreter a white man or a man of color?

ored man.

Was he an officer or a civilian?

lian, who was then in the habit of going to Barrone to get com-  
the barracks.

Who then ordered the three prisoners that you speak of brought  
ster, or Lieutenant Lang?

enant Lang asked for a prisoner, a Cacos. The sergeant called  
who were locked in the prison.

Who ordered the sergeant to bring the prisoners out?

ergeant was stationed in the prison, but Lieutenant Lang re-  
prisoner; then the sergeant called for them, and they came out.

Did Lieutenant Lang fire the alleged shots that you spoke of  
if?

with an automatic pistol.

Did you see him do it?

standing in the yard, about 7 feet from the door of the prison  
Lang was standing. He was standing on the right side of the

prisoner came out on the left-hand side. Then he fired and  
in the back. He called for a second prisoner—

That is not the question. I asked if you saw Lieutenant Lang  
er himself.

OCATE. Let him finish his answer.

Did the same to the prisoner, and called a third one, and also did  
prisoner.

and did you see Lieutenant Lang pull the trigger of the gun that  
killing?

not state that I saw it with my eyes.

Then you do not know that he did this alleged killing?

door of the prison was opened. The sentry was standing before  
lled for the first prisoner in question, and he shot him.

Did you see Lieutenant Lang with the pistol in his hand?

revolver was in Lieutenant Lang's holster, and when Lieutenant  
he prisoner, he drew it and fired.

Did you see him draw the gun and fire the shot that killed

t what position were you in the yard at this time?

standing at a distance from the prison which, as I have already  
t, near a table, and he, Lieutenant Lang, was standing before  
prison, and there he shot the prisoners.

n which side of the door were you; the right or left side?

e right.

acing the door?

Using the door of this room as an example, considering this  
id the book room the yard outside of the prison, explain where  
ant Lang were standing and where the prisoners were shot?

standing where I am standing now, near this table [indicating].

as standing right here, standing in the same direction as the  
not exactly state it, but the lieutenant was standing in the  
ndicating].

OCATE. In the doorway?

door opened the reverse way, and the lieutenant was standing

That door, instead of opening this way [indicating], opened

Did you see the gun in Lieutenant Lang's hand and fired by him?

not swear that I saw the revolver in Lieutenant Lang's hand,  
w when he drew the revolver from his holster and fired.

Did you merely hear the report of a shot, or did you see with  
utenant Lang kill these prisoners?

isoners came out and Lieutenant Lang fired, and as he was the  
herefore it was him.

INTERESTED PARTY. May I ask the court's permission to have  
es, that speak English, present give their interpretation of  
id?

OCATE. No one can interpret unless he be sworn.

INTERESTED PARTY. Can not Mr. Holly give his interpretation?

The JUDGE ADVOCATE. Yes. Repeat the question.

The stenographer repeated the last question.

Answer (interpreted by Mr. Holly). Lieutenant Lang was standing right of the door. The prisoner came out. He pointed his revolver and fired, and I saw the man fall with my own eyes. It was dark. I could see.

Cross-examined by COUNSEL for INTERESTED PARTY (through Mr. STINES):

72. Question. At what time did this occur?

Answer. The attack occurred at 10 o'clock, and this happened after dark; therefore I believe it was about 10.30.

73. Question. Could you recognize the interpreter that you named, Lieutenant Lang at this time?

Answer. Yes.

74. Question. Is he in this room?

Answer. No.

Reexamined by the JUDGE ADVOCATE:

75. Question. What is the name of the sergeant of the prison with the prisoners out at the time of the alleged shooting?

Answer. Sergeant Carilus.

76. Question. Do you know where he is now?

Answer. In Port au Prince.

None of the parties to the inquiry desired further to examine the witness and he withdrew.

The Judge advocate stated that he desires to call a witness in connection with some prior testimony at this time, because the witness is due to be called at Santo Domingo.

THOMAS J. GRANT, a witness called by the judge advocate, entered the room and was duly sworn.

Examined by the JUDGE ADVOCATE (counsel):

1. Question. What is your name, residence, and business?

Answer. Thomas J. Grant, Port au Prince, Haiti, member of the Commercial and Industrial Bank of Haiti Co.

2. Question. How long have you been in Haiti?

Answer. Four and one-half years.

3. Question. As what?

Answer. For over four years as an officer of the gendarmerie of Haiti, and at that time in business.

4. Question. Do you know the region of Aux Cayes?

Answer. Yes.

5. Question. Have you lived there or have you been on duty in that region?

Answer. I lived and have been on duty in that region for 18 months.

6. Question. Do you know from your personal knowledge of any native killing of Haitian natives?

Answer. No.

7. Question. Do you know Mr. Harris Lifschitz personally?

Answer. Yes; very well.

8. Question. How long have you known Mr. Lifschitz?

Answer. Nearly three years.

9. Question. Have you had any conversations with Mr. Lifschitz regarding the killing of native Haitians?

Answer. Yes.

10. Question. Will you please state to the court what these conversations were?

Answer. In July, 1918, I relieved Lieutenant Barrett of the gendarmerie commanding officer of the subdistrict of Aquin, which is in the district of Aux Cayes. Just previously to my arrival there, Lieutenant Barrett was killed by a Haitian. I spoke to Mr. Lifschitz and questioned him about the circumstances. He told me that he had no knowledge of what was going on, whatsoever, as he was not present at the time it occurred, but he heard what the natives were saying about it, and he told me that.

11. Question. Did Mr. Lifschitz make a report to you as commanding officer of the district regarding the beating of a native?

Answer. Yes; he reported to me that some gendarmes under my command had beaten and killed a native woman. He gave me her name, which I have

ted the affair immediately and found that the woman was alive and beaten. I spoke to Mr. Lifschitz about this, asking him why he had a report to me. He said that he had heard the woman crying that she had been beaten, and some one had told him that she had killed one of many false reports of the same nature that Mr. Lifschitz had.

Did you make an official investigation in regard to the killing of the woman by Lieutenant Barrett?

I made no official investigation, but to satisfy my curiosity talked with everybody who was present at the time that it occurred, in addition to the officers who had been implicated in the affair.

Was an official investigation made?

In the best of my belief an official investigation was made by the officer of Aux Cayes.

Who was the commanding officer?

Mr. Vogel. An investigation was made by the local Haitian authorities, which exonerated Lieutenant Barrett from any blame in the affair. He acted only in self-defense, having been knocked down three times by his revolver.

By the Court:

How do you know the result of this investigation by the Haitian

justice of the peace who drew up the procès-verbal told me

parties to the inquiry desired further to examine this witness, if possible.

THE PROSECUTOR: a witness called by the Judge Advocate, entered and was

Examined by the JUDGE ADVOCATE (through the interpreter):

What is your name, rank, and present station?

Augustus Toussaint.

What is your rank?

Private.

Where are you stationed now?

At Port-au-Prince.

Do you know where you were stationed in November, 1918?

At Hinche.

Were you serving in the gendarmerie at that time?

Did you ever see any Haitian prisoners shot at Hinche?

Explain the circumstances.

A prisoner was sent for for investigation. Lieutenant Lang was with him, and while speaking with him—I do not know what they were about—the prisoner was turning around and he was shot by a gendarme. He shot him with a machine gun. They picked up the prisoner and took him to Lath to be buried.

How far away was the prisoner from Lieutenant Lang when he was

shot? At 15 paces.

How far were you from Lieutenant Lang when he fired? About twenty

feet. How far was Lieutenant Lang from the prisoner when he was

shot? At 10 paces.

Do you see Lieutenant Lang in this room?

Point him out.

The witness nodded toward Mr. Lang.)

Do you know of any other cases of prisoners being shot?

Do you remember an affidavit you made about two months ago in this case?

Can you read French?

Answer. Yes.

16. Question. Did you read over the affidavit which you signed at : did you read the affidavit which you signed at that time?

Answer. No; I signed it but I did not read it. They also asked the same time about giving electric current to prisoners, but as I did not my answer was that it was only one prisoner the lieutenant gave current so as to have him speak. This was before the Cacos uprising.

17. Question. Did you see any person applying the electric current to a prisoner—did you yourself see any person applying electric current to a prisoner?

Answer. Yes.

18. Question. Where was this?

Answer. At Hinche.

19. Question. Where did they get the electric current from?

Answer. From a wireless machine they had there.

20. Question. Who did this act?

Answer. Lieutenant Lang.

21. Question. In your affidavit which you have signed, it is stated saw Lieutenant Lang take two prisoners out of prison and shoot them. Now say you only know of one case—which is correct?

Answer. I never mentioned two prisoners—only one.

Cross-examined by COUNSEL FOR INTERESTED PARTY :

22. Question. Was the prisoner who was shot by the machine a Cacos?

Answer. He was arrested as a Cacos, but I can not say he was a Cacos when he was apprehended in the village of Hinche.

23. Question. Was he running at the time he was shot by Lieutenant Lang?

Answer. He was walking—not running.

24. Question. Did anyone present shoot at this prisoner before Lieutenant Lang fired?

Answer. No.

25. Question. Was he being led off by a gendarme when he was fired at?

Answer. Yes; a gendarme was leading him, but he was taken away by Lieutenant Lang.

The JUDGE ADVOCATE. Repeat that question.

The stenographer repeated the question.

Answer. The gendarme who was leading him left him with Lieutenant Lang.

The JUDGE ADVOCATE. You have not answered the question.

The stenographer repeated the same question.

Answer. No; the gendarme was standing aside.

The INTERESTED PARTY. His answer was that the gendarme was talking to the prisoner.

Interpreter HOLLY. The witness explains this way, that the gendarme led the prisoner from the prison to Lieutenant Lang when Lieutenant Lang came into conversation with the prisoner. When the prisoner was going away he was not led by the gendarme. He was fired at, and at that time the gendarme was standing off aside.

The JUDGE ADVOCATE. Is that right?

The INTERESTED PARTY. Yes, sir; I understood him to say that the gendarme was standing off.

Cross-examined by COUNSEL FOR INTERESTED PARTY :

26. Question. Have you ever seen any Cacos prisoners try to escape?

Answer. No.

COUNSEL FOR INTERESTED PARTY. May I ask that the question be put to the other interpreter?

The JUDGE ADVOCATE. Yes.

The question was repeated by the stenographer and the answer was given by Interpreter Holly.

Answer. No.

27. Question. Have you ever seen any Cacos prisoners that were taken out on a working party try to escape?

Answer. No.

28. Question. Do you think that this man that was killed was trying to escape away?

Answer. I can not say, as I was 15 paces from them, but I noticed him turn back and was walking.

How many shots were fired?

I not say, as it was machine gun.

Do you believe that any shots were fired other than by the

it was only one person who fired.

About what date or time did you see Lieutenant Lang apply to a prisoner?

was before the attack on October 14; about two months before. Did this prisoner die that you claim had the electricity applied

electric current was applied to him in order that he may talk, or that.

Did he die from the effects of the electricity?

I not say, but he died in prison.

How long afterwards did he die?

days afterwards.

parties to the inquiry desired further to examine this witness, w.

en, at 11.50 a. m., adjourned until 9 o'clock a. m. to-morrow

FOURTEENTH DAY.

BOARD ROOM,

*Port au Prince, Haiti, November 19, 1920.*

at 9 a. m.

the members, the judge advocate, and counsel; also the interpreter and his counsel.

of the proceedings of yesterday (the thirteenth day) was read

not otherwise connected with the inquiry were present.

CONFISTON, a witness called by the judge advocate, entered and

led by the JUDGE ADVOCATE (through interpreter):

What is your name, rank, and present station?

Amelus Monfiston; private in the gendarmerie of Haiti.

Where are you stationed?

Margot, Haiti.

Do you know Mr. Lang, formerly a gendarme officer?

If you see him in the court room, point him out.

The witness pointed to Mr. Lang.)

Where were you serving in November, 1918?

He.

Did you ever see any prisoner at Hinche killed—any Haitian?

I saw one.

Explain the circumstances under which he was killed.

Soon as I was enlisted in the gendarmerie, eight days after, I

was cook in the company.

Where was this company?

Hinche.

Very well, continue.

I, while I was on that job a Cacos was caught with arms in

It was five days after a battle. Lieutenant Lang went into

called him. He came out of the cell of the prison—came out-

tenant Lang was speaking to him. While speaking with Lieu-

is prisoner turned his back, and Lieutenant Lang then shot him.

INTERESTED PARTY. May I ask that Mr. Holly translate the

JUDGE ADVOCATE. What is your interpretation of that, Mr. Holly?

He does say that Lieutenant Lang went to the prison and called

who was said to have arms in his possession; that this person

was talking with Lieutenant Lang, and after a while the

turned his back to go away, when Lieutenant Lang shot him.

How far was the prisoner from Mr. Lang when the shot was

Answer. From where I am here to the wall of the room [indicat...

11. Question. Was the prisoner moving fast or slowly?

Answer. He was not going fast, but he turned his back and was r.

12. Question. Was he walking or running?

Answer. Walking.

13. Question. With what did Lieutenant Lang shoot the Cacos?

Answer. With a long thing—I believe a machine.

14. Question. Did you see everything you have testified to with eyes, or are you repeating some things that you have heard other p...

Answer. I was standing watching.

15. Question. Where were you standing?

Answer. I left the kitchen and was standing before Madam Jeph's;

16. Question. How far from Lieutenant Lang were you?

Answer. A distance away from the gendarme barracks over there.

17. Question. When did this shooting occur—what date?

Answer. It occurred on November 4.

18. Question. What year?

Answer. I don't remember.

19. Question. Was this night or day that this shooting occurred?

Answer. Three o'clock in the afternoon.

Examined by the COURT:

20. Question. Was the prisoner under guard when shot?

Answer. No; the gendarme sentry was standing before the d... prison and the sergeant was present.

21. Question. Was the prisoner walking alone at the time?

Answer. Yes.

22. Question. Was he walking toward the prison or away from it?

Answer. He was trying to escape. He was running.

Examined by the JUDGE ADVOCATE:

23. Question. With how many people have you talked about this... you testified?

Answer. Nobody.

24. Question. Did you ever sign an affidavit in regard to this occu...

Answer. Yes; at the cape.

25. Question. Did you not talk to some person in regard to the ca... you made that affidavit?

Answer. Nobody.

26. Question. What happened to this Cacos prisoner after he was d...

Answer. They went and buried him at Lath.

None of the parties to the inquiry desired further to question this... and he withdrew.

PETIT DO BRAVE, a witness called by the judge advocate, entered... duly sworn.

Examined by the JUDGE ADVOCATE (through the interpreter):

1. Question. What is your name, rank, and present station?

Answer. Petit Do Brave; private of gendarmes; Chabet, Haiti.

2. Question. Do you know Mr. Freeman Lang, formerly lieutenant darmes?

Answer. Yes.

3. Question. If he is in the court room, point him out?

Answer. (Witness pointed to Mr. Lang.)

4. Question. Where were you stationed in October and November, 19...

Answer. At Hinche.

5. Question. What duty were you performing there?

Answer. Orderly.

6. Question. To whom?

Answer. Orderly of the captain stationed there.

7. Question. Have you any personal knowledge of any prisoners killed at Hinche while you were stationed there?

Answer. I was witness of the killing of Cacos caught, but never... any prisoner from the prison.

8. Question. What were these Cacos doing at the time you saw th...

Answer. The Cacos caught with arms and ammunition were que... while taking them to Lath they were shot.

Who shot them?

Lieutenant Lang.

Had any of these Cacos been confined in the prison before they

sir; they were in the prison. They took them from there and  
 and they refused to speak, and I saw them going away; but  
 if they ran or not—in other words, trying to escape—but I know

Where was the first one that you know of shot, at the time

it occurred before the prison at 8 o'clock in the night.

With what arm were they shot?

With a pistol.

Where were you when the shooting occurred?

Just standing near the hospital.

How far from the prisoner?

Not here to the gendarme caserne.

From here to that building [indicating]?

Yes; but about 36 paces.

How do you know that it was Lieutenant Lang who did the

shooting; I know, because I saw Lieutenant Lang with them.

Was any other officer out there besides Lieutenant Lang?

No; he was the only one there present.

Where was your captain when the shooting occurred?

Well, he was not at Hinche then.

Explain the circumstances of the shooting of the second pris-  
 soner spoken of.

The first prisoner was shot before the prison; the second one was  
 refused to talk, and he was conducted to the road going to Lath,  
 where he was shot.

Who shot him?

Lieutenant Lang.

What time of the day was this?

About 6 o'clock p. m.

Where were you at the time the shooting occurred?

Just at the corner of the street.

How far from the prisoner were you?

Not here to the palace—a good distance—from here to the palace.

How far from Lieutenant Lang were you?

At a distance to the office over there—from the gendarme head-

quarters. How do you know Lieutenant Lang did the shooting, then?

Because he is the only one that always ordered prisoners to speak,  
 and he refused then he shot them.

Did you see him shoot this second prisoner?

Yes; he was on horseback at the corner of the street, and I saw with  
 him he shot the prisoner.

Was it light or dark at that time?

It was just getting dark.

With what weapon was the shooting done?

With his pistol.

Explain the circumstances of the third man who was killed.

The Cacos' attack was about 10 o'clock p. m. They stopped their

man. He released the prisoner and put him outside and told him

I heard the machine gun go "blooie," and that night nobody  
 was walking around there and I saw the prisoner lying, and I saw

1. Were you in front of the prison at that time, after the shooting?  
 Yes; at the office.

1. Were you in the office when this machine-gun fire occurred?

Yes; I was in the office.

1. Could you see who fired the machine gun from the office?

When he was going to the prison I saw the machine gun on his  
 when he returned from the prison I also saw the machine gun  
 rider. After the firing I went there myself and there I saw the  
 the ground.

33. Question. You say you stayed awake all night?

Answer. Yes; I did not sleep at any time that night.

34. Question. Were any other prisoners killed on that same night?

Cado?

Answer. After five days—

35. Question. No; answer the question I asked you.

Answer. No.

36. Question. Would it be possible for four or five prisoners to be outside of the prison door without your knowing about it on the same night?

Answer. They might have shot different other prisoners. As I went to see about this prisoner in question I did not pay any attention to the others as it was a little dark.

Interpreter HOLLY. There is a shade of difference in what he says and the interpreter says. The witness says that it was possible—that it was possible—that it was possible to shoot others on the same evening—he does not know that the thing occurred, because, after going to see who was killed, or look at the body, he went away, because it was getting dark. The point is, he said it was possible.

37. Question. Where did you go when you left the body?

Answer. I went to the office.

38. Question. How far is the office from the door to the prison yard?

Answer. From here to the palm tree [indicating].

39. Question. If four or five shots had been fired right close to the door would you not have heard them when you were in the office?

Answer. All that night they were firing, but I can not state the prisoners were firing.

40. Question. Were any shots fired close to the prison or barracks during the battle?

Answer. No.

41. Question. Explain the circumstances of the killing of the fourth prisoner.

Answer. Cado is the fourth one.

42. Question. Explain the circumstances of the killing of the fifth prisoner.

Answer. A Cacos was captured. He was a chief of division in the revolutionary army. He was caught with arms in his possession. Lieutenant Lang asked him to talk and took him to prison, and took him a second time and ordered him to speak. I saw when he took the Cacos out, but I can not say if he ran; but I saw he fired and the Cacos fell.

43. Question. Where was this?

By counsel for interested party: May I ask the other interpreter to give an interpretation of that?

Mr. HOLLY. The witness says there was a Cacos caught, and this Cacos was a chief of division—in command of a revolutionary division. He was brought to prison and Lieutenant Lang was examining him—questioning him—after he was brought to prison. Lieutenant Lang came the second time and had him brought to question him again. The witness saw the prisoner going away, but he did not swear that the prisoner was trying to escape, when he heard a shot fired, and, looking, he saw that the prisoner had fallen.

44. Question. Who fired the shot?

Answer. Lieutenant Lang.

45. Question. Did you see him fire it?

Answer. Yes.

46. Question. What was the distance between the prisoner and Lieutenant Lang when this shot was fired?

Answer. This prisoner was running away from Lieutenant Lang, and, aiming him, and Lieutenant Lang fired at him.

47. Question. What time of the day was this?

Answer. That was about 5 o'clock in the afternoon.

48. Question. Was the prisoner under guard at the time he was taken to prison?

Answer. No.

49. Question. Did you personally see any other cases of killing prisoners?

Answer. No.

50. Question. Do you remember signing an affidavit in regard to the matter in which you charged Lieutenant Lang with shooting five prisoners?

Answer. Yes; at the cape.

51. Question. Do you know what was in that affidavit that you signed?

ey told me what was in it.

1. What did they tell you was in it?

was questioned about what I knew or saw Lieutenant Lang was of doing. I told them that I saw Lieutenant Lang capture two cos—with arms in their possession. He ordered them to speak. I told them he shot them before the prison.

1. You mean two of those you testified just now you saw killed?

s.

1. Yes what?

s; they were among the five prisoners already mentioned.

ed by counsel for interested party:

1. Did you see with your own eyes Lieutenant Lang fire his pistol at the division that was killed?

s.

1. Did you not state that you only heard the shot and then turned around to see what had happened?

s; I saw Lieutenant Lang pass with prisoner. I heard the gun when I turned around I saw the prisoner lying on the ground.

1. Then you did not see Lieutenant Lang fire the shot?

s; I did not see when he fired, but I saw when he passed with the

ed by the COURT:

1. Did all these incidents occur on the same day?

s; not on the same day.

s; parties to the inquiry desired further to examine this witness separately.

advocate announced: The interested party desires to call a witness to testify at this time, in view of the fact that the witness is about Santo Domingo.

AGGETT was recalled as a witness in behalf of the interested party and by the court that his oath previously taken is still binding.

ed by counsel for the interested party:

1. Did you see Lieutenant Lang shoot at an escaping prisoner at

s; that is what I would call him—an escaping prisoner. I could not say he was a prisoner, sir. I saw him shooting at a man going across the plaza afterwards learned was a prisoner.

1. In your opinion, was the prisoner trying to escape?

s, sir.

1. Did you hear any shots fired at this man before Lieutenant

s, sir.

1. By whom were they fired?

s; by, it was by a gendarme. I do not know his name. If you want to know the whole thing, there was firing by the gendarme, who fired at the man when this man went across the plaza.

examined by the JUDGE ADVOCATE:

1. What was the date of this occurrence?

s; I remember, the first week or 10 days; the first half, I should not know. I do not remember the exact date.

1. What year?

18.

1. How far was the Haitian from Lieutenant Lang at the time Lieutenant Lang fired?

s; would say, sir, approximately 150 yards—140 or 150 yards.

1. How far away were you from Lieutenant Lang when the shooting

should say approximately 250 feet.

1. Where was this?

s; Hinche, sir.

1. What time of the day was it?

s; the afternoon, sir. I do not remember the exact time, but I was in the late afternoon, about 5 o'clock.

11. Question. Did this shooting excite your curiosity at all to find out what it was about?

Answer. Yes, sir.

12. Question. What did you do about it?

Answer. Why, when I saw the shooting, I saw a gendarme shoot. I will say twice, I do not remember exactly. It was twice that I remember he shot at this prisoner, and I started to walk over toward the house. I was before—as I came out of the office there in Hinche I saw a gendarme shoot a man. I did not know then this was—whether he was a prisoner or not. I crossed the plaza, and I saw Lieutenant Lang standing in front of the house where I also lived, close to the office. I saw this man break and run across the plaza, and I remember of two shots being fired. I could not say if there were any more, but I remember two shots were fired. As they were fired, I was still walking toward the house, or toward Lieutenant Lang—as I saw Lieutenant Lange was walking toward me when the first shot was fired. The shots were fired—the two that I remember of—Lieutenant Lang ran toward the house, which was between himself and I, and we always had a machine gun on the porch. He took this machine gun and shot this man, that I afterwards learned was a prisoner.

Examined by the COURT:

13. Question. Do you know the name of the prisoner you saw shot?

Answer. No, sir; I do not.

None of the parties to the inquiry desired further to examine this witness, and he withdrew.

EUCHER JEAN, a witness called by the judge advocate, entered and was sworn.

Examined by the JUDGE ADVOCATE (through the interpreter):

1. Question. What is your name, rank, and present station?

Answer. Eucher Jean, sergeant of the gendarmerie of Haiti, stationed at Cape Haitien.

2. Question. Do you know Mr. Freeman Lang, formerly a lieutenant in the gendarmerie?

Answer. Yes, sir.

3. Question. Do you see him here in the court room?

Answer. Yes [pointing to Mr. Lang].

4. Question. Where were you serving in November of 1918?

Answer. At Hinche.

5. Question. Did you ever see any person executed there?

Answer. The only prisoner whom I saw executed by Lieutenant Lang was the Cacos known as Teka. This occurred on November 4. Lieutenant Lang while home sent for this prisoner and was interrogating him. At that time I was inside of the gendarmerie station, and a few minutes afterwards I heard shots fired. I went out and saw it was the prisoner that was shot. The distance was about 15 paces from the house of Lieutenant Lang, between the prisoner and the house.

6. Question. Who told you Lieutenant Lang shot the prisoner?

Answer. I was on the inside of the gendarme station. As soon as I heard the shot fired I ran out, as I am a military man, and I saw the prisoner on the ground, and the lieutenant continued firing the rest of the shots.

7. Question. What was Lieutenant Lang shooting with—what weapon?

Answer. With a machine gun.

8. Question. What time of the day was this?

Answer. It was about 4 o'clock in the afternoon.

9. Question. Was any gendarme in charge of the prisoner when he was taken out of the prison?

Answer. I did not notice that, as I was inside of the gendarme station. It was only when the shot was fired that I ran out.

Examined by the COURT:

10. Question. How far was the prisoner from Lieutenant Lang when he shot him?

Answer. Lieutenant Lang was at his home and the prisoner was sitting at that table there sitting there, [pointing to a table about 30 feet distant].

None of the parties to the inquiry desired further to examine this witness, and he withdrew.

ROUCHON, a witness called by the judge advocate, entered and

led by the JUDGE ADVOCATE (through the interpreter):

. What is your name, occupation and residence?

Domene Rouchon.

. What is your occupation?

Coemaker at Millot, Republic of Haiti.

. Did you ever serve in the gendarmerie?

s.

. When?

Was three years in the gendarmerie.

. When were you discharged from the gendarmerie?

On 18th of October.

. What year?

20.

. Where were you serving in November, 1918?

Was a gendarme in the Third Company, transferred at Hinche.

. While serving at Hinche, did you ever see any prisoners killed?

There was only one prisoner I witnessed who died.

. Who was that prisoner, and what was his nationality?

Teka, a Cacos.

n. Was he a Haitian?

s; a Haitian.

n. Is that the only case you know of yourself?

s.

n. Do you remember signing an affidavit in regard to a prisoner

s.

n. Did you read it?

s.

n. Did you read it yourself?

I did not read it, but I know what was in it.

n. Do you remember making an affidavit about the killing of a  
ed Descarte?

s; at Cape Haitien.

Do you mean "at Cape Hatien"? Do you mean you made the  
e?

signed that report at Cape Haitien.

n. Which is correct, your affidavit or the testimony you have

the report I made at the Cape was an account of my questioning  
of the officers, and I was asked what I saw and I made that

n. You have just sworn that the only prisoner you knew being  
Teka. In your affidavit you stated that a prisoner named Descarte  
killed. Which is correct, your affidavit or your sworn testimony

Teka and Descarte is the same person.

n. State what you know of the killing of Teka or Descarte.

While I was standing near a mango tree before the prison Lieu-  
asked for a prisoner and questioned him. During this interroga-  
this prisoner run about 20 paces from Lieutenant Lang. This  
a Cacos, and he was shot.

n. With what kind of a weapon was he shot?

With a machine gun.

n. What time of the day was this?

Between 4 and 5 o'clock.

n. How far away were you from Lieutenant Lang at that time?

From here to the gendarme barracks.

n. Could you hear the talking between Lieutenant Lang and the  
at that distance?

o; but I saw the prisoner turn his back as a man who was trying

n. Did you at any time before that hear any talk between Lieu-  
and the prisoner?

o.

25. Question. Did you ever tell any person that you knew what Land said to the prisoner?

Answer. No.

26. Question. Did you ever say that Lieutenant Lang told the prisoner should go home?

Answer. No.

27. Question. Don't you know that that statement is in the affidavit signed?

Answer. I did not state so in my affidavit.

None of the parties to the inquiry desired further to examine this man and he withdrew.

CARRIUS ABSOLUS, a witness called by the interested party, entered and was duly sworn.

Examined by the JUDGE ADVOCATE (through the interpreter):

1. Question. What is your name, rank, and present occupation?

Answer. Carrius Absolus, sergeant of the gendarmerie at Ouanaminette, Republic of Haiti.

Examined by COUNSEL FOR INTERESTED PARTY:

2. Question. Where were you stationed in October of 1918?

Answer. I was stationed at Hinche, in charge of the prison.

3. Question. Were you in charge of the prison on the night of the attack upon Hinche?

Answer. Yes; on October 14.

4. Question. Were you stationed at the prison throughout the attack after the attack?

Answer. Yes.

5. Question. Did any officer come to the prison after the attack?

Answer. Yes; when everything had quieted down.

6. Question. Was he in company with any other officer?

Answer. Yes.

7. Question. Give the names of these two officers.

Answer. Captain Kelly and Lieutenant Lang.

8. Question. What did they do at the prison?

Answer. They came for inspection after the attack.

9. Question. Were any other people present in the prison besides the officers and the gendarmes?

Answer. Yes; there were many women in the prison who came there for protection.

10. Question. Did they seem pleased or displeased at the presence of the officers?

Answer. Yes; when the officers entered, he told the people there to be calm; there was no danger.

11. Question. I do not think that exactly answers that question.

The JUDGE ADVOCATE. That may be, but you will have to ask other questions. That is his answer.

12. Question. What did the women do when the lieutenant or the officers made this announcement?

Answer. Everybody remained quiet.

13. Question. Did you deliver any prisoners to anyone on the night of the attack?

Answer. To whom?

14. Question. Did you deliver any prisoners to anyone?

Answer. No.

15. Question. Was Adolphe Bourgot confined?

Answer. Yes.

16. Question. Why?

Answer. The captain ordered his confinement in the cell, cell No. 4. He was confined by Captain Lavoie before he left, and he left on permit or on leave.

17. Question. Do you know for what reason he was confined?

Answer. I do not know exactly, but he told me that he was charged with keeping in correspondence with the *l'ancien*.

18. Question. Was Meratus Toussaint confined in the same prison at the same time?

Answer. I do not know that man.

19. Question. Do you know if any prisoners were confined for illegal acts by Dominicans in Thomassique?

on't know them.

. Is there any means for seeing outside of the prison from cell

; if you are locked inside it is not possible to see outside.

. Was Adolphe Bourgot confined in cell No. 4 during the attack

attack?

; he was locked up there all the time.

. Were you present at the prison gate throughout the night of

; the keys were in my possession, in my hands. It was closed.

. Did Lieutenant Lang return to the prison any other time that

he first time, when in company with Captain Kelly?

. Did he ever come with an interpreter?

amined by the JUDGE ADVOCATE:

. Were you awake all that night?

; I was awake during all that night.

. Could four or five prisoners have been taken out of the prison

hout your knowledge?

; as I have the keys, and if they wanted any prisoners they would

o me.

. Did you have the same number of prisoners the morning after

you had the afternoon before the attack?

parties to the inquiry desired further to examine this witness,

ew.

ADVOCATE announced: Do you wish to call any other witnesses, Mr.

TED PARTY. I should like to call Captain Kelly.

K F. KELLY, a witness called by the interested party, entered and

n.

ed by the JUDGE ADVOCATE.

What is your name, rank, and present station?

rick F. Kelly, captain of the gendarmerie of Haiti, stationed at

du Nord, Republic of Haiti.

ed by COUNSEL FOR INTERESTED PARTY.

Where were you on the night of the second attack upon Hinche?

Hinche.

What were your duties?

manding officer of gendarmes at that place.

Where were you stationed during the attack?

he town, within sight of the barracks. I was not in the barracks.

ht.

Were you within sight of the prison?

, sir.

Can you testify as to the whereabouts of Lieutenant Lang?

, sir.

Will you please state what you know as to his whereabouts?

utenant Lang was sent by me, at nightfall, on the 15th of October,

ter of a mile from the barracks outside of the town of Hinche with

men, and told to stay there until he saw something happen; and

about five minutes past ten, and I said to him: "Lang, how is it?"

st two men." I said: "Good God, send out and get them." And

il back and stayed with me. They brought the two men in and

l. We had no hospital to put them in. They were dead. One

our times, and the other man twice. We laid them out on the

they were dead, and identified them; and then went to the prison

women—the women were hysterical—I told them, "you can rest

ver. There are no Cacos in Hinche, and keep quiet." The women

e all Haitian women do, to praising, praising God and everything

two women kissed Lieutenant Lang. Well, we left the prison and

e little plaza there to what we then used as an office. I took an

shion and put it in the middle of the road and sat down on it.

hen we left the prison, before sitting down on the road, we made

a patrol of the town. We did not have enough gendarmes to go after that had attacked. We had 30 men, if I remember right—30 or 32—ammunition. Therefore, we had to stay where we were at. We telephoned Cerca-la-Source, and the message was relayed from there and by boat to Ouanaminthe to the commander of the department, asking for ammunition. We made our patrol of the town with a detail of gendarmes—three or four—then sat down in front of the barracks on the automobile cushion, and there all night. At 7 o'clock in the morning we had breakfast, after releasing the women from prison.

8. Question. Was Lieutenant Lang away from you at any time from 5 o'clock after 10 until the following morning?

Answer. No, sir.

9. Question. At what time did you send Lieutenant Lang to the other side of the town?

Answer. I should say about 6.30 or 7 o'clock.

10. Question. At what time did you meet him and in company with him at the prison?

Answer. That I should say would be about 10.15 or 10.20.

11. Question. Then between 6.30 and 10.15 or 10.20 that night did Lieutenant Lang enter the prison or the prison yard?

Answer. No, sir.

12. Question. How many months were you in the district of Hinche after the second attack?

Answer. I was not there a month. In the district of Hinche?

13. Question. Yes.

Answer. I was in the district of Hinche—that was October—very short of time. Yes; one year and one month; in fact, 13 months.

14. Question. During the time of your being detailed in the district of Hinche and prior to the second attack, was there a radio station at Hinche?

Answer. Not to my knowledge—I was stationed 30 miles from Hinche. I used to go there once in a while—not to my knowledge.

15. Question. To your knowledge, when was the radio station established there?

Answer. If I remember right, in November, 1918.

16. Question. Would it have been possible for Lieutenant Lang to have committed any atrocities at the prison that night without your knowledge?

Answer. No, sir.

Cross-examined by the JUDGE ADVOCATE:

17. Question. While you were in command at Hinche did you keep track personally of the prisoners who were confined in the prison there?

Answer. Yes, sir.

18. Question. Were any of those prisoners ever killed?

Answer. No, sir.

19. Question. Did any of them ever escape?

Answer. Not under my charge; not while I was in charge.

20. Did any of them ever mysteriously disappear?

Answer. Not to my knowledge.

21. Question. Did any of them die while in prison?

Answer. I could not say as to that. The prison reports on file will show. I can not remember whether there were any deaths during the time I was in command or not.

22. Question. Did any case arise that made you suspicious about anything occurring through some irregularity or misconduct?

Answer. No, sir.

None of the parties to the inquiry desired further to examine this case, and he withdrew.

FREEMAN LANG, the interested party, requested that he be sworn as a witness. His request was granted, and he was duly sworn, having been informed that his examination would be governed by the same rules that governed the examination of an accused who takes the stand at his own request at a trial by court-martial.

Examined by the JUDGE ADVOCATE:

1. Question. What is your name, residence, and occupation?

Answer. Freeman Lang, L'Attalaye, Haiti; master mechanic.

Did you ever serve in the gendarmerie of Haiti?  
sir.

Between what dates, and what rank did you hold?  
commission was dated June 2, 1917. I served in the gendarmerie enant until December 7, 1918.

d by COUNSEL FOR THE INTERESTED PARTY:

Explain your whereabouts from 6.30 p. m. until 7 a. m. on the cond attack on Hinche.

about 6.30 p. m. on the night of October 14, 1918, I was sent by of the Gendarmerie of Haiti, with a detail of 15 men to the out-own of Hinche. I was instructed to take up a position overlook-leading into Hinche which ran on either side of a graveyard. I tion with the 15 gendarmes on the edge of the graveyard. At ard a cry and a shot fired from the direction of Hinche. Immedi-t there was a great deal of shooting which I heard. I did not fire ther did the gendarmes in my detail. We left the graveyard, s, and took an old path which led into Hinche back of the new inche. Before we arrived there, and while just within sight of k barracks, we ran into, I should say, about 50 to 75 Cacos. re armed and were shooting. They were crying in their native the whites."

skirmish line and drove them off, and I went into town and ptain Kelly. He and I then inspected the prison and made our phone and sat on an automobile cushion and stayed there the lit and had breakfast the next morning, and had no sleep at all

Do you know Adolphe Bourgot?

member a gendarme of that name in the company who was con-ight of the attack, and had been for one, or two, or three days hat, under orders of Captain Lavoie. He was suspected of being ion with Charlemagne, the Cacos chief.

Do you know Meratus Toussaint and why he was confined?

was charged with being in company with other gendarmes that hot some Dominicans near Thomassique. The case was investi-elieve he was punished. I believe the records are in the hands der of the gendarmes of the department of the north, but I am

Explain the shooting of the native prisoner in front of your .

er the night of the attack and the days following, patrols were ifferent times. These patrols sometimes encountered a small ndits, and other times they would not. Sometimes they would

At any time any bandits were captured and brought in by the were usually brought before me, as subdistrict commander of interrogated for any information we could obtain from them. n usually sent to the prison, awaiting trial.

on, about 5 o'clock, I had been out of town. I returned to my vas very close to the bureau. The gendarme orderly reported to had been a Cacos prisoner captured and said he had been a chief said, "Where is he?" He said he was in prison. I said, "Have " He transmitted the order, to whom I do not know, but in a ater a gendarme sentry, with his rifle and belt of ammunition, tian in ragged clothes before me. This man was carrying a rifle, owards ascertained by counting, had 132 or 133 rounds of 7- munition. This rifle was in good condition and I still have it in

though not all of the ammunition, as I have fired the rifle many range. I have the remainder of the ammunition. I asked this was from and various questions. His answer was always, "I in his own tongue. Becoming discouraged with getting any other I told the gendarme to take him back to prison and lock him up. ack to walk over toward the office, as I wanted to see if there over there that needed attention. At the same time there was a Lewis machine gun mounted on my front porch. It was the quarters and also my quarters. There was always some of us ngside the machine gun at night, and the machine gun was and night. I had arrived at perhaps about 25 feet away from

my house, going toward the office, which was in the direction of the prison, which was across the plaza facing my house. The gendarme the prisoner had, by this time, arrived about midway between my house and the prison. To the right of the prison runs a road thickly wooded. To the left of the prison it is very thickly wooded also. I did not pay attention to the prisoner nor to the gendarme.

My attention was called to the fact that there was trouble when two or three shots fired and a cry of "Halt, halt," in Creole, or French pronounced practically the same in English. I immediately gave up to the direction in which the gendarme had started with the prisoner that this man was running across the field. He had already gone 20 or 40 feet away from the gendarme. The gendarme had fired at least three times. Apparently the man had not been hit, as he was running at the same rate of speed. I hesitated a moment and then, as it was getting dark as I said before, there were woods close by, and knowing this man was a Cacos or bandit, I returned to my house, on the front porch, and drew back of the machine gun. The machine gun was already loaded and ready to fire. I aimed at the escaping man and pressed the trigger, firing it for perhaps half a second. The man immediately came down. I then ran over to where he had fallen down and found he had three bullet holes in his back and one in his head. I am quite positive he did not fire over 10 shots, as it was a very quick spurt—only one pull of the machine-gun trigger.

Seeing the man was absolutely dead I tried to identify him. No one knew exactly who he was; in fact, the gendarme thought he was called Teka. I do not know how to spell it. I could not get anyone to identify him. I then gave orders that the man be taken up on the back of the gendarme and prisoners, and his grave dug and buried.

I then walked over to the quarters of Captain Lavoie, who had just returned a few days previously from the States. He had been on leave. I told him the occurrence. He said, "All right," or words to that effect. No further comments, as I recall, were made.

I returned to my quarters and thought nothing more of the matter. I reported it to my commanding officer and did not feel that any investigation had been done anyone.

8. Question. Was any official report of this affair made to General Latorre?  
Answer. That I can not say.

9. Question. When was the radio station established at Hinche?

Answer. To the best of my knowledge, it was brought out to Hinche by mules; it was perhaps 10 or 15 days after the attack on Hinche on October 15, 1918.

Cross-examined by the JUDGE ADVOCATE:

10. Question. Did you ever shoot any other prisoners besides this man who have just testified to?

Answer. No, sir.

11. Question. What explanation have you in connection with having executed a prisoner?

Answer. I have never electrocuted anyone, prisoner or otherwise.

12. Question. Did you ever apply electric current in any shape or form to a man?

Answer. Yes, sir; at L'Attalaye, Haiti, while repairing telephone lines. I had a spirit of fun, I have taken a bucket of water and put a 50-cent piece of money in the bottom of it. A crowd of curious workmen would gather around to see the fun. I would speak to them in their own language. "If you care to pick out the 50-cent piece from the water, you may have it." One or two of the bolder ones would say, "Very well, I will try." They would put their hand in the water to take out the 50-cent piece. Other Haitians, or whoever cared to, would turn the handle of the generator. This would cause a slight shocking current to be transmitted through the water. The man's hand being in the water, he would experience a shock. If he did not mind the shock he would keep on and get the 50-cent piece. If he objected he would take his hand away and laugh, and the 50-cent piece there, and some one else would try it. That instance is the only one I have ever had any experience in shocking anyone in Haiti.

The details as to this shocking incident can be corroborated by many witnesses.

13. Question. Can you account in any way for the fact that a man

come here and testified that you killed native prisoners other than with the machine gun?

an account for that by this explanation: I have been in Haiti years. I know the language and the customs of the Haitians, hill people. They are very superstitious, prone to exaggerate, tendency of telling a white man a story that they think he would believe. In regard to the testimony that has been given by various people about shooting Haitians at Hinche, I have heard them talking among themselves. This instance is discussed by them in this manner: A gendarme of Petit du Brave, who was ordered to Captain Lavoie and stayed at Lavoie's house on the night of the attack on Hinche, came the next morning out of the prison. There he saw several dead bodies of Haitians in the ground. These men had been brought there by Haitian or Haitian gendarme guards.

asked by the COURT:

1. By Haitian prisoners or as Haitian prisoners?

Haitian prisoners. They had been carried there under guard among the prisoners. They were assembled there for identification before they were to be buried. These men were all dead Cacos, actively engaged in the fight the previous evening. It is rumored by gendarmes that Petit du Brave made this remark: "What is the bodies lying before the prison like this?" Another person—it is a man—stated: "Ah, these were shot by Lieutenant Lang; he is a man, are only gendarmes; gendarmes do not know how to shoot. How can they shoot them?"

2. Explain this attitude on the part of the Haitians by the fact that they had a target range built just across the river from the town, at a distance of a mile away. At various times I would take a detail of this range and endeavor to instruct them in the art of shooting. It was very successful and were not very good shots. At several times I received their admiration of what to me were rather ordinary shots, but to them seemed excellent shots, when I would even hit the target, bull's-eye. That is the only way that I can account for such a thing as to my shooting various prisoners around Hinche, shooting them.

3. The parties to the inquiry desired further to examine this witness, and his seat as an interested party.

Then, at 12.20 p. m., adjourned until 9.30 a. m., tomorrow (Sat-

#### FIFTEENTH DAY.

BOARD ROOM,

Port au Prince, Haiti, November 20, 1920.

Met at 9.30 a. m.

1. The members and the parties to the inquiry.

2. The minutes of the proceedings of yesterday (the fourteenth day) was read.

3. Those not otherwise connected with the inquiry were present.

4. So, a witness called by the judge advocate, entered and was duly sworn.

5. Examined by the JUDGE ADVOCATE (through the interpreter):

What is your name, rank, and present station?

Leon Gabo, private gendarmerie, stationed at the Cape.

Where were you stationed in the first part of the year 1919,

at Maissade.

Haiti?

Yes.

Did you know a Haitian by the name of Gagnier Jean?

Yes.

Where was he living while you were stationed at Maissade? In the village of Maissade.

Do you know anything that happened to him in particular?

Yes.

Explain?

Answer. There was a white man there. He beat him up with a stick and he died.

8. Question. When was this?

Answer. At 6 o'clock.

9. Question. A. m. or p. m.?

Answer. P. m.

10. Question. What date?

Answer. I don't remember.

11. Question. What month?

Answer. I don't remember.

12. Question. What year?

Answer. Last year; I don't remember.

13. Question. Who was the white man?

Answer. Williams.

14. Question. What was Mr. Williams; what was his occupation?

Answer. He was a lieutenant.

15. Question. In the gendarmerie?

Answer. In the gendarmerie.

16. Question. Where did this beating take place?

Answer. Inside the office.

17. Question. Of what building?

Answer. The gendarmerie.

18. Question. Were you in the office while the beating took place?

Answer. Yes; I was on duty.

19. Question. Where?

Answer. At the gendarmerie office.

20. Question. Inside or outside?

Answer. Inside.

21. Question. With what was the beating done; with his fist or with a stick?

Answer. With a stick.

22. Question. What kind of a stick?

Answer. A piece of lumber; a piece of wood or lumber.

23. Question. About how long?

Answer. This long [pointing to his arm, indicating that length].

24. Question. How large around?

Answer. This big [indicating the thickness of his wrist].

25. Question. How many times was Mr. Gagnier struck?

Answer. Many times; he was struck many times.

26. Question. What part of his body was hit?

Answer. On the head, stomach, and back.

27. Question. Did he defend himself?

Answer. He cried out, but nobody could enter the building.

28. Question. Do you know the first name of Lieutenant Williams?

Answer. No; I only know him as Williams.

29. William or Williams?

Answer. William.

Examined by the COURT:

30. Question. Do you know why this man was beaten?

Answer. I don't know.

31. Question. Were you present when the beating began?

Answer. Yes.

32. Question. What preceded the beating; what took place before the beating?

Answer. They had a battle. It was after the battle he was beaten.

33. Question. Between whom was the battle?

Answer. With the Cacos. They entered the village of Maisade.

34. Question. What took place in the office before the beating?

Answer. Nothing occurred.

35. Question. Do you mean that this man entered and was beaten?

Answer. After the attack or the battle with the Cacos this man was beaten and was beaten at the office.

36. Question. Was this man one of the Cacos, or a prisoner?

Answer. No; he was never a Caco. He was a notary public.

None of the parties to the inquiry desired further to examine him and he withdrew.

THE JUDGE ADVOCATE. Mr. Freeman Lang, an interested party, addressed the court with reference to that part of the inquiry regarding

ocate has no further available witnesses or other evidence con-  
 terested party.

The court will receive his statement.

ED PARTY. Sir, I desire to inform the court that, with its per-  
 submit a written statement concerning the testimony that has  
 arding any actions regarding myself.

This statement is not ready now?

ED PARTY. It is not ready, sir. I will submit it at an early date.

ADVOCATE. The statement can be received by the court at any time  
 g its record for submission to the convening authority, and if  
 en be noted at the proper time and considered by the court and  
 ie record.

you wish to attend the sessions of the court?

ED PARTY. I do not desire to attend any further sessions of the

The statement will be received when submitted.

ed party then withdrew.

as cleared.

as opened, and the president announced: It appears to the court  
 mony of the last witness that former lieutenant of gendarmes  
 n interested party in the inquiry. The court will, therefore,  
 inquiry into the particular incident in which former Lieutenant  
 terested until such time as the convening authority can be com-  
 i and an answer received.

ADVOCATE. I am not prepared to introduce any further testimony  
 day. I suggest the court adjourn over until 10 a. m., Monday.  
 hen, at 10.15 a. m., adjourned until 10 a. m. Monday.)

#### SIXTEENTH DAY.

#### BOARD ROOM,

*Port au Prince, Haiti, November, 22, 1920.*

et at 10 a. m.

the members and the parties to the inquiry.

of the proceedings of Saturday (the fifteenth day) was read and

not otherwise connected with the inquiry were present.

advocate announced: Mr. Lang, the interested party, who is  
 rt at this session, desires to reopen his defense, in view of the  
 is discovered additional evidence.

Permission is granted.

OL'S. a witness called by the interested party, entered and was  
 at the oath which he had previously taken was still binding.

ed by COUNSEL FOR INTERESTED PARTY (through the interpreter):

Where were you on the morning after the attack on Hinche, in

as at Hinche, as sergeant of the prison.

Did you see any dead bodies assembled in front of the prison

; Cacos bodies.

Where did these bodies come from?

Cacos who died during the attack that night.

What question did you hear Petit Do Brave ask anyone on that

?  
 it Do Brave came in the morning and saw the dead bodies on the  
 asked where they came from, and it was said that it was people  
 tenant Lang.

What did Adolphe Bourgot tell you while he was in prison?

olphe Bourgot said that "these wretched white men put me in  
 don't know what I did. Better they look to themselves before  
 "

Were any shots fired after the finish of the battle, about

Could you have heard shots had they been fired?

Answer. Yes; if they had been fired—if they had fired shots it is so small, I would surely hear them.

5. Question. On the night of the attack was there any machine gun?

Answer. No; they had a machine gun there that came eight days after.

Cross-examined by the JUDGE ADVOCATE:

9. Question. How many bodies were there laid out in front of the prison?

Answer. I did not count them.

10. Question. Were there more than two?

Answer. Yes; more.

11. Question. Were there as many as 20?

Answer. I can not say exactly; I did not count them.

12. Question. Where were you standing when Petit Do Brave came about the bodies?

Answer. I was sergeant in charge of the prison.

13. Question. How far away were you from Petit Do Brave?

Answer. About three paces.

14. Question. Was he in the prison, too?

Answer. No.

15. Question. How could you see him if you were in the prison?

Answer. I was before the prison.

16. Question. Inside or outside?

Answer. Before the door; outside.

17. Question. How do you know there was no machine gun in Haiti at the time of the attack?

Answer. We had no machine gun, because the day the machine gun came I saw it.

Examined by the COURT:

18. Question. Who told Petit Do Brave that these were men killed during the attack?

Answer. A gendarme told him so.

19. Question. Did you hear him tell him this?

Answer. Yes.

None of the parties to the inquiry desired further to examine the witness.

The judge advocate announced: In order to allow the next witness to take the stand to put him on the stand at this time, and to allow the case in which Mr. Lang is interested.

R. S. BRANDE, lieutenant colonel, United States Marine Corps, called by the judge advocate, entered and was duly warned that the oath he had previously taken is still binding.

Examined by the JUDGE ADVOCATE:

1. Question. If you are the legal custodian of an official copy of the general court-martial order No. 2, dated 26 March, 1917, produce it.

(The witness produced a certified copy of the general court-martial order in question, and it was submitted to the court and by the judge advocate in evidence. There being no objection, it was so received.)

2. Question. Refer to that document and read it.

(The witness read the document, original appended, marked "Exhibit 5.")

3. Question. The document which you have read does not indicate for whose death Anthony Rogoski was tried. Have you any information that would furnish the name of the party who was killed?

Answer. Yes; from the official records of the gendarmerie it appears that Anthony Rogoski arrested a man by the name of Dieu Donne La Branche.

4. Question. To what paper are you referring, while giving your answer. To the findings of a board of investigation ordered by the gendarmerie.

5. Question. Proceed.

Answer. This man was an ex-gendarme and had been arrested. Lieutenant Rogoski of the gendarmerie, and while under arrest broke started to run down the street. He gave chase, calling on him to stop several times, and finally fired and hit La Branche. From the result of the shooting La Branche died the next day in the gendarme barracks.

t has been testified to before this court by a witness that a of Polish birth, of whose name he was not sure, but which ing like Rogoski, had killed an ex-gendarme, one recently dis- the alleged killing. Outside of the case to which you have your records show any other gendarme officer having killed —some officer who had a Polish or Russian name?

do not.

parties to the inquiry desired further to examine this witness, v.

g, the interested party, announced: With the court's permis- to give an oral summing up of my case.

hat is in lieu of the statement you intended to file?

ED PARTY. Yes, sir.

VOVATE. I wish to state that the procedure of receiving such is time is necessitated from the fact that the court may not be when it concludes the taking of all testimony in the case, and acticable to wait until that time to have the interested party statement.

ED PARTY. On October 15, 1918, I was stationed at Hinche, strict commander, Gendarmerie d'Haiti. Information had been attack by Cacos might be made on Hinche that night. Captain ict commander of Hinche, ordered me, about 6.30 p. m., to take endarmes and to proceed with them to the junction of the two ing into Hinche near the large cemetery just outside of Hinche. l to take up a position overlooking these two roads and to stay attack took place or until further orders.

myself and the gendarmes in the grass on the edge of the ceme- 5 p. m., October 15, 1918, I heard a shout and then a shot fired; er there were many shots fired, the sounds coming from the che. I proceeded with the gendarmes toward Hinche, and just ght of the barracks I saw a large number of armed cacos shoot- , "Tué blanc yo! Tué blanc yo!" I ordered a line of skir- in the center. I gave the command to fire. The Cacos then at myself and the gendarmes. At their first volley the gendarme shot through the head and killed; the gendarme on my imme- shot through the body and killed; my cheek was burned by a

l the fighting for several minutes and drove off the cacos. I ny men and, leaving the two dead gendarmes for the moment, rd the barracks. I was challenged by Captain Kelly. He said, ow is it?" I replied, "I have lost two men." Captain Kelly e dead gendarmes brought in. He and I then went across the ison; we went together. We were admitted by the sergeant in orison, Carlius Absolu. He unlocked both the outside and the oors for us.

avored to calm the natives who were inside the prison. Most s were women and children of Hinche. These people had heard d probably be an attack on Hinche, and they had come to Cap- me for protection. We had suggested to them that they stay n, as it had thick walls and would afford them good protection. this suggestion, and the prison was almost full of these people. ne somewhat hysterical during the engagement, and it was be- at Captain Kelly and I visited the prison in order to quiet them. g these people that everything was all right Captain Kelly and n and patrolled the town for about half an hour. We then re- fice and telephoned the information of the engagement to Cera l it was relayed from there to the department commnader at Captain Kelly and I then procured an automobile cushion and nt of the office for the rest of the night. Neither of us slept. that I joined Captain Kelly—about 10.05 p. m., immediately ement—he and I were together continuously until the following a. m.

the accusations of Adolphe Bourgot. I desire to state that this been confined in prison before, during and after the attack on ight of the attack he was placed in cell No. 4 in solitary com- was done because he was suspected of being in communicatio.

with Charlemagne, the Cacos leader, and every effort was made to keep him from coming in contact with anyone. Any person confined in cell No. 1 was unable to see anything that took place outside of the prison.

Evidence that has been submitted to the court shows that Adolphe was very bitter toward the district and subdistrict commander of Hinche. He claimed that he had been imprisoned unjustly, and it is quite in keeping with the character of this class of Haitian that he should perjure himself in order to harm some one who was at that time the subdistrict commander at Hinche.

Regarding the statements of Meratus Toussaint, I would like to refer attention to the fact that evidence submitted shows that there was no electric current established at Hinche until at least 10 days after the attack on the night of 1918, this being at least three months after the date on which I was of applying electrical current to a native. I have already informed the court that I did within the last year, at L'Attalaye, use a small telephone to tease some native workmen by putting a coin in a bucket of water, while this may have been indiscreet on my part, no possible harm could come from it. I can quite readily see how an exaggerated report of a current might grow into a rumor that I had used electrical current, and that these natives do not understand—on a prisoner, and how it was upon in this case as an opportunity to discredit me. While in the prison at Hinche I did not at any time apply electrical current to anyone. It has been shown that no electrical device existed at Hinche from which I could have taken a current of sufficient potentiality to harm anyone.

As department records of the gendarmerie of Haiti will show, at the time Meratus Toussaint was confined in prison for illegal killing of prisoners. It is therefore not unlikely that he would not hesitate to perjure himself in order to harm some one who in carrying out his lawful duty had confined this man to prison.

Relative to the testimony of Petit do Brave, a gendarme ordered to the night of the attack was stationed in the quarters of the district commander. These quarters are on the other side of the town, out of sight of the barracks, and the prison. At about daylight the morning after the attack at Hinche, prisoners were sent under gendarme guard to assemble the bodies of the Cacos who had been killed during the engagement the night of 1918. These bodies were brought before the prison door and assembled. They were inspected and counted; they were then buried.

Evidence submitted will show that Petit do Brave, the gendarme ordered to the night of the attack, had been stationed in the district commander's quarters all night of 1918. The next morning he saw these dead bodies, and that remarks somewhat following took place. Petit do Brave asked:

"What is all this; what are these dead bodies?" Another gendarme ordered to reply: "Why, don't you know? These are the men shot by Lieutenant."

There was no firing after the battle, which ended about 10.05 p. m. of 1918. There was no machine gun at Hinche at this time.

Having been in Haiti for more than five years, I have learned the language and most of their habits. I have learned that some of the Haitians, when questioned, will try to tell a story that they think would like to hear. They will exaggerate and perjure themselves as a result of thought. This has been proven innumerable times in the courts and investigations held by various officers of the gendarmerie and Marine Corps. In view of these facts, it is very readily seen how a man of the type of Adolphe, who considered that he had been unjustly imprisoned, should spread a rumor that he might hear and from that manufacture a story that he would endeavor to harm some one he disliked.

Acting true to Haitian form, Petit do Brave, a man who had not been in the office, barracks, or prison on the night of the attack, came the next morning to see the dead bodies of the Cacos. The person who made the remark that he had killed the men thought he was speaking the truth and paying a compliment. At that time I held a sharpshooter's medal in the Marine Corps and upon several occasions I had taken the gendarmes to the rifle range and endeavored to instruct them in shooting. The gendarmes were very proud of their skill and they realized it; they could seldom hit the target, much less the man, and when I demonstrated to them that it could be done, they considered me a fool. This accounts for the gendarme's remark that I had killed them, meaning that I had been the only one who would have been likely to kill them.

ing the engagement. Petit do Brave, not knowing of these circumstances upon his imagination, and invented various tales to account at he had been told that I had shot the men.

to impress upon the minds of the court the circumstances related the assembling of the dead Cacos killed in action, in one group, prison. I honestly believe that the reports and stories that have in affair are due solely to this cause; particularly so, as the Haitian engaged in an engagement, is never much in evidence as a an attack.

rst week in November, 1918, I was subdistrict commander at and I was informed that there had been a chief of division of the with a rifle and 132 rounds of ammunition, and that he was in red him brought, with a gendarme guard, to my house, so I could Cacos. The gendarme guard brought the Cacos prisoner to the my house; this porch faces the prison, and is across the plaza a ut 200 yards. It was nearing dusk. I asked the prisoner several hen told the gendarme guard, in his native tongue, to return the prison and confine him. The prisoner must have heard me say arme guard. The gendarme then ordered the prisoner to precede gendarme, walking behind the prisoner, they proceeded in the prison, for a distance of about 100 yards. I had started toward gendarmerie, taking a route at right angles to that taken by the the prisoner. At about this time I heard the shout: "Halte la!" I then two or three shots fired.

turning toward the prison I saw the Cacos prisoner running and was firing at him. There were thick woods behind and on two prison. Apparently the prisoner had not been struck, as he was e woods. It was clear that some action would have to be taken the escape of this dangerous and important prisoner. I turned to my front porch. There was a Lewis machine gun on my front been there for 10 days or more. It was left there day and night s ready for use, as the town of Hinche was exposed and attacks at any time. Dropping behind this machine gun I sighted on the er and fired one quick spurt of less than 10 shots. The prisoner d upon inspection it was found that he was dead. He was buried rd known as Latt. I immediately proceeded to the quarters of e, who was then the district commander of Hinche, and reported im.

in, the sergeant in charge of the prison, has an excellent record, t of the attack he alone had keys to the prison doors, and it would lutely impossible for any prisoners to have been taken from the his knowledge.

y, who had the prison records, would have known had there been missing or dead.

at any time shot any Haitian prisoner, except the one time de- n, and that was in obedience to the first rule that I ever learned States Marine Corps.

ADVOCATE. The judge advocate has no argument to make in con- ds phase of the case at the present time.

ED PARTY. I would like to inform the court, sir, that I do not d any further sessions.

ed party thereupon withdrew.

s. a witness called by the judge advocate, entered, and was duly

d by the JUDGE ADVOCATE:

What is your name, residence, and profession?

is Gilles: I live in Port au Prince, and am a doctor.

Do you know anything of your personal knowledge, in regard f any Haitian by Lieutenant Barrett?

, sir.

Can you give his full name?

ayette Barrett.

Please relate what you know.

ile the election for magistrate was going on—

## Examined by the COURT:

5. Question. At what place?

Answer. Aquin. While the election was going on in Aquin for me there was a disturbance between the crowd and the gendarmes. I, Barrett was at the voting place, not far from the gendarme barracks. He saw the disturbance he went out in the street. While crossing the place he was assaulted by four or five persons. One of them had a revolver while the others were beating him on the back. It was then he drew his revolver and shot the man. When the man fell dead the others ran. It was a case of self defense.

## Examined by the JUDGE ADVOCATE:

6. Question. How far away were you from Lieutenant Barrett when he was killed?

Answer. I was right with him, you see. We went out together to the voting place to the gendarme barracks. We were crossing together the place. Of course he was just four or five steps in front of me.

7. Question. Do you know the name of the Haitian who was killed?

Answer. Well, I can not remember his name now.

8. Question. How long ago was this?

Answer. 1917, I believe.

## Examined by the COURT:

9. Question. Do you know why these persons attacked Lieutenant Barrett?

Answer. No; I can not say; I don't know.

10. Question. Was it the person who was assaulting him in front of him who was killed?

Answer. Yes, sir. The case was taken up by the Haitian justice and the procès verbal has been issued accordingly.

11. Question. Do you know the result of the inquiry by the Haitian justice?

Answer. Yes.

12. Question. What was the result?

Answer. The result was that they said it was a case of self-defense.

13. Question. Were you present at the decision of the court?

Answer. No.

14. Question. When did the court make the decision?

Answer. Well, I know the court made a decision, but I was not present when it was taken.

15. Question. How do you know what the decision was?

Answer. Well, everybody knows it in Aquin.

16. Question. From rumor, then?

Answer. From rumor; yes, sir.

(None of the parties to the inquiry desired further to examine the witness and he withdrew.)

The judge advocate announced: I have no further testimony to bring before the court at this time and can not now state when I will be able to examine any other witnesses, if any.

The COURT. That being the case, the court will adjourn to await the call of the president of the court.

The court then, at 11 o'clock a. m., adjourned to await the call of the president.

## SEVENTEENTH DAY.

## BOARD ROOM.

*Port au Prince, Haiti, November 24, 1917.*

The court met at 10 a. m., pursuant to call of the president.

Present: All the members and the judge advocate.

The reading of the record of proceedings of the sixteenth day was postponed until the next meeting of the court.

The court was cleared.

The president of the court announced that the court desired the judge advocate to define the procedure of the court, and requested him to define precisely—

First. His understanding of the scope of the present inquiry;

Second. The suitable and adequate methods to be followed; and

Third. How best the court may acquire the necessary information and to formulate its conclusions concerning the general conduct of our armed forces.

VOCATE. Expressing my opinion as to the specific questions asked, I desire first to refer to page 257, Naval Courts hereon it is stated:

\* \* \* is convened only for the purpose of informing the court in a preliminary way as to the facts involved in the inquiry."

Naval Courts and Boards, referring to the precept, it is stated the records of the board, previously held in reference to the matter, nor papers of any kind shall be attached to or made a part of the court of inquiry. Such records or papers may, however, be sent to the judge advocate for the purpose of ascertaining out all the facts in regard to the matter under inquiry. Such court shall also specifically name, as defendants and interested persons who appear to be such from the outset."

Naval Courts and Boards, paragraph 534, states:

ed: When a court is required to report facts, it is not to be limited to the bare record of the testimony is meant, but also the result of the court from hearing the evidence."

inquiry, so far as it is a court at all, is a special temporary authority which calls it into being, and which is the only authority that can act at all, is the precept. The scope of the inquiry can only be determined by reference to the precept. Whatever is not specifically or by implication found within the four corners of the precept is without the inquiry, and any attempt made to inquire into matters not coming within the precept is extrajudicial, and the members of the court are to inquire as individuals only, without any legal authority, but the authority which they possess as a court of inquiry.

of inquiry has, while acting within the scope of the precept, powers in the ability to affect the rights and interests of individuals. The precept should be rather strictly construed. The affirmative in any case always lies with the court.

In the above opinion in view, I now refer to the original precept itself and the amendment thereto which the convening authority has since added. It requires the court "to inquire into the question of the conduct of the members of the United States Naval service in Haiti since \* \* \*

This direction is very broad, but it is followed with a restriction with a view to determining whether any unjustifiable homicides have been committed by any of such personnel, whether any other unjustifiable acts of violence have been perpetrated against any of the citizens or any unjustifiable damage or destruction of their property has

anything to be inquired into by the court is the question of unjustifiable acts which may have been committed by any of the personnel in accordance with the general rules of interpretation which are in the present instance, the other unjustifiable acts of oppression should be considered to be such acts as are of a very grave nature. Offenses, such as might properly be tried by a deck court, or punished by the officers' authority, are not, in my opinion, indicated by the precept inquired into by the court in connection with such felonious acts as homicides.

Then, is to inquire into the question as to whether such grave acts have been committed by any of the personnel in question. The answer thereto is derived from the precept:

"If the court finds that any of the above-mentioned unjustifiable acts have been committed" the court is required further to report as to the degree of culpability attached to each and every person immediately or mediately responsible for such unjustifiable acts. In order that the court may make such report, it is included within the scope of its inquiry the duty of obtaining the names of the responsible parties. Particular attention is invited to the fact that the further inquiry is to take place only in case some one or more of the above-mentioned unjustifiable acts are found by the court to have been committed. As soon as the court finds that some such acts have been committed, it is manifestly impossible to attempt to find a responsible party. The principle of corpus delicti applies here. In such offenses as unjustifiable acts of arson it is necessary to furnish reasonably satisfactory evidence of the burning before evidence can be introduced to show that the act was criminal.

It is not necessary to prove the corpus delicti beyond a reasonable doubt. The court must have some belief in the existence of the act before it enters into the question as to whether there be an actor, much less the question of determining degrees of responsibility among various persons for an act. The court does not believe was ever committed.

In paragraph 2 of the precept, the court is directed to include in its conclusions as to whether "practically indiscriminate killing of natives has been going on for some time." In order to arrive at its conclusions, it is to infer that the precept authorizes inquiry into whether natives have been killed, the number and the manner of their killing, as well as the cause.

The amendment to the precept further requires the court to give its conclusions "as to the general conduct of the personnel of the naval arm of Haiti since 28th July, 1915." This latter requirement also would require the court to inquire into the general conduct of the personnel in order to obtain matter on which to base its conclusions. I have reserved to myself the privilege of inviting your attention to the wording of this amendment which clearly indicates that in paragraph 1 of the precept, no inquiry into the general conduct of the personnel in question was directed, but only an inquiry in connection with determining whether the mentioned unjustifiable acts had been committed.

Concluding my answer to the first question, there is no doubt in my mind that the court would be without any legal justification in attempting to enlarge the scope of the present inquiry beyond what is directed in the precept. As individuals we might think that other matters should be inquired into or we might surmise that the convening authority would like to have information as to other facts, or we might imagine that the convening authority does not intend to have such a broad inquiry as above outlined. We have, however, to base our conclusions on anything except the language of the precept itself, and in construing that language the construction should be as liberal as to disregard the ordinary meaning of the words and phrases.

Coming now to the second question: The methods to be followed in conducting an inquiry are covered in part by paragraph 505. Naval Courts-martial, page 260, wherein are defined the duties of the judge advocate. Particular attention is invited to subparagraph (g), in which it is stated:

"In general he is the prosecutor of the case and is responsible for bringing out all the facts."

Parties to the inquiry necessarily have the right to bring out facts, and the judge advocate ordinarily leaves to them the burden of presenting their own witnesses and introducing their own evidence. If, however, there is reason to believe that the facts will not truly be brought before the court, the judge advocate may assist any interested party with his defense.

For the information of the court I might state here that in performing my duty as judge advocate, I have been and am still endeavoring to trace the sources the various rumors which are afloat regarding matters covered by the precept. Any person whom I have found that claims to have first-hand knowledge of any alleged unjustifiable acts as referred to in the precept, brought before the court and placed upon the witness stand. While not intending to try causes out of court, I have not brought people in as witnesses admitting to be true everything they claimed, there could in law be no question of their being able acts, but where it was a question of fact, I have not attempted to pass any judgment in the matter. An incident in point is the case of a witness who first told me he knew of unjustifiable acts and who later denied such acts. He was placed upon the witness stand for the court to judge his testimony. I am endeavoring to place before the court everything which possibly comes into evidence of unjustifiable acts having been committed. I may add to my above-expressed opinion that it is not a suitable method to allow an inquiry into the question of responsibility until the corpus delicti is proved.

In this connection I respectfully request that the court may infer at any time they have sufficient evidence of an unjustifiable act to warrant taking inquiry as to the parties responsible for that act.

Any charge which is important enough to be brought in this court should have presumptive proof at least back of it. Charges made on rumor or on mere hearsay and gossip are not other than slanderous, and I am sure that those who propagate and to those who disseminate them. In attempting to bring witnesses before this court I have used every means to locate and produce those who claimed to be able to give testimony as to facts. I am

assemble mere scandalmongers and afford them an opportunity to stand, under the guise of giving testimony, stories which they antiate by their own knowledge or the sworn testimony of any person. While following the outlined procedure, every concrete carefully followed up and the testimony and other evidence has e placed before the court for its finding of facts.

v to the third question: The question of the general conduct of of the naval service that has performed duty in Haiti since July best be judged by the comparison of conditions in Haiti prior to n and since. It is not so much a question of this man's opinion ; opinion. That personnel should be judged by their work. Did ernal peace before the occupation, or did she have any prospects : without the assistance of our forces; are conditions in that reter today; was the former method of government ever one in the ne masses or was it a method of allowing the favored few to fat- isfortunes of the many; has our intervention improved prior con- it respect; are our officers and men interested in the welfare of eople as a whole or are they indifferent to their welfare; has the nel protected the industrious and well behaved and brought to il doer, or do the reverse that process?

: propositions these questions are too involved and cover too wide settled by the testimony of a few persons. The conduct of our y be judged, in some small part, by the fact that you have evi- me few of them have committed crimes. As to the other, the he overshadowing part, the judgment must be based on other than nduct of these men must be judged by what they have achieved the consideration always in mind of the condition of the ground menced to cultivate it and the tools they had to work with. ie nature of an ordinary court in many respects, it might occur : historical data and general observations and the like are not which the court can form any conclusion—why not procure the ony of witnesses? It would, of course, be opinion testimony, but that?

e lies with the judge advocate. Take the case of the officer who ole for the destruction of the notorious Charlemagne and his pow- f insurgents. His superior officers recommended him for a medal the President of the United States awarded that medal. Some iter, whose name I forget, says that officer did a shameful thing, e contrary, the President publishes to the naval service as heroic of the highest honor. Shall the judge advocate call the writer and t, both of whom know of the case by hearsay only, and record testimony for the judgment of the court?

d go on. We could spend a few years in Haiti calling one after e natives until a majority had been obtained one way or the other n as to what the Haitians think of the conduct of our forces. Then on calling the various individuals who have served in Haiti and opinion of their own conduct and the conduct of those with whom

s and the crew of a wrecked ship can be assembled before a court ad asked individually or collectively if they have any complaint to the conduct of any officer or man during the time of danger and is way the court may obtain sworn testimony as to the conduct of ad of the crew; not so with the officers (the forces of the occupation . 1915), and the crew (the citizens of Haiti). The judge advocate also admits, his inability to perform the duty for the court of assem- witnesses.

ole to assemble the whole of the witnesses in question, or even any minority of them, the judge advocate is forced to conclude that the uthority did not intend that any attempt to do so would be made. h authority of law does not require the performance of impossibili- above assumption be correct, we are forced to the conclusion that g authority relied upon the known ability, the long service and ex- l the high character of the members of this court, which qualifica- enable them to appreciate conditions of the service in Haiti, and eir general knowledge and observations, reinforced by their special situation, they would form their conclusions.

(The president of the court announced that the court concurred in the opinion of the judge advocate as to the scope of the present inquiry and the methods to be followed in pursuing the inquiry.)

(The court then, at 11 a. m., adjourned to await the call of the president.)

#### EIGHTEENTH DAY.

BOARD ROOM, Port au Prince, Haïti.  
November 2.

The court met at 11 a. m., pursuant to call of the president.

Present: All the members, the judge advocate, and parties to the case, except Mr. Lang).

The record of the proceedings of the sixteenth day was read and approved.

The judge advocate announced: The record of the proceedings of the seventeenth day has not yet been completely written up, and it will be necessary to postpone reading the same until the next meeting of the court.

No witnesses not otherwise connected with the inquiry were present.

LOUIS CUKELA, second lieutenant, United States Marine Corps, a witness called by the judge advocate, entered and was duly sworn.

Examined by the JUDGE ADVOCATE:

1. Question. What is your name, rank, and present station?

Answer. Second Lieutenant Louis Cukela, United States Marine Corps, stationed at Maïssade, Republic of Haiti.

2. Question. Did you ever burn down any houses belonging to the Haïtians?

Answer. Yes, sir; two.

3. Question. Give the place and date where the burning occurred?

Answer. It is a question of my diary, sir.

4. Question. You can state as nearly as you can recollect the place?

Answer. In December, 1919.

5. Question. Where?

Answer. At a section of Rivier Canot.

6. Question. Why did you burn the houses?

Answer. Because the houses, or the roof of the houses, contained small arms ammunition, which I personally saw, 45:70 caliber ammunition, the same as rifle ammunition.

7. Question. Why did you burn down the houses in place of searching for the ammunition and removing that?

Answer. At that time I did not have enough time to spend in the search, because my orders told me to proceed farther to another section at a later time, which I could not spare in fooling around.

8. Question. How do you know there was ammunition in the houses?

Answer. Because I found it personally.

9. Question. Was there any ammunition in the houses which you personally found?

Answer. I beg pardon—was there ammunition—

10. Question. Besides what you personally found?

Answer. Yes, sir.

11. Question. How do you know?

Answer. When I put the houses afire, I was forced to retire with me about 300 yards from the place while the ammunition was exploding.

12. Question. Were these houses located in a section where active operations were going on, or otherwise?

Answer. Yes, sir.

13. Question. What kind of houses were the ones burned?

Answer. The two houses that I burned in that locality were the houses belonging to Cadeus Belgrade.

14. Question. What kind of construction were the houses?

Answer. The houses were typical Haïtian cays, covered with thatch.

15. Question. What do you mean by "mystery houses"?

Answer. When I entered in the house I found a native knife stuck in the center of the floor with a table with many different rocks—mystery rocks and several Roman Catholic images, with Hebrew images attached to them. I am more than sure that these houses were mystery houses because I found a voodoo book on the table, a book which deals on spiritualism, superstitions, and different voodoo rites.

n. Were the houses used as dwelling places by any persons?

y, sir.

n. Did they have any domestic utensils in them?

o, sir.

n. Why did you not fully explain all the circumstances regarding the houses when you testified before the military commission? Why, because I was unofficially told by one of the members of the mission to not go so far in detail. That was the very cause that g is not explained thoroughly, which necessitates, now, for me to

n. Did you ever take possession of any personal property of Cade?

es, sir.

n. Explain the circumstances.

confiscated all the animals on his plantation, which, in the field, rightful to take from any native who was abetting and who was active bandits. The animals which I took from Cadeus Belgrade r into Mirebalais to the commanding officer, at that time Major

n. What military duty were you engaged upon while making the which you testified?

s officer in charge of the patrol in quiet territory, the natives were on habitans. In the districts that are infested with cacos or rents, they are treated purely as enemies.

n. The district in which you were operating at the time you burned was that one of the districts infested by cacos?

es, sir.

ie parties to the inquiry desired further to examine this witness, Irew.

OSTERMAN, major, United States Marine Corps, a witness called by vocate, entered and was duly sworn.

ned by the JUDGE ADVOCATE:

1. What is your name, rank, and present station?

Iward A. Osterman, major, United States Marine Corps, attached g with the constabulary detachment, Port au Prince, Haiti.

1. What duty were you performing around December, 1919?

rom the 1st of December to the 23d of December I was in camps in the field at—troops in the field in the district of Mirebalais.

1. Was Second Lieut. Louis Cekula serving under your command?

e was.

1. Do you recall the burning of two native houses by Lieutenant

do.

1. Acting in accordance with instructions which he may have n you or superior authority, was he going beyond his duty in houses in case he had reasonable ground to believe that any- nealed therein, and he had other duties to perform that required e location of the houses as soon as practicable?

1 the case in question I consider that Lieutenant Cekula was fully destroying the houses. His mission was such that it would not lay unless the houses had been of a more substantial construction, ider that he should have searched the houses. But where, as I case, his mission was urgent and the houses of the usual rural I consider that he was justified in destroying the houses in order e ammunition.

1. Have you any knowledge as to the value of the houses or the ones burned?

had occasion to construct a house of larger dimensions than the were burned, and, as I recall it, it cose us \$40 for the material of construction.

1. Was it any offense for a Haitian in the district in which you ant Cekula were operating to have arms or ammunition in his

es. On numerous occasions I sent officers with interpreters to the population of the various habitations and villages in the

district of Mirebalais, to inform the people that any person who gave aid or ammunition to the bandits or in their behalf was giving aid to the bandits and as unfriendly to the Administration of the Haitian Government. This with other propaganda was made throughout the entire district.

8. Question. Do you know anything of any person belonging to Cadeus Belgrade, having been connected with the parties?

Answer. I recall that some horses were confiscated by the troops and turned in to the Marine Corps quartermaster at Mirebalais. I received instructions to the effect that whenever animals were confiscated from those who were arrested for other crimes or from those who were arrested for other crimes, the animals were to be turned in to the quartermaster. We found that the bandit leaders had large numbers of animals which they had confiscated from the real owners and had been turned in to the Marine Corps. The real owners would appear and identify these animals by their papers and brands. When the animals were properly identified, the owners they were always turned over to them.

9. Question. Was it necessary for officers, acting under your orders, to seize property and turn it in, as you have described, or was it a sort of formal investigation as to the character of the property, or did they have to act on their own initiative in order to comply with the requirements of the situation?

Answer. On account of the large territory which it was necessary to cover, the comparatively few officers and men available, it was necessary, and almost a rule, that officers were required to go on patrol for two or three weeks at a time, and it was therefore necessary for them to act on their own initiative, although a report of any such action was made to the commanding officer of the troops in the field.

None of the parties to the inquiry desired further to examine the witnesses and he withdrew.

(The court then, at 11.40 a. m., adjourned to await the call of the next day.)

#### NINETEENTH DAY.

Board of Inquiry.

Port au Prince, Haiti, November 19, 1934.

The court met at 10 a. m., pursuant to call of the president.

Present: All the members and parties to the inquiry (except Mr. L. J. B. Interested party).

No witnesses not otherwise connected with the inquiry were present.

The records of the proceedings of the 17th day and the 18th day were read and approved, that part of the proceedings of the 17th day, which was the matter where the court was closed, being read in closed court.

Sergt. Doras Lee Williams, United States Marine Corps, an interpreter, entered and with the permission of the court, introduced Maj. Edward J. Williams, United States Marine Corps, as his counsel, and Capt. Patrick J. Williams, gendarmerie d'Haiti, as his assistant counsel.

Simeon Gabo, a witness called by the judge advocate, entered and was warned that the oath which he had previously taken was still binding.

The testimony given by the witness on the fifteenth day of the inquiry was read by the judge advocate.

Cross examined by COUNSEL FOR INTERESTED PARTY (through the interpreter.)

37. Question. You stated in your testimony that the town, meaning Malssade, in the Republic of Haiti, was attacked on the date on which Jean met his death. What did the inhabitants of the town do during the attack?

Answer. They came to the bureau of the gendarmerie and slept there.

38. Question. How many of them came to the bureau?

Answer. Many of them.

39. Question. Was Gagnier Jean one of these persons?

Answer. No.

40. Question. Is it not true that most of the inhabitants left the town during this attack and ran into the bushes?

Answer. Yes.

When Gagnier Jean was brought to the bureau, who brought  
 sergeant Carlius.

Carlius Absolu?

Carlius Absolu.

Was Carlius Absolu present during the alleged beating?

During the beating which you state took place?

Was Sergt. Sandolvilus Francisco present during the time the  
 took place?

He was not present. He was in the village, but not present.

Did you notice whether or not Gagnier Jean had a blanket or  
 on his stomach at this time?

When they went for him he had fever; he was sick with fever.  
 suit.

Please repeat the question.

Supper repeated the question.)

State whether or not he had a blanket or bandage or any cloth  
 the time he was brought to the bureau.

He did not notice. He had a towel around his neck.

At about what time did you leave the bureau?

At the time I was there.

Were you on duty the entire night?

Yes; I was on guard.

Did you remain awake and on duty the entire night?

Yes; I took duty from 6 to 10. I was relieved afterwards.

You stated that you were on duty the entire night in answer to  
 question, and now you state that you were relieved at 10 o'clock.  
 At what time did you leave the bureau?

Left inside the office.

At what time did you go to sleep?

At 10 o'clock.

When you were on post at the bureau, what was the extent of  
 in other words, in your orders for that post, what area did you

patrolled—go and come before the office.

Do you mean that you were walking back and forth outside  
 the door?

Outside of the door.

Is there a wall built around the barracks?

Yes; there is a wall around the barracks.

Is it not true that the sentinel is ordinarily posted outside of

On the outside of the wall?

About how high is this wall?

High [indicating about 3 feet].

Where were you during the alleged beating—outside the wall  
 or in the office?

Outside.

Do you know whether or not Gagnier Jean had been wounded  
 on the town?

He was not wounded.

How do you know he was not wounded?

Because he was in the village—inside the village at all times.

Did you examine him to determine whether or not he had been

wounded only like that, but I can not say if he was wounded.

On the night in question when Lieutenant Williams returned to  
 about 10.45 p. m., did or did you not challenge him?  
 He was at the office—

We are talking about the same night; not the next night.

He was standing in the street and Lieutenant Williams passed in the  
 back of the yard.

What is the answer?

Answer. He was standing in the street and Lieutenant Williams was in the rear of the yard.

67. Question. Did you have any conversation with Lieutenant Williams at this time?

Answer. He entered the gendarmerie office by the rear and I saw him.

68. Question. Do you not recall that he asked you whether everything was all right or not at the bureau and you replied yes?

Answer. Not me.

69. Question. Did you see the judge de pais of Maïssade at any time during the evening?

Answer. Yes; the judge de pais fought with us against the Cacoon and slept at the office.

70. Question. Was the judge de pais present during this alleged beating?

Answer. No one could approach the office at that time.

71. Question. Why not?

Answer. The lieutenant did not want anybody to approach.

Reexamined by the JUDGE ADVOCATE:

72. Question. How many persons slept in the bureau that night during the fight?

Answer. Many people—many persons.

73. Question. How many rooms are there in the bureau?

Answer. Three rooms.

74. Question. How many persons slept in the same room with you?

Answer. Nine gendarmes.

75. Question. Did the beating of Gagnier Jean occur while you were on post or after you came off post at 10 o'clock?

Answer. It was while I was on post as sentry, and at 6 o'clock I was beating him—up until 8 o'clock.

76. Question. Did the beating last about two hours?

Answer. Yes; he beat him up and afterwards beat him again. He stopped and beat him again.

77. Question. Do I understand correctly that you were walking past near the wall, while these various beatings occurred?

Answer. Yes.

78. Question. Did you actually see any of the blows struck?

Answer. Yes.

79. Question. Did you look into the bureau through a window or through a door?

Answer. Through a door.

80. Question. Was the door open or closed?

Answer. Open.

81. Could any person passing along the street look through the door?

Answer. Yes; even the cries of this man anybody could hear.

82. Question. Was there a light burning in the room where the beating took place?

Answer. Yes.

None of the parties to the inquiry desired further to examine the witness and he withdrew.

SANDOVILUS FRANCISCO, a witness called by the judge advocate, was duly sworn.

Examined by the JUDGE ADVOCATE:

1. Question. What is your name, rank, and present station?

Answer. Sandovilus Francisco, sergeant, Gendarmerie d'Haiti.

2. Question. Where are you stationed?

Answer. Chabin.

3. Question. Do you know former Lieut. Doras Williams?

Answer. Yes.

4. Question. Is he here in the court room?

Answer. Yes.

5. Question. Point him out.

(The witness pointed to the interested party.)

6. Question. Where were you serving in March, 1919?

Answer. Maïssade.

7. Question. How do you know it was March you were serving there?

as all the time I was at Maissade.

Do you recall an attack by the Cacos on Maissade?

Now a man named Gagnier Jean in Maissade?

; I know him.

Where was he during the fight with the Cacos at Maissade?

During the attack I can not say where he was, but I guess—

I do not want your guess; state only what you know.

I do not know where he was, because during the attack I was busy.

Did you see Gagnier Jean after the attack?

After the attack I did not see him; only I saw him at 6 o'clock.

Where were you at 6 o'clock, when you saw him?

Was in the office.

What office?

Office of the gendarmerie.

Where was Mr. Gagnier?

Went home.

Could you see from the bureau to Mr. Gagnier's home?

When they sent for him is when I saw him.

Where was he when you first saw him?

Was inside the office.

In the same room with you?

What happened in the office that concerned Mr. Gagnier?

While in the office he sat on a chair.

How long a time was it during which you saw him in the office?

Was there from 6 o'clock to 7 o'clock, and at 6 o'clock I left and

At what time did Mr. Gagnier reach the office?

3 o'clock.

And what time did you leave the office?

Left the office a good time after he arrived.

Who else was in the same room with Mr. Gagnier?

Myself, the other sergeant, Carius, and two or three other gendarmes.

Was there any white man there then?

; the lieutenant was there.

What lieutenant?

Lieutenant Williams.

What happened that you saw or heard going on in the office?

Saw Lieutenant Williams speaking with Gagnier, and I turned my

back to the office, and when I returned from the patrol I was told—

I do not want that; just state what you know yourself. Did

any trouble between Lieutenant Williams and Mr. Gagnier?

Did you see either one of them strike the other one?

I did not see any.

Do you remember an affidavit you made in regard to the alleged Gagnier?

; I know I made an affidavit or report at Cape Haitien.

Do you remember what you said in that report or affidavit?

; what I have already stated to you.

Did you not also state in that affidavit you saw Mr. Williams strike Gagnier with a stick?

As stated in the report that when I came from patrolling I heard that he had beaten up Gagnier Jean.

Who told you that the beating had taken place?

When I came from patrol; when I arrived before the gendarmerie I saw a few people before the office and was asking of me if Gagnier was in there that I did not know anything about it, as I did not see, I did not know about it.

Examined by the interested party (counsel):

When you signed this affidavit at the Cape, did you know what you were signing?

I did not know what I signed.

You stated in your testimony that you were present in the office at 6 and 7 o'clock, approximately an hour, on the date in question. Can you state when you left the office?

Answer. I left him alive.

33. Question. Do you recall whether or not Mr. Gagnier Jean wore : about his stomach, or a blanket or other covering?

Answer. Yes; a blanket.

36. Question. Do you know whether or not he had been wounded : attack on the town?

Answer. No; I did not see that he was wounded, but I saw wh : with the blanket around him.

37. Question. Do you know what is known as a *procès verbal*—a : tutes a *procès verbal* in the Haitian courts?

Answer. Yes.

38. Question. When are these processes prepared—in what cases?

Answer. When anything occurs.

By the JUDGE ADVOCATE. May it please the court, I do not see the : of this with the testimony of the witness, if this is cross-examination : direct examination. If it is something else that counsel desires to : I think it ought to be put before the court and an explanation made : he desires to ask this witness the questions.

COUNSEL FOR INTERESTED PARTY. I would like to state for the ill : the court that in Haiti whenever a person dies or is killed a process : is prepared by the judge de pais in that community, and in that : cause of the death is set forth. In this case there was a process : pared by the city judge, signed by the officials, and I am endeavoring : that *procès verbal* to produce before the court.

The COURT. I think that the court desires that the interested party : as much latitude as possible in bringing out the facts.

The JUDGE ADVOCATE. I simply wanted to bring out the statement : According to the law of the country the process is better evidence : than the testimony of the sergeant of gendarmes on the same : court can take judicial notice of such things, or have them proved by : evidence that they may desire. There being no dispute as to what : stated to be the law in this country with reference to the process, it is : sary for him to call the sergeant of gendarmes to prove what the : country is. If there is any doubt, we might call an expert—a lawyer : testimony on the subject.

The COURT. I understand what he is endeavoring to do is to find out : witness whether or not the law in the case was carried out.

The JUDGE ADVOCATE. The best evidence would be to produce : verbal or an attested copy, and not what someone who did not make : did not have any legal duty with reference to it has to state about : the reason I object to it.

COUNSEL FOR THE INTERESTED PARTY. I was just using this witness : mony as a method of bringing it before the court, and I will withdraw : question.

Reexamined by the JUDGE ADVOCATE:

39. Question. Was not the declaration you signed at the Cape n : you before you signed it?

Answer. No.

Recross-examined by COUNSEL FOR INTERESTED PARTY:

40. Question. During the time you were in the office was the door : reau open or closed?

Answer. Open.

None of the parties to the inquiry desired further to examine th : and he withdrew.

ZABALON GARNIER, a witness called by the judge advocate, exte : duly sworn.

Examined by the JUDGE ADVOCATE (through the interpreter):

1. Question. What is your name?

Answer. Zabalon Garnier.

2. Question. How do you spell your name?

Answer. Z-a-b-a-l-o-n G-a-r-n-i-e-r.

3. Question. What is your residence?

Answer. Gonave.

4. Question. Occupation?

lent in Port au Prince,

Was Garnier Jean, who lived at Maissade, your father?

: he was a notary public at Maissade.

Was he your father?

: he was my father.

Do you remember an attack on Maissade by Cacos last year?

What was the date, as near as you recollect?

uary 14.

1919 or 1920?

What time of the day was this attack made on the town?  
between 1 and 2 o'clock.

About how long did it last?

I do not know exactly, but I believe it was at 4 o'clock?

It ended at 4 o'clock?

ended at 4.

Where were you during the attack—in what part of the town?  
I was at home with my father.

Was your father in the house with you?

What did your father do during the attack?

He was sitting down at home, and as they were firing outside,  
he was sitting there.

After the attack was over, where did your father go?

He immediately afterwards went to the gendarmerie office.

Did you go with him?

How long did your father remain there?

He remained there until 6 o'clock, and Lieutenant Williams told  
me that he was there to go, and in case he should need them he would send

What did you and your father do then, after being told that?  
We went home.

How long did you remain at home then?

We remained home until 8 o'clock and then went to bed.

Did you go to sleep then?

How long did you remain asleep, about—until what hour  
did you wake up?

I slept until 10 o'clock, when Lieutenant Williams sent Carius for  
me. Carius knocked at the door, and I asked who was there, and he  
said that Lieutenant Williams sent for my father. My father left with Carius, and  
I stayed at home. But Carius told me to go back. When my father reached  
the office I heard him cry out: "What have I done? Why are you  
treating me like that? What I done? Why do you massacre me like that?"  
He brought him up, and I got up on my porch and wanted to go to the  
office, but I was afraid to be killed, and therefore I did not go.  
The next morning I was arrested by a gendarme  
who is downstairs. It was about 6 o'clock the next morning  
that I was taken to the gendarmerie office. The lieutenant asked me if my  
father was the elder boy. I replied no. He asked me if he had a wife. I an-  
swered yes. He said yes he would have killed me. I was kept there  
the next day. After three days I was released.

The Lieutenant Williams you speak of—is he in the court room?

Point him out.

The witness pointed to the interested party.)

Examined by COUNSEL FOR INTERESTED PARTY:

Did you actually see with your own eyes your father beaten?

ADVOCATE. I object to that question. He has not testified he saw  
it.

EXAMINING PARTY. I will withdraw that question.

Examined by COUNSEL FOR INTERESTED PARTY:

During the attack on the town of Maissade did the cacos enter

Answer. No.

27. Question. Did you remain in your house during the attack?

Answer. Yes.

28. Question. From what direction did the Cacos enter the town?

Answer. They came from the direction of a place—I do not know the name, but I believe it is Savon Lapalais, but I can not state where they came from that direction. I do not know where the Cacos came from.

29. Question. Was there any firing in the vicinity of your house?

Answer. Yes; they were firing all around the village; I can not say before my house or the neighborhood only, but the neighborhood all around.

30. Question. Is it not true that a number of Cacos were in your office at the bureau?

Answer. No.

31. Question. Why didn't you and your father go to the gendarmerie for protection when the town was attacked?

Answer. We did not know or expect the bandits to enter the village; we would have done so, but as soon as the Cacos left we reported it to the office of the gendarmerie.

Reexamined by the JUDGE ADVOCATE:

32. Question. How do you know no Cacos entered the yard near your house?

Answer. If they entered my place, I would have seen them.

33. Question. Were the shutters and doors of your house closed during the attack?

Answer. The doors were half open.

34. Question. Did you not tell me yesterday, when we talked a case, that the doors and windows were all closed to keep out bullets?

Answer. Yes; the doors were closed to prevent disorder.

35. Question. Which is correct? Were the doors and windows all closed or any of them open?

Answer. All the doors were closed while we remained inside.

36. Question. Could you see out of your house during the fighting? Was firing going on, with those doors and windows closed?

Answer. Yes; while inside if anything happened in my yard I would have heard it.

37. Question. Were either you or your father struck by a bullet during the fighting?

Answer. Never.

38. Question. Do you remember that your father wore a towel around his neck when he went to the bureau?

Answer. No.

39. Question. Did he have on a coat?

Answer. Yes.

40. Question. Did he have a blanket or anything wrapped around his neck?

Answer. No; he went without that.

41. Question. Think carefully about whether he wore any sort of bandage around his neck.

Answer. He did not have anything around his neck.

Recross-examined by the INTERESTED PARTY (counsel):

42. Question. When the gendarmes drove the Cacos out of the town, did they pass your house?

Answer. No.

(None of the parties to the inquiry desired further to examine this witness and he withdrew.)

(The court then, at 12 o'clock, adjourned until 9.30 a. m. on Tuesday.)

TWENTIETH DAY.

BOARD OF INQUIRY

Port au Prince, Haiti, November 19, 1914.

The court met at 9.30 a. m.

Present: All the members and the parties to the inquiry (except Mr. [Name], an interested party).

No witnesses not otherwise connected with the inquiry were present.

The record of the proceedings of yesterday (the nineteenth day) was read and approved.

FRERE, a witness called by the judge advocate, entered and was

d by the JUDGE ADVOCATE (through the interpreter):

What is your name, rank, and present station?

ph Petit Frere, corporal, gendarmerie d'Haiti, stationed at

Do you know Doras L. Williams, formerly lieutenant of gen-

Is he in the court room?

Point him out.

nted to the interested party.)

Where were you stationed in the early part of last year?

che.

Were you ever stationed at Maissade?

When?

not remember the month.

Do you know what year it was?

).

Were you there the first part of 1919?

Where were you in March or February, 1919?

not remember exactly. I believe I was in Hinche or Maissade.

Were you in Maissade at any time when the town was attacked

Do you remember what year that was?

not remember what year, but I know I was in the battle—in

Did you know Garnier Jean?

Where did he live?

Maissade.

Was he living at Maissade at the time the attack was made

Do you remember how far his house was from the gendarme

; from here to the gendarme barracks.

Look out of this window and tell me if you think it is as far  
o the palace?

).

Did you see Mr. Garnier Jean in Maissade after the attack

did not see him; he was at his home.

Did you see him at any time during that evening or that night?  
er the attack he was at home.

Do you know of your own knowledge whether he stayed at  
t?

not know.

Did you not see him at the gendarme bureau at some time  
vening or night?

6 o'clock the lieutenant sent for him at his house.

How do you know?

s; after the attack I was there and the lieutenant sent for him.

Whom did the lieutenant send as a messenger?

e sergeant.

Did you hear the orders that the lieutenant gave to the

Who was the lieutenant you referred to?

utenant Williams.

n. After the lieutenant sent for Garnier Jean to come to the bu- ,  
yourself see him come to the bureau?

Answer. Yes.

27. Question. About what time did Mr. Garnier Jean arrive at the

Answer. About 6 o'clock.

28. Question. Did you see him there?

Answer. Yes; I went on patrol and left him sitting down there.

29. Question. Before you left on patrol did you hear any conversation between Lieutenant Williams and Garnier Jean?

Answer. No. I went on patrol.

30. Question. Did you see either of them strike or attempt to strike the other one?

Answer. No.

31. Question. Do you remember making a declaration at the Cape to the death of Mr. Garnier Jean?

Answer. Yes. The same declaration as I have already stated is made at Cape Haitien.

32. Question. Can you read?

Answer. Yes.

33. Question. Did you read the declaration you made before you

Answer. They did not let me read it, but I was told to sign it.

34. Question. In the declaration you signed it was stated that Lieutenant Williams beat Mr. Garnier Jean and that Garnier Jean died about an hour afterwards.

Answer. It was only the next morning when I arrived from patrol the crowd told me that Garnier Jean died.

Cross-examined by the INTERESTED PARTY (counsel):

35. Question. When you left the gendarme bureau on patrol was Garnier Jean alive?

Answer. Yes; I left him sitting down.

36. Question. When the Cacos went into the town of Maisseade, in that direction did they enter with respect to the house of Mr. Garnier Jean?

Answer. The direction of Garnier Jean's house.

37. Question. Did they fire on the gendarme bureau after entering the

Answer. Yes.

38. Question. Did you return that fire and fire at the Cacos?

Answer. Yes.

39. Question. Was Garnier Jean's house in the line of fire from the barracks?

Answer. Yes.

40. What was the construction of this house of Garnier Jean's; was it possible for a rifle ball to pass through the walls of the house or not?

Answer. I do not remember if the house of Garnier Jean is built of stone wall or is a wooden house.

41. Question. What model of rifle were the gendarmes armed with at that time?

Answer. The small rifle.

42. Question. Were the walls of the house of Garnier Jean constructed of stone or the usual mud and lath construction?

Answer. I do not remember, but I know there is a lot of stone at that part of the house.

43. Question. When Garnier Jean was brought to the office, did you see whether or not he wore a towel or other cloth about his neck, or a bandage about his waist?

Answer. Yes; when he sat in the office of the gendarmes I noticed he had something wrapped around his stomach or belly, but I believe it was a woolen blanket.

Examined by the COURT:

44. Question. How long after Mr. Garnier was taken to the bureau did you leave on patrol?

Answer. As soon as he arrived at the office I left on patrol.

None of the parties to the inquiry desired further to examine him and he withdrew.

CARLOS ARSOLU, a witness called by the judge advocate, entered and warned that the oath previously taken by him is still binding.

led by the JUDGE ADVOCATE:

1. Do you remember where you were stationed in March, 1919,

s.

11. Where?

Maissade.

12. Do you know Doras L. Williams, formerly lieutenant of gen-

s.

13. If he is in the court room, point him out.

(Witness pointed to the interested party.)

14. Did you know a man named Garnier Jean, who lived in Mais-

s.

15. Did Lieutenant Williams ever send you to bring Garnier Jean me bureau in Maissade?

s.

16. What was the date, as near as you can remember?

10 not remember the date.

17. Was it while you were stationed in Maissade?

s.

18. Were you present in Maissade during the attack on the town?

s.

19. Was it before or after that attack that you were sent by Lieutenants to bring Mr. Garnier Jean to him?

After the attack.

20. How long after?

About half an hour after.

What time of the day?

About 6.30 at night—it was dark.

21. What did you do when you received those orders from Lieutenant?

When Lieutenant Williams gave me the orders to go and get him, I came and got him.

22. Where did you take him?

To the office of the gendarmes.

23. After you arrived at the bureau with Garnier Jean and reported

Williams, what did you do?

After this Lieutenant Williams gave him a chair to sit down, and I

24. Where did you go?

I went on patrol after the Cacos.

25. Did you hear any conversation between Lieutenant Williams and Garnier Jean?

No; he did not speak before me, because I had time to leave.

26. How long did you stay at the bureau after Garnier Jean was reported to Lieutenant Williams?

At the same time I handed Garnier Jean over to Lieutenant Williams

27. Did Lieutenant Williams tell you why he wanted to see Mr. Garnier Jean?

s.

28. Do you remember making a declaration at Cape Haitien in respect of Mr. Garnier Jean?

No; at the Cape.

29. Can you read?

s.

30. Did not some person read the declaration over to you before?

No; they had me sign it.

31. What did you think the declaration said?

I did not know what it said, but they gave it to me to sign and I

32. Before the declaration was written out, did you not make any statement to some person about Garnier Jean's death?

Answer. Lieutenant Bertol asked me what I knew about the affair. I told him that Lieutenant Williams sent me to get Garnier Jean. I then turned Garnier Jean to Lieutenant Williams and I left the office. It was on my return from patrolling that I was told that Garnier Jean was killed, and I told him that all this I heard.

44. Question. Who told you that Garnier Jean was killed?

Answer. The gendarme who was at the office told me.

45. Question. What is his name?

Answer. Some gendarmes who was there at the time and who remained with me went on patrol, but I can not state which one of them.

Cross-examined by the INTERESTED PARTY (counsel):

46. Question. When the Cacos entered the town of Maissade, from what direction did they enter with respect to the house of Mr. Garnier?

Answer. They came from the rear of the house of Garnier Jean.

47. Question. Did they fire at the gendarme bureau when they entered the town?

Answer. Yes, sir; they entered the village opposite the office.

48. Question. Did the gendarmes return that fire?

Answer. Yes.

49. Question. What is the construction of Mr. Garnier's house—is it of stone or is it the usual mud and lath construction of country houses of Haiti?

By the JUDGE ADVOCATE. Why not ask him first, if he knows what it was made of and it would not then be so leading?

By COUNSEL FOR THE INTERESTED PARTY. I will withdraw the question.

50. Question. How was the house of Garnier Jean constructed—of what material?

Answer. It is a wooden house with a wall at the lower part of the house.

51. Question. Indicate the height of this wall at the base of the house.

Answer. (Witness indicated about 3 feet.)

52. Question. Do you know whether or not the rifle balls from the Cacos' rifles would penetrate these walls?

Answer. Yes; any kind of bullets would go through the house.

53. Question. Did you see the body of Garnier Jean the day following the attack?

Answer. No; I did not look at the body.

54. Question. Do you know whether or not the judge de pais prepared a procès verbal in this case?

Answer. I do not know if the judge de pais made a procès verbal. I did not see it.

55. Question. When Garnier Jean was brought to the bureau by you, did you notice whether or not he had a towel around his neck, or a blanket or anything around his stomach?

Answer. I noticed that he had a towel wrapped around his neck and a jacket.

56. Question. Repeat the question, please.

(The stenographer repeated the question.)

Answer. He had the towel wrapped around his neck.

(None of the parties to the inquiry desired further to examine this witness, and he withdrew.)

First Lieut. JULES ANDRE, gendarmerie d'Haiti, a witness called by the interested party (Sergeant Williams), entered and was duly sworn.

Examined by the JUDGE ADVOCATE (through interpreter):

1. Question. What is your name, rank, and present station?

Answer. Jules Andre, first lieutenant gendarmerie d'Haiti; stationed at Maissade.

Examined by the INTERESTED PARTY (counsel):

2. Question. Have you visited Maissade recently?

Answer. Yes, sir.

3. Question. During your visit to Maissade, did any papers pertaining to the office of the judge de pais of that place come into your possession?

Answer. I went to Maissade yesterday and I took the record file from the judge de pais—copies of the letters in the file of the judge de pais.

4. Question. Are those letters now in your possession?

8.

. Produce them.

ss thereupon produced certain papers.)

The court would like to ask the judge advocate if, in his opinion, ently authenticated as an official document to be received in evi-

ADVOCATE. It can be received, I think, as evidence. The weight it, I think, is a matter to be determined by the court.

The court understands that these papers can not be attached to

ADVOCATE. No, sir.

They will simply have to be read into the record?

ADVOCATE. Yes, sir.

ned by the INTERESTED PARTY (counsel).

. State to the court exactly how these copies of letters came into on.

left here yesterday afternoon by airplane for Maissade, and upon e judge was not present. I asked of his representative, who is the ge, to give me the records of the procès verbal in regard to Mr. It is this document that he gave me.

1. If there are any entries in this document regarding the death of read them.

his is a letter written by the judge de pais on February 15, 1919, to ary government of the city of Gonaives:

ARY: I am in haste to inform you that the bandits attacked the vil- y noon. During the fight the notary, Garnier Jean, who was at ose house was between two fires, was wounded. No one can say was fired by the gendarmes or by the Cacos.

battle he was sent for to come to the office of gendarmerie, where ort time after. During this time his house and effects were put The bandits were repulsed.

you, commissary, with respect."

letter to Mme. Widow J. Garnier Jean, directress of girls' school, ives:

" FEBRUARY 20, 1919.

I inform you in regard to the death of the notary public, Garnier, l. All of his official and personal effects were put under seal, which o me.

your arrival to make the necessary arrangements, I salute you, 1 consideration."

letter to Mr. Eugot d'Empaire, notary public of Maissade, who is at Sante Michael, under date of March 3:

TE: It is my duty to inform you that, on the 14th of last month, ublic, Garnier Jean, your colleague, died, and all his effects, of which e, were put under seal.

you with my best consideration."

ned by the INTERESTED PARTY (counsel):

1. As an officer of the gendarmerie d' Haiti, are you familiar with nts as you now hold in your hand?

o; but I know that all the civil officials have copies of all written ice.

1. Did you encounter any difficulty in obtaining this paper from the lge de pais of Maissade?

o.

n. What is the date and number of the first letter in that document?

o. 1 of January 2, 1919.

on. Are the numbers consecutive up to and including the letters ave just read?

es; they are consecutive.

he parties to the inquiry desired further to examine this witness. drew.

ment from which the witness read, being an official record, could ed or attached to the record as an exhibit.

Sergt. DORAS L. WILLIAMS, United States Marine Corps, the interested party requested that he be sworn as a witness. His request was granted, and he was duly sworn, having been informed by the president that his examination would be governed by the same rules as govern the examination of an accused person who takes the stand at his own request in a trial by court-martial.

Examined by the JUDGE ADVOCATE:

1. Question. What is your name, rank, and present station?

Answer. Sergt. Doras L. Williams, stationed at Quantico, Va.

2. Question. Are you the Doras L. Williams who has been mentioned in the testimony as Lieutenant Williams of the gendarmerie?

Answer. Yes, sir.

Examined by the INTERESTED PARTY (counsel):

3. Question. What duty were you performing during the month of February, 1919?

Answer. Second Lieutenant, gendarmerie d'Haiti.

4. Question. Where were you stationed?

Answer. Maissade, Haiti.

5. Question. During the time you were stationed at Maissade, did you know one Garnier Jean, a citizen of Maissade?

Answer. Yes, sir.

6. Question. Did he come under your notice in any unusual manner during the month of February, and if so, state the circumstances?

Answer. On the 14th of February the town was attacked by the bandits, the bandits attacked from the rear of his house. The Cacos were in the barracks, and the gendarmes were firing from the barracks and the market, which brought his house in the line of fire. I managed to get the bandits out of town with the help of the gendarmes and the natives. I proceeded after the bandits after they left town, and stayed in town until right at dark. After I returned to the town I heard a rumor that Garnier Jean was intimate with the bandits, so I sent for him. When he came to the barracks he was all wrapped up in a blanket, with a towel around his neck and one around his body. I asked him if he knew anything about the attack, and he said he did not know. He was all nervous and could not tell me anything I would ask him. It was getting dark, and I left him sitting in front of the barracks in a chair, and I went out to post an outpost of gendarmes to avoid a surprise attack at night. I did not return to the barracks until about 10.45, and passed in front of the barracks. He challenged me. I asked him if everything was all right, and he said yes. I went into my house and went to bed.

After I had been asleep the gendarme on post notified me that Garnier Jean was dead. Me being tired and overworked in chasing bandits, I told him to attend to that the next morning. The next morning they came to me and asked me what to do with him. I told them to notify the judge and do whatever he said. After that I did not bother any more.

7. Question. Do you know whether or not the judge de pais prepared a procès verbal in his case?

Answer. He did.

8. Question. Did you see this procès verbal?

Answer. Yes, sir.

Cross-examined by the JUDGE ADVOCATE:

9. Question. Did Garnier Jean ever make a protest to the judge about a sentence which the judge made upon two inhabitants of Maissade?

Answer. I never heard of it.

10. Question. Did you ever strike Garnier Jean?

Answer. Never.

11. Question. Did you ever have any reason to suppose before the death of Garnier Jean that he was not friendly to you?

Answer. I have heard such rumors as that.

12. Question. Did you ever talk to him about it?

Answer. I never talked to him at all, sir.

13. Question. Did you ever talk to any person else about his supposed death?

Answer. No, sir; I never did.

The COURT. Read the answer given by the witness where he made his long explanation.

grapher thereupon read the answer to question No. 6.)  
 the parties to the inquiry desired further to examine this witness,  
 ned his seat as an interested party.)

ADVOCATE. Counsel for the interested party [Sergeant Williams]  
 like a statement to the court.

ESTED PARTY (counsel). We do not desire to attend any further  
 he court; have no statement to make, either verbal or written;  
 other witnesses to call.

sted party (Sergeant Williams) thereupon withdrew.

RICHARD S. HOOKER, United States Marine Corps, a witness called  
 advocate, entered, and was duly cautioned that the oath previously  
 is still binding.

ned by the JUDGE ADVOCATE:

1. Colonel, as I recall it, you testified that you have charge of the  
 e gendarmerie?

have.

2. Do the files of your office contain any records as to the casualties  
 the gendarmerie during the time they have been engaged in field  
 i Haiti; if so, please state what data you have on the subject,  
 isive dates.

efore giving the numbers of killed and wounded, I think it perti-  
 ce an explanation that in the early days of 1915 and 1916 the  
 orle were not in many fights. From March, 1918, until about July  
 918, the gendarmes took practically no part in the engagements  
 uprising. It was this time when the fighting was very severe.  
 k are not complete, but from all information I can get at head-  
 re were 27 killed and 45 wounded, and five of our white officers  
 exclusive of this number, making a total killed of 32 officers and

1. How long have you served in Haiti, altogether?

rom August, 1915, until March, 1918; and from November 24,  
 umber 9, 1918; and from January 15, 1919, to date.

2. Has it been customary for the so-called Cacos or insurrectionists  
 f any character with whom the marines and gendarmes have been  
 o wear uniforms or any distinctive marks whereby they could be

ot as a general rule. The chiefs generally got themselves up  
 t deal of red—red sashes and red handkerchiefs around their  
 d hands around their heads, and any makeshift uniforms that would  
 conspicuous above their followers. Toward the end of 1919 the  
 to wear khaki, either made by themselves or from captured cloth-  
 merie barracks or otherwise.

3. How about the rank and file; did they have any distinctive  
 marks whereby they could be distinguished from the ordinary  
 ie country?

o; they did not. They had the usual ragged clothes of the vaga-  
 you meet in the hills.

4. Did these enemy troops—I will call them that—observe the laws  
 o care of prisoners they captured, or the treatment of the dead  
 their hands?

hey did not; they tortured their prisoners and mutilated the dead.

5. Is that matter simply of record, or has it ever been proved that  
 nd the dead or tortured prisoners?

is a matter of record, and can be proved by witnesses.

—March 28, 1916, Cerca la Source was attacked and the sentry  
 e gendarme barracks was shot several times and his body was  
 small pieces. The whole front of the barracks was covered with

1916, a messenger of ours by the name of Bellaire, an old man of  
 e gave him a marine saddle and marine hat and a couple of buttons  
 clothes. He was extremely proud. He was sent out to Lieutenant  
 a message and was captured by the Cacos. He swallowed his mes-  
 sy took him in the woods and chopped his head off and mutilated  
 his information I got from the murderer himself.

From the official files, June 10, 1918, at La Montagne, quoting from the report of a gendarme: "The body of a gendarme was discovered in a field about 10 yards from the road. It had been horribly mutilated with a machete and riddled with bullets from a pistol."

The JUDGE ADVOCATE announced: Does the court deem it necessary to further details of this nature in order to illustrate the question of the observation of the ordinary rules of warfare by the Cacos?

By THE COURT. The court is of opinion that the witness should be asked to enumerate the various instances.

Examined by the JUDGE ADVOCATE:

8. Question. Proceed.

Answer. In February, 1919, at Thomonde, a gendarme by the name of Justin, private Seventeenth Company, while on telephone patrol was captured by the Cacos, cut up in small pieces and the pieces distributed along the trail.

January 19, 1919, at Ti Montagne, Gendarme Fleurant, while on patrol was captured, his head cut off, heart cut out, and his body mutilated.

On February 4, 1919, Murat Osten, at Muscadey, had his head cut off and his body mutilated.

On February 4, 1919, Valpens Valemeus, a private in the Seventeenth Company, at Lascahobas, had his head cut off, his arms cut off at the elbows, and his body mutilated.

Lieutenant Muth, on April 4, outside of Mirebalais, was ambushed by the four marines and five gendarmes that were with him had to retreat for safety on account of the heavy fire. The Cacos mutilated him. He was a lieutenant in the gendarmerie, and a corporal in the Marine. They cut off his private parts, took out his heart and liver, opened up his chest and took out his intestines, and took two large strips of flesh from his back. His head, from the testimony of a prisoner, was cut open and the bullets were put in their bullets in his brains so as to give them better hitting power. His heart and liver were eaten by these people. This is from the testimony of four witnesses who were present that I heard myself.

At Bon Repos, October 8, 1919, the day before the first attack on the Prince, three engineers, Haitians, belonging to the Engineer Regiment, Haiti, by the name of Price, La Forestrie, and Panyot—they were in their house. The house was burned and Price's body was horribly mutilated. La Forestrie's head was cut off and given to a man by the name of Price of our detectives who was captured, who carried it and showed it to Charlemagne.

These atrocities have not only happened to gendarmes and the police connected with them, but on April 4, 1919, at a place called Los Polis, near Alfred Chauvert, an old man 60 years old, who was judge of the peace and magistrate at Hinche once, had his head cut off and body badly mutilated while visiting his plantation outside of Hinche. This was for the theft of beef and one horse.

October 19, 1919, at Baie Terribbe, Constant, a guide, was captured and his body cut in three pieces, head, trunk, and legs. Of the two marines who were captured, Lawrence, on November 28, 1919, was burned, and from the bodies of prisoners, was badly tortured before.

On November 4, 1919, Morris, an aviator, had his head cut off and his body badly mutilated.

There are many, many more similar instances of treatment toward the prisoners and toward their own people by the so-called Cacos, but in the limited time we have had to prepare these lists, these are simply a few of the instances. These are facts and which can be proved.

Examined by the COURT:

9. Question. Have you any records, or do you know of any records which contain a list of noncombatants, peaceful Haitians, who have been killed by the Cacos?

Answer. It would be very hard to get the names of peaceful citizens killed by the Cacos, because most of these reports are made where an inhabitant's family were murdered, on such and such a night. A patrol was sent out to discover the bodies, but in view of the scarcity—the people were staying around that part of the country very much and it would be very hard to find that out.

10. Question. To whom would these reports be made?

o the nearest gendarme post, and a patrol sent out. Of course, een many, many reports of that kind made, and bodies found. n. Have the Haitian officials any records of those instances, to lge?

hey should have; yes, sir. The magistrates of the different towns, reffect's office at the different heads of departments, should have lem.

n. Can you state from your knowledge of such records whether or ve been considerable numbers of peaceful Haitian citizens either treated by Cacos?

es, sir; I can say positively that during my stay in Hinche, large country were completely cleaned out of the peaceful inhabitants, some being killed and others being badly treated, and those who ne into Hinche or into the big towns where gendarmes and marines ed for protection. Their cattle, produce, and everything they had and their houses burned in some cases. In most cases they left the ing for their own shelter.

n. During what periods did any such conditions such as you have tain?

rom March—from my own knowledge—from March, 1919, until ), when I was relieved from the north and came to Port au Prince. evastated regions. I saw these inhabitants who had been driven homes by these Cacos. In March—I forget the date exactly, but I -Mr. Lyles, with two or three marines, went to fix the telephone vere attacked by some Cacos and a fight ensued. The next day the in along the same road and burned up between 12 and 15 houses, he cattle, while they cut down the corn and set fire to it, and des- hold country. It was a barren waste three days after the episode, it was about one of the best cultivated pieces of land in Haiti that

on. How long has it been since the last incident of this kind of ave knowledge?

hat I could not say positively. Even at this present time if these he hills think some civilian is helping his government it is very will murder and burn—murdering and burning still goes on in in- es, except that the organized revolution is finished at the present igh there are a few small bands of thieves in the mountain districts. on. Can you, in a general way, give any estimate as to the numbers itizens who have been murdered or maltreated by the Cacos in the rs?

could not give any direct estimate in figures, but I am absolutely ere has been a very great number of deaths from these causes.

on. What do you mean by "very great number"—hundreds, or r tens of thousands?

should say it would run up into the thousands—one or two any rate—being a very moderate estimate.

he parties to the inquiry desired further to examine this witness drew.

advocate announced: I have no further witnesses or evidence to his time, and have no reason to believe that I can obtain any other egard to the subject matter of the precept in Haiti.

announced: In view of the judge advocate's statement, the court roceed to the United States, and now to adjourn to await the call lent of the court.

t then, at 11.55 a. m., adjourned to await the call of the president.)

TWENTY-FIRST DAY.

NAVY DEPARTMENT,  
*Washington, D. C., December 9, 1920.*

met at 10 o'clock a. m., pursuant to call of the president. All the members and parties to the inquiry except the interested

d of the proceedings of the twentieth day (November 30, 1920) id approved.

ses not otherwise connected with the inquiry were present.

ie court, the judge advocate, nor any party to the inquiry desired to re witnesses.

The judge advocate made the following oral argument.

It is a depressing duty to investigate into charges against our own but it is one of the highest duties, after all, that upon which this court has been engaged, to follow up such charges honestly and honorably, and to ridding the service of the unfit and the unworthy if such should be found, and, by means of service agencies, to keep the service clean.

Coming now directly to a consideration of the directions of the president the evidence obtained and recorded in our record of proceedings:

First. As directed, you have inquired into the conduct of the personnel of the naval service that has served in Haiti since July 28, 1915, with determining whether any unjustifiable homicides have been committed by such personnel. The evidence before the court shows two cases of unjustifiable homicides. The accused men in those cases were duly tried by a general court-martial, convicted and sentenced. The records were approved by the convening authority of this court and are on file in the department. There is another case on file in the department which might have been of unjustifiable homicide, but the actor in that case was and is insane. It has been impossible for either a court martial or this court to ascertain the true facts.

Second. You have inquired into the question as to whether other and unjustifiable acts of oppression or of violence have been committed by the personnel in question against Haitians or their property. Attendance in the record shows that some half dozen of such acts, crimes, have been committed and again the record shows that the accused were duly brought to trial, convicted, and sentenced. In those cases, the court-martial approved the sentences and the records are on file in the department.

In the cases mentioned this court could do nothing but accept the findings of the general courts-martial. The guilt of the accused has been determined in each case and the whole responsibility for the acts is fixed. Not being in the nature of a court of appeals, this court cannot reverse any of those convicted of the judicial determination of their guilt. If there should be a disagreement of findings, and a second finding would add nothing to the effect of the first finding.

There is no argument necessary as to the fact that the court must determine if unjustifiable acts to have been committed—those I have just mentioned. There is no argument needed to fix the degree of responsibility in each case. As to the names of the responsible parties, the convening authority has them; as to the question if further proceedings should be had in such cases, none is possible. This court, then, has no further duty to perform in the acts in question, further than to note them in its findings of fact. It will consider them later, possibly, in connection with reporting its conclusions to the general conduct of the personnel in question, as a whole.

Passing from the cases already settled, you are called upon to determine whether certain other alleged unjustifiable acts were committed. The case of the burning of two buildings and the impounding of some stock by Lieutenant Cekula is before the court. You will recall that Lieutenant Cekula was tried before a military commission that he burned two houses and impounded some stock. It is evident that the parties to the military commission in the department knew of the active warfare going on at the time in Haiti. Lieutenant Cekula was a witness and the commission did not realize that an officer might be expected to perform his duty. It has been well known in Haiti for some time that possession of arms and munitions in the districts infested with rebels is an offense punishable under martial law and no Haitian but even those in insurrection against the recognized Government of Haiti were tempted to keep munitions of war, openly or secretly.

The destruction of an enemy ammunition dump, together with the loss of the building in which the enemy ammunition was stored, has not heretofore been questioned as being other than a justifiable act. The value of the building in which the enemy ammunition is stored is not taken into consideration by our officers operating in Haiti is simply a matter of fact that they are excessively considerate of Haitian property.

The case is so clearly outside the inquiry into alleged unjustifiable acts that the case of temporarily taking charge of unprotected cattle to prevent them pending delivery to their rightful owners, that the judge advocate did not have considered bringing the matter before the court had it not been for his knowledge that the convening authority specially desired the matter brought. Owing to the unwarranted suspicion that has been cultivated

ers, it was a matter of no difficulty for the defendant before a mission to create such a doubt of the honor of one of our officers. The acts were brought to the attention of the Secretary of the War, which raised a suspicion of his honor and even common honesty. It is a concrete case of the unfortunate results of throwing suspicion upon officers who have served or are serving in Haiti. This young officer—the most distinguished junior officer of the Marine Corps—a man who has won the very highest honors from our Government and from the Government of France, who holds a medal of honor through the War Department, who has been decorated with the Legion of Honor, the supreme honor for the soldier which the French people can bestow, this lieutenant of marines, who a few days ago was one of our adopted Americans, so happy in the satisfaction of good work well done for his Government and his corps, left the presence almost heartbroken. In spite of the assurances of his superiors that he has become an object of suspicion to his own Government, as not born in the United States and he never before knew what an American learns when first he studies American history, that he has held commissions in the military and naval service of our country, looked upon with suspicion and considered as fair targets by a number of persons in the United States; that a lifetime of sacrifice, of the service of his country, of gallant deeds performed for his countrymen, of spotless honor, the earning of the love and esteem of his superiors in the service of every rank and grade, none of these achievements of them together, serve as a shield to his reputation. He may at any time be called upon to answer the public attacks of any evil-suspecting person. In the eyes of a certain part of the public the proof that he has the ordinary decent instincts of the average American. He is the one who has to produce proof by judicial process, and the case is conspicuous, but the whole Marine Corps is, necessarily, likewise, to some degree. I emphasize the point with the hope that the court and the convening authority may find it right and proper to take the case of the young officers and enlisted men who are not yet suspected of inhumane and dishonorable acts, when it comes to the conclusion of the court and to the action of the convening authority.

The case is conspicuous, but the whole Marine Corps is, necessarily, likewise, to some degree. I emphasize the point with the hope that the court and the convening authority may find it right and proper to take the case of the young officers and enlisted men who are not yet suspected of inhumane and dishonorable acts, when it comes to the conclusion of the court and to the action of the convening authority.

The case is the one where Mr. Lang, a former marine and former member of the Marine Corps, was accused of having committed so many injustices, such as could only have been committed by a being of the devil, the kind of killings that have characterized unfortunate Haiti in its history for generations past.

Of the weight to be attached to the testimony of the various witnesses and the other cases before the court for determination it is for the court to take into consideration the degree of intelligence of the witness, whether he has any interest in the outcome of the case, whether he tends to cause him to color his testimony, whether he testifies as one telling a well-rehearsed story, and resists attempts to depart from the line of his text, or whether he simply responds to questions asked, admitting knowledge or ignorance, as the case may be, without apparent calculation as to the effect on his testimony.

Recess is an interested party, or because he shows animus in the case, or because he appears very ignorant, or exceptionally intelligent, or because he is a witness or an unwilling one, none of these things bind the judgment of the court, but they are all proper matters to be considered by the court in connection with the testimony of each and every witness. Moreover, the court is precluded from considering the general conditions of the country, the state of mind of the population, where such matters appear to explain the attitude which a witness may have indicated while on the stand.

The court, the trial lawyer, a more skillful examiner, undoubtedly would have conducted the examination of the various witnesses as to put such questions as would give them stronger relief. However, I trust to the experience of the court as to what is proper for such skill on the part of the judge advocate. It is necessary, no doubt, to ask the court to recall the testimony of Mr. Lang in reply to the accusations against him. The scene was too painful for any humane spectator in so short a time. Surrounded by the

vultures who had gathered in the hope of a victim for their unclean. The white-headed vultures more disgusting than their black-headed. He faced them and told his story in simple fashion. It is true his emotion. He was too much affected to be other than natural.

Had Mr. Lang been the cold-blooded murderer he was accused. He had his heart been filled with malice and all manner of evil. The men, would have been his manner of defense? Would he have treated his accusers so gently in his reply, would he have sought to excuse any malice, or of perjury? Could an unclean heart have prompted him to do so. Him, who said of His enemies, "Forgive them, Father they know not what they do." In place of condemning him, does it not seem right and proper for the court to record that the service is proud that Mr. Lang wore the uniform of a marine?

In the case of Sergeant Williams the court must again determine as to whether a specific unjustifiable homicide was committed. What was it? What evidence was produced? The witnesses for the prosecution were all before you. If some of them were to be otherwise, it is not surprising. I did not guarantee them. I have been as surprised had I not been interviewing other alleged witnesses before and found that a few simple questions brought out the fact that they assumed the repetition of a rumor he has heard is the same as their testimony as to facts within his own knowledge, known from personal observation. The tests used to determine the weight of the testimony called for in this case, too, if the court should think there is the slightest doubt Williams being innocent of the charge against him.

It may not be relevant to a weighing of the testimony, but one of the interesting questions that are suggested by the cases that came before the court. Why are all the accused, men whose very appearance suggested the type of the upright soldier, clear-eyed and with nothing of evil stamped on their countenances?

Had the court been setting within the territorial jurisdiction of this court, there would have been a means whereby perjury committed before this court could have been properly punished, through prosecution in Federal court. For perjury committed in testifying before the court in Haiti, I know of no method of reaching the perjurer. I desire to point in explanation of my not having suggested to the court evidence against one of the witnesses. My recollection is that that witness was available for whatever further testimony there is in the record wherein unjustifiable acts are charged. I have no further comment to make in this case although the defense would deserve consideration were it considered. A defense is needed.

The specific acts which were alleged, and the only ones that even of this kind of admissible testimony for the prosecution could be found for, were brought to your judgment.

I pass now to paragraph 2 of the precept: What testimony or evidence is there in the record on which you can base a conclusion as to whether the indiscriminate killing of natives has been going on for some time. Two isolated cases of murder, of which you have evidence, do not constitute a charge. And have you any other evidence that does? There is evidence that a few hundred Haitian insurgents and bandits have been killed by the Haitian gendarmes, the latter under command of marines. Other evidence is available, but still entitled to some weight, increases the number of Haitians in action to about 2,250. The period of hostilities extends over a period of five years, with extensive warfare in the country for a considerable period.

It was impossible to procure exact and reliable evidence of the total number of Haitians in the field; they were, however, numbered by thousands. The different bands operating at various times and places. The men who our men had to meet and overcome were savages who operated free of the restraints of civilized warfare. Not only did they give no quarter to the prisoners, but with unspeakable tortures the prisoners they took, whether Haitian gendarmes; they mutilated in horrible manner the bodies of the dead on the field, as well as the bodies of those prisoners whom they killed by torture. Not only did they thus violate the laws of warfare, but also committed upon the noncombatant Haitians, old men, women, and children, the most awful crimes. For their acts, not exceeded in brutality by any of the savages at any time, they forfeited any claim to treatment as

those who abide by the rules of land warfare. It would have to refuse every one of them quarter on surrendering and to execute last member of those bands. That this was not done is clear but there was no indiscriminate killing of natives who had taken to us. Time and again those natives in the field were given over to surrender, with no penalty attached. They were not only allowed to go free, but work was provided for them—many of them—and discrimination was made between the followers and their more chiefs.

to-day in Haiti, free to come and go, savages who were of those to death the wounded prisoner who fell into their hands. Do we prominent citizens of Port au Prince, of Haiti, clamoring for justice to these criminals? Do those who write in American publications matters, who claim to have full knowledge of all that has gone on to assault the marines and call for justice on them—do these, too, for them? Does it throw any light on the situation to know that parts of those assailants of the service are touched only by alleged claims, while most horrible atrocities committed on our own flesh in our own, if we be true Americans—leaves them indifferent, not content, as some of them can not entirely disguise their feeling of more marines were not victims in this savage warfare. The record only explain the discrepancy in the killed on either side. I have to say that neither the court nor the convening authority needed evidence that any enemy forces that attempt to exchange small-arm fire are bound to suffer much heavier casualties than the marines. A brigade of marines proved that when they first met the best infantry command had to offer, if it ever needed proof.

it, there was not a single article in any American publication that men for their straight shooting then. It was only when their down Haitian savages that condemnation followed. There can not against it, however, the evidence in the record being conclusive in arms against the Haitian Government were shot down in it. As to whether there was shooting after resistance ceased, the one surrendered immediately or shortly after combat had ceased to the number killed in action is entitled to your consideration. proper to consider whether there would have been such large number, natives who had been in the field more than once, if our had a habit of indiscriminate killing.

attempt to cover the question of the general conduct of the per naval service in Haiti since July 28, 1915. All data on file in it on the subject has been before you; you commenced and have in special study of the subject matter from the day the court to. As I have previously stated, my opinion is that you are not to the bare facts recorded in the record of the proceedings in force conclusions for the convening authority. It would be presumptuous attempt to review the activities of the service in Haiti for your if the court otherwise reaches a conclusion that the conduct of

Haiti has been excellent, the question arises why have appar writers—and some of those who have written of Haitian matters which—conveyed the idea that they believed there have been many homicides and indiscriminate killings by our men? A partial answer be that of the writers there were authors who were not soldiers who are not authors. The author, hearing men speak of "bumpers," thinks he hears of unjustifiable killings. He does not know language: He does not know that soldiers refer to those who have in action—his own comrades as well as the enemy—as having been

The soldier, intending to refer to certain individuals as being on of having committed unjustifiable acts, and not knowing the authors, unintentionally uses language which to the reading public disgraces actions to the whole Marine Corps and particularly marines, officers and men, serving in Haiti.

partial explanation is the manner of reporting matters which the it have. I might mention the incident of the Haitian who came to command of gendarmes in Port au Prince and complained not received the full value for a horse which had been taken for uses by a gendarme officer. His proper procedure was to make his district commander, but he went over his head and reported to the

department commander in Port au Prince. He was received very cordially, his statement taken down, and he was assured that an investigation would be commenced immediately; and if he had not received fair value for his arrangements would be made to pay him the difference. After being pleased with the interview; and leaving the department commander's office over to the headquarters of the gendarmerie. Without stating that he had made a report before to the department commander, he reported the complaint to the assistant chief of the gendarmerie. Again he was assured that an investigation would be made from the data taken down, which he took. From there he went to the office of the brigade commander. When he was told what had happened before, he again made the same report. He was received courteously and enjoying his visit, he next proceeded to the interior of Haiti, where he lodged the same complaint. While at the department commander received the report he had written to the district commander ordering an investigation. That letter had been in his office before the department commander received an order from the headquarters to make an investigation. The next morning the department commander received instructions from the brigade commander to make an investigation of the alleged unjustifiable act. Later on, the same day the department commander received, through the chief of the gendarmerie, a letter from the secretary of the interior inviting attention to the case; that a full investigation would be made and justice done.

A person making a casual investigation of this incident would find there were numerous cases of unjustifiable acts. If he had gone to the interior, to brigade headquarters, gendarmerie headquarters, department headquarters, in each place he would have heard of the same thing without full payment being made. That might explain how the stories became enlarged and wound up.

A matter that has confused some minds in considering the situation in Haiti: They assume that the United States exercises military government in Haiti; that, consequently, every governmental act in Haiti is the act of the approval of, the United States military representatives in Haiti. If that were true, the scope of this inquiry would be greatly enlarged. The situation in question is based neither on law or on fact. In law and in fact the United States has a right to and does influence the recognized government of Haiti to some extent, as well as assist it. It is incorrect, however, to charge the officers of the occupation with any alleged acts of oppression towards the people on the part of the Haitian government.

The matter of the corvée is a case in point. Corvée is forced labor, quite similar to "road work" in rural communities in the United States. The officers of the naval forces in Haiti had anything to do in enforcing the law respecting corvée, except some of those detailed to duty under the United States Government. Even the latter were only in part responsible for the enforcement of the law. The local officials—Haitians—were the ones who enforced and handled the matter of collecting the laborers. It appears that the enforcement was made by the chief of the gendarmerie to avoid abuse and oppression in the enforcement of the law. If the Haitian officials, or the Haitian people, utilized corvée for oppression and abused their authority, it is not a matter which this court can inquire. The American officers have neither the right to appoint or remove Haitian officials, and in the discipline of the Haitian government the chief thereof is responsible only to the President of Haiti. As the Marine Corps he is responsible for his personal acts to the Navy. While it is without the scope of this inquiry, the court undoubtedly knows the efforts that have been made by the marines in charge of the gendarmerie to state of discipline and to eradicate their Haitian habits from their fellow Haitians. It is well known that strong measures to discipline have been employed in the gendarmerie and that several examples have been taken place where gendarmes have been convicted of serious offenses against their own people.

In apparent contradiction to my statement that the Government of Haiti is not, in fact, under the control of the occupation, is the testimony of the President of Haiti. I will not enter at length on a discussion of the matter attached to his testimony. The court has heard the testimony of witnesses. It may be of value to the court in considering the weight to be attached to his testimony to ask this question: If testimony coming from a source is entitled to such weight, how much weight shall we give to testimony coming from lower sources in the same country?

subject of what kind of government exists in Haiti, another witness may be confused in mind. General Barnett testified that "the issue of martial law with a military governor in command." We may not have Haiti in mind, because he was testifying in regard to matters of court needs no testimony to enlighten it in this connection, since official notice of the existence of a government recognized by the

The status of our forces has also been clearly defined in an opinion of the Judge Advocate General, which opinion has been approved by the Navy. Possibly the witness knew the facts in the case, or meaning for the words he used, which he could explain, if it was important enough to recall him to stand for that purpose.

Professional politicians of Haiti have always set themselves against the occupation. It is an historical fact and needs no proof at this time. Men who have been and still are active in politics have had one mind, one thing only they strive for; one thing only will content them, the public treasury. And it is evidence of their inefficiency that few of them have, ever been able to get away with any considerable loot from the public treasury. Incidental to the main object is the use of power to destroy personal enemies and to acquire loot from the public treasury.

In the foregoing to lead up to this: If the professional politicians in Haiti, it must be that the occupation is giving Haiti a more stable government. If the politicians who now hold office support the occupation heartily, and only those out of office complained of it, it is simply a case of the "ins" and the "outs." But, with a few exceptions, all the professional politicians denounce the occupation. They are dissatisfied, since they get little more than their official

that crimes our people might commit against the better class of people, to the peasants—those without the benefit of schooling), would not conceivably equal in effect and in their atrocious nature have been committed against them by the lower class—the professional politician. Yet these same professional politicians, these Haitians, are the ones who spread the improbable tales against the officers, which are thereafter repeated in the press of the United States who are easily deceived, to use a gentle phrase.

Officers of scandal had hunted for concrete cases as faithfully and as have the responsible officers who have served in Haiti, they probably have been instrumental in bringing to justice one or two individuals who would have been clearly convicted, and necessarily so, that charges are slanders and nothing else.

Christian country; we make war as a Christian country should. The Navy issued orders to the naval forces in Haiti to exercise restraint in dealing with the Haitians, even those conducting a campaign against those forces which in accordance with law and treaty were preserving order in that country. Under the circumstances of the country in the manner directed by the Secretary of the Navy have been accomplished by troops with the most excellent discipline by officers of honor and self-command. The country has

The convening authority awaits your conclusion as to the consequences engaged in the task.

was finished, all parties thereto withdrawing.

Having thoroughly inquired into all the facts and circumstances of the allegations contained in the precept and having considered the evidence, finds as follows:

#### FINDING OF FACTS.

Finds that two unjustifiable homicides have been committed, one of the personnel of the United States Naval Service which has occurred since July 28, 1915, and that 16 other serious acts of violence perpetrated against citizens of Haiti during the same period by United States personnel.

Finds further that these offenses were all isolated acts of individual in every case the responsible party was duly brought to trial by a court-martial, convicted and sentenced.

3. The court has found no evidence of the commission of any otherifiable homicides or other serious unjustifiable acts of oppression or against any of the citizens of Haiti or unjustifiable damage or destruction of their property caused by any of the personnel in question.

4. In view of the fact that the only unjustifiable acts found by the court have been committed are those wherein disciplinary action has been taken and where no further proceedings could be had in the matter, the court has not deemed it necessary to report further upon the question of culpability.

#### CONCLUSIONS.

Referring to paragraph 2 of the precept, it is the conclusion of the court that there have been no proper grounds for the statement that "practically no criminate killing of natives has been going on for some time," as stated in a letter from Brig. Gen. George Barnett, United States Marine Corps, to John H. Russell, United States Marine Corps.

Referring to the amendment to the precept, calling for the conduct of the court as to the general conduct of the personnel of the naval service, since July 28, 1915, the court does not consider that the small number of isolated crimes or offenses that have been committed by a few individuals in the service during the period in question are entitled to any considerable weight in forming a conclusion as to the general conduct of such personnel. It is inevitable that some offenses would be committed. However, considering the conditions of service in Haiti, it is remarkable that the offenses were so few in number and that they all may be chargeable to the ordinary defects of human character, such defects as result in the commission of similar offenses in the United States and elsewhere in the best regulated communities.

The general conduct of our troops of occupation can be fairly judged by the results of that occupation.

Now, for the first time in more than 100 years, tranquility and order of life and property may be said to prevail in Haiti.

The Haitian people themselves welcomed the coming of our men and are willing to have them depart.

The establishment and maintenance of tranquil conditions and order of life and property all over the Republic of Haiti has been a long, arduous and dangerous and thankless task. That task our marines have performed with fidelity and great gallantry.

The court can not refrain from recording its opinion of much, and of the most serious part, of the reflections which have been made upon the men who have served in Haiti.

The outstanding characteristic of those officers, from the brigade down, has been their sympathetic attitude toward every step that would result in a betterment of the country and to improvement in the physical and moral conditions of the population.

With slender resources and inadequate administrative authority, the court has accomplished much, where anything more than suppression of organized crime seemed impossible.

The above remarks apply with particular force to those officers and men of the Marine Corps who have been serving as officers of the court in Haiti.

After a careful study of the matters in issue, based not only on the record in the court but, also, other original and reliable sources of information, the court's own observations while in Haiti, the court regards the charges which have been published as ill considered, regrettable and thoroughly unwarranted reflections on a portion of the United States Marine Corps. The performance of difficult, dangerous, and delicate duty in Haiti in a manner that has resulted in the suppression of organized crime, instead of calling for adverse criticism, is entitled to the highest commendation.

The record of the proceedings of this twenty-first day of the inquiry has been read and approved, and the court having finished the inquiry, then, at 11 a. m., adjourned to await the action of the convening authority.

H. T. MAYNARD

Rear Admiral, United States Navy, President

JEAN F. DIXON

Major, United States Marine Corps, Judge Advocate

EXHIBIT I.

OCTOBER 11, 1920.

for Brigadier General Barnett.

herewith the two letters reporting on the activities of the marines in the Republic of Haiti and Dominican Republic.

The total of "killed" Haitians contained in the report was caused by the list in the file of the brigade commander's daily diary report of "killed" from March to September, 1919 (total of 1,763), which

now, the sources on which these two reporting letters are based are almost a miracle that it has been possible to prepare them in time. It is believed that only about two weeks have been expended in the preparation of these two reports, and while a longer time would have resulted in more complete and, possibly, more information, the information contained in the reports are believed to be accurate facts.

Neither dated nor marked the letters "secret" or "confidential," but they are for your part for you.

I requested that you carefully read over paragraph 274 in order to see if that it is the exact material you desired to be inserted.

I did not prepare these reports with any idea of molding them for any purpose but simply to set forth what was in the Marine Corps files, records,

E. N. McCLELLAN.

*Major, United States Marine Corps.*

*Officer in Charge, Historical Section.*

Gen. George Barnett, United States Marine Corps.

Secretary of the Navy, via the major general commandant.

Report on affairs in the Republic of Haiti, June, 1915, to June 30,

In accordance with your oral orders the following report, covering the activities of the marines in the Republic of Haiti from June, 1915, to June 30, 1915, on information secured from the official files, records, and histories of the United States Marine Corps, is submitted.

Operation sweeping over the Republic of Haiti in 1915, the U. S. S. *Albatross* (flagship of Rear Admiral William B. Caperton, commanding the force) and the U. S. S. *Eagle* landed a force at Cape Haitien, Republic of Haiti, to protect American and other foreign lives and property. The Government of the Republic of Haiti being overthrown on July 27, 1915, the U. S. S. *Washington*, on July 26, 1915, proceeded to Port au Prince, leaving the U. S. S. *Eagle* at Cape Haitien to protect American and other foreign lives upon arrival at Port au Prince on July 27, 1915. Rear Admiral Caperton immediately assumed control of the situation.

On July 27, 1915, while the U. S. S. *Washington* was en route Cape Haitien, Port au Prince, Rear Admiral Caperton sent the following message to the Secretary of the Navy:

Spatech from Port au Prince reports a revolutionary faction at Port au Prince Tuesday morning overthrown Guillaume government. Revolutionary faction now controlling Government officials, including Guillaume, have taken refuge in Dominican legation. Leader of revolution not yet known.

Legation at Port au Prince reports outgoing Government shot prisoners, including ex-President Zamor, and a large number of wounded in flight. Latest cablegram from American legation at Port au Prince as follows: 'French legation threatened and forced entry at Port au Prince purpose taking out President. English chargé d'affaires and French chargé d'affaires cabled for ships. Situation very grave.'

Port au Prince at present quiet, but growing uneasy. General Blot received in Port au Prince stating revolutionists had control city and asked for aid. This message signed by Delva, Robin, Etienne, and Delencourt,

Withdrawn detachment from shore and am proceeding with *Washington* to Port au Prince. Am leaving *Eagle* to tend situation Cape Haitien. Have company of marines, naval station, Guantanamo Bay, stand by to

embark on *Jason* for expeditionary service in Haiti, unless otherwise ordered. The *Jason* will use this company reinforce *Washington's* battalion if situation requires.

4. On July 28, 1915, Rear Admiral Caperton dispatched the following telegram to the Secretary of the Navy:

"Dominican Legation violated Tuesday; General Oscar, chief of armament force, removed and killed. At about 10.30 a. m. this morning French Legation invaded by mob of about 60 Haitians, better class. President forced removed from upstairs room and killed at legation gate: cut in pieces and paraded about town. No government or authority. Many rival leaders in town. Am landing force in city for purpose of preventing rioting and for protection foreigners' lives and property and order. Have directed naval station, Guantanamo Bay, to send company to Port au Prince. Account large area city will require regiment of United States at once for policing and patrolling."

5. At this time the U. S. S. *Washington*, in addition to the regular detachment of 67 enlisted men, carried the Twelfth company of marines, strength of 96 enlisted men under command of Capt. Giles Bishop, Jr., Lieut. Julian P. Willcox being the junior company officer. Capt. George Van Orden, in addition to commanding the marine detachment of the U. S. S. *Washington*, was the cruiser squadron marine officer on the staff of Rear Admiral Caperton and senior marine officer present. Second Lieut. Lester S. Wass, junior marine officer on board the U. S. S. *Washington*.

6. Seventy-seven enlisted men of the Twenty-fourth Company of marines, under command of Capt. William G. Fay, Jr., stationed at the marine naval station, Guantanamo Bay, Cuba, embarked on board the U. S. S. *Jason* 7 p. m. July 28, 1915, sailed at 10 p. m. the same date, arrived and disembarked at Port au Prince 4 p. m. July 29, 1915.

7. The following is an extract from a communication received by the general commandant July 30, 1915, from the Chief of Naval Operations, Department, concerning the Twenty-fourth Company:

"On the 28th instant the commandant of the naval station, Guantanamo Bay, Cuba, was directed to send all available marines at that station on board the U. S. S. *Jason* to Port au Prince. The order was issued by the department at 10 o'clock, and the *Jason* sailed at 10 o'clock the same evening. The department appreciates the promptness of the execution of this order."

8. The major general commandant quoted the above in a letter to Captain William G. Fay, the second paragraph of the letter reading as follows:

"This office is much gratified at receiving such a communication from the department, and congratulates you upon the efficiency displayed by your command when tested."

9. At 3 p. m. July 28, 1915, the Acting Secretary of the Navy sent the following message:

"State Department desires that American forces be landed Port au Prince, Haiti, that American and foreign interests be protected; that representatives of France be informed this intention; informed that their interests will be protected, and that they be requested not land. In acting this request, use your knowledge present condition Port au Prince and act at discretion. Department has ordered *Jason* with marines Guantanamo Bay proceed to Port au Prince. If more forces absolutely necessary wire immediately."

10. Under orders of the Navy Department, and in cooperation with the Department, Rear Admiral Caperton landed a provisional regiment of marines, under command of Capt. George Van Orden, United States Marine Corps, at Port au Prince, on the afternoon of July 28, 1915, and occupied the city. The First Battalion was formed with three companies of bluejackets, was under the command of Lieut. Fred H. Poteet, while the Second Battalion, composed of two companies of marines, was commanded by Capt. Giles Bishop, Jr., Second Lieutenant Willcox commanded the First (Twelfth Marine Company and Second Lieutenant Wass the Second (*Washington's* marine detachment) Company of Captain Bishop's battalion.

11. The landing was made in ship's boats at Bizoton, which is just east of the Haitian Navy Yard and about 2½ miles to the southeast of Port au Prince. The force entered the city from the south at about dusk and by midnight the occupation was complete and the force disposed to afford protection to life and property. No resistance was encountered except some sniping at the marines of the First Battalion, which fire was returned, resulting in 2 Haitians being killed and 1 wounded.

ration is described in the following radiogram sent by Rear Admiral to the Secretary of the Navy on July 28, 1915:

at Port au Prince, decided on after consulting with American representatives, French minister, and British chargé d'affaires. Informed police and three others, who seemed to be leaders ashore, of my mind and protect lives and property and preserve order. They are landing, but said they could not guarantee peaceful entering, all they could to explain our intentions to populace and prevent and would cooperate with us. *Des Cartes* (French warship) excluded; no foreign men-of-war in harbor excepting *Washington* at present immediate landing necessary. Landing made at Bizoton with 100 of marines, three companies of seamen at 5.50 p. m. U. S. S. conditions Cape Haitien quiet. *Eagle* has landed 20 men Cape Haitien French consulate for fear attack on refugees there. Landing at French consul."

In the morning of July 29, 1915. Rear Admiral Caperton sent message to the commander in chief:

Force has entered Port au Prince and bivouacked for night at northern part of city. Guard placed at legation. No serious

Annual Report of the Secretary of the Navy to the President, dated 1915, contains the following excellent statement of facts condensed up to July 31, 1915:

Appearing imminent in Haitian affairs during the latter part of Rear Admiral Caperton, commander of the Cruiser Squadron, at the State Department, was ordered with the U. S. S. *Washington* to Port au Prince. Learning, on July 27, that a revolutionary faction had overthrown the government and palace at Port au Prince, overthrowing the government, the admiral withdrew the marines he had landed at Port au Prince, leaving the U. S. S. *Eagle* in charge of the situation. It appeared that about 70 political prisoners, President Zamor, had been executed, and that President Guillaumet's cabinet had taken refuge in the French and Dominican legations at Port au Prince. Rear Admiral Caperton found that the French Legations had been violated by a mob of about 600 men, that President Guillaume had been slain at the gate of the legation and his body cut in pieces and paraded about the town. His authority was found to exist in the city and the admiral thereupon, as always, with the Department of State, immediately sent a force into the city for the purpose of preventing further rioting and destruction of foreign life and property. Such revolutionary authority was sent and agreed to cooperate with the admiral to this end. Marines were brought from Guantanamo Bay (Twenty-fourth Commandment). There was but slight resistance to the landing, and the forces were welcomed by the masses of the Haitian people.

On the 28th of July a committee of Haitians was formed who agreed to disarm soldiers and civilians and to place all arms in the palace under the supervision of delegates met and endeavored to elect a president. On the 29th of July a disorderly faction of the Haitians made an attack on the forces at Port au Prince. The attack was repulsed, but two Americans, Gompers and Cason S. Whitehurst, were killed. On the 30th of July the French cruiser *Des Cartes* arrived at Port au Prince and because of their legation, landed a guard."

Annual report of the Major General Commandant, dated October 1915, Secretary of the Navy, contains the following paragraph:

3. Owing to disturbances in Haiti, the commander of the Cruiser Squadron landed a force of marines and sailors at Port au Prince and Cape Haitien. The force of marines consisted of the Twelfth Company and the Twenty-fourth Company of the *Washington*. This was reinforced the next day by the Twenty-fourth Company from Guantanamo Bay, Cuba, a total of about 100 men.

On the late of July 17, 1916, the "Commander Cruiser Force, United States Fleet," addressed the following letter to the Secretary of the Navy:

Reinquishing command of the cruiser force, Atlantic Fleet, I express my appreciation of the valuable services which have been rendered by the trying conditions encountered in Haiti and Santo Domingo.

mingo, by Captain Van Orden, United States Marine Corps, in his capacity as a squadron marine officer on my staff. The quality of his work should be peculiarly fitted therefor by natural ability and thorough training. Several weeks, during which there was only one line aid on my staff, he performed duties outside the ordinary scope of a marine officer.

"2. Captain Van Orden was in command of the provisional regiment of marines and bluejackets, which took the city of Port au Prince, Haiti, July, 1915. The Commander Cruiser Force desires especially to commend him for the excellent planning and equally excellent execution of this task. Nothing but the best of generalship, seconded by the loyal and efficient cooperation of all members of this regiment, could have effected the great loss of life, the occupation, at dusk, of this city, filled as it was by unfriendly citizens and soldiery. Its accomplishment reflects great credit on the whole naval service.

"3. It is recommended that, for his part in this taking of Port au Prince, the department address a letter of commendation to Captain Van Orden, and append a copy thereof to his record."

17. On January 17, 1916, the commander, cruiser squadron, wrote the following letter to the Secretary of the Navy (Operations):

"1. The commander cruiser squadron desires to commend the good order and the discipline displayed by the officers and men of the Twelfth Company of Marines on the occasion of the occupation of Port au Prince, Haiti.

"2. On this occasion this company was a part of a battalion commanded by Capt. Giles Bishop, Marine Corps. The company itself was directed by the command of First Lieut. Julian P. Willcox, Marine Corps. I am following from the report of the commander of the landing force, Captain Van Orden, Marine Corps:

"For more than an hour and a half, while the light faded to darkness, the company was endangered by occasional shots from snipers, but did not suffer a single shot, although they disarmed a large number of Haitian soldiers. They took possession of the arrondissement. The calmness and excellent discipline of the section commanded by Sergt. John E. Reynolds are particularly noteworthy, as this section was placed in the most trying position."

"3. I request that a copy of this letter be attached to the service record of Capt. Giles Bishop, Marine Corps; First Lieut. Julian P. Willcox, Marine Corps; and Sergt. John E. Reynolds, Marine Corps, and to the office of the Twelfth Company in the major general commandant's office."

18. The Secretary of the Navy placed the following indorsement on the letter in forwarding it to the major general commandant:

"The department takes pleasure in forwarding the attached highly satisfactory report of the services of the Twelfth Company of Marines."

19. About 9.30 o'clock, Friday morning, July 30, 1915, Col. John A. L. acting commandant of the Marine Corps during the absence of Major General Barnett, was directed by Admiral William S. Benson, Secretary of the Navy, to embark an expeditionary force of 500 men on the *Connecticut* at Philadelphia, by 8 a. m. the following day. July 31, Colonel Lefebvre selected five companies of the Second Regiment, United States Navy, from the navy yard, Philadelphia, Pa., for this duty.

20. Telegrams were at once sent to all officers on leave, directing them to report immediately to Philadelphia. Orders were prepared in the form of a letter to the brigade commander to embark the Seventh, Fifteenth, Sixteenth, and Twentieth Companies, fully equipped for shore service in the Philippines. Telegrams were sent to Col. Eli K. Cole, at Annapolis; Lieut. Col. Leif E. Moses, at New York; Lieut. Col. William C. Dawson, A. P. M., at New York; Maj. Louis M. Gulick, at the Marine Barracks, Navy Yard, Washington; and other officers to proceed immediately to Philadelphia to join the Twelfth Regiment not later than 8 a. m. the following day. Lieut. Col. W. Neville, the former commanding officer of the Second Regiment, had been detached from that regiment preliminary to being assigned to the command of the American Legation Guard at Peking, China. Orders were also sent to the New York Barracks to send a detachment to augment the Twelfth Regiment, and to the Norfolk Barracks to have one officer and 125 men embark on the U. S. S. *Connecticut* as she came down the coast. Arrangements were made for the loading of 30,000 rations, hospital stores, ammunition, machine guns, full expeditionary equipment, etc., on board the *Connecticut*.

21. At 8 a. m., Saturday, July 31, 1915, Colonel Cole arrived at the navy yard Philadelphia, and found his regiment completely equipped and

board the vessel, where all regimental stores and equipment had loaded. The U. S. S. *Connecticut* sailed from Philadelphia at late, and the following morning at 5.30 stopped off the Chesapeake embarked the detachment from Norfolk. The U. S. S. *Connecticut* at Port au Prince, Haiti, on August 4, 1915, and the marines were disembarked and all stores landed.

On July 31, 1915 Col. Littleton W. T. Waller, the brigade commander, the sailing of the Second Regiment on board the U. S. S. *Connecticut* the major general commandant, stated in part:

that the depot, the Second Regiment headquarters, and my staff congratulated on their work—Captain Putnam especially, in his caring quartermaster of the First Regiment and brigade paymaster. Satisfactory to have such hearty and frictionless cooperation in one's work.

Colonel Ostermann was acting in the threefold capacity, aid, brigade post adjutant. Lieutenant Colonel Neville was without adjutant and required assistance.

Colonel arrived this morning to find his regiment on the dock, ready to board. Colonel Neville turned over the command, leaving nothing to do until after the departure of the ship."

The annual report of the major general commandant, dated October 6, 1915, is the following:

On July 30 the department directed that about 500 additional marines be sent to Port au Prince via the *Connecticut*. In less than 24 hours five companies of the Second Regiment (528 enlisted men) embarked with a full outfit board the *Connecticut*, and that vessel sailed for Port au Prince. Upon its arrival at its destination the marines were landed."

The prompt embarkation of the Second Regiment was commended in the report of the Navy Department, dated August 4, 1915:

The department is gratified to note the promptness of the execution of its order that a regiment of 500 marines embark on board the U. S. S. *Connecticut* for duty at Port au Prince. The department appreciates the management and teamwork that made it possible for a force of this size to be fully equipped in less than 24 hours from the time the orders were issued."

On July 31, 1915, Rear Admiral Caperton informed the Navy Department

that the situation at Port au Prince still unsettled but quiet during the day.

He was informed by the French minister that he received a dispatch from the French government stating that the French Embassy at Washington had been directed to inform the United States Government that France considered it necessary to land a legion guard at Port au Prince for national honor. The French minister repeated his conviction that we were able to protect life and property and assured me that he would confine his guard to the legion and not allow them to carry arms outside of the legion. He wishes to assure me that he does not intend in any way to interfere with my actions."

The Navy Department, from dispatches received to-day, evidently thinks that no de facto government exists at Port au Prince. No de facto government exists. All government functions are at present carried on by a committee practically under my direction."

Rear Admiral Caperton in this message also informed the department that he reported heavy firing off Cape Haitien and that Bobo intended to attempt to enter Cape Haitien; that United States forces might be required to occupy Cape Haitien; and to expect a request for another regiment."

The secretary of the Navy on July 31, 1915, informed Rear Admiral Caperton that he had no objection to landing of small guard of French troops to guard the situation."

On August 1, 1915, Rear Admiral Caperton informed the Navy Department

that if a regiment of marines is demanded by conditions at Port au Prince that a possible delay."

As described above, the Second Regiment of marines was dispatched on board the U. S. S. *Connecticut* at Port au Prince on August 4,

and Rear Admiral Caperton informed the department on August 1, 1915:

"Port au Prince quiet during night except for ~~some~~ Mission, where mob about 12 men broke in and ~~several~~ Arms continued to be found. Until large force ~~arrived~~ reduce danger due presence these arms and ~~thereby~~ ~~was~~

31. In a later message on August 1, 1915, Bear ~~ARMED~~ ~~ARMED~~ ~~ARMED~~ the department as follows:

"Control Port au Prince without difficulty. ~~City~~ unsettled. Haitian soldiers said to be disarmed and retain organization, and I believe many have arms. ~~Inspection~~ inspection for arms and seizing many. ~~Have~~ Have for ~~murdered~~ in numbers during night. Wesleyan Mission ~~mother~~ murdered prisoner in jail was secreted therein. ~~price~~ in price, poorer classes without food and many ~~conditions~~ conditions justify issuing food under direction ~~humanity~~ humanity and greatly control populace."

32. On August 2, 1915, Rear Admiral Caperton issued the following statement as follows:

33. In forwarding the

33. In forwarding the above message Admiral Fletcher said: "If there is possibility that northern army of Hainan is at Port au Prince national question and attack our interests, the department consider the advisability of providing our forces with adequate forces to meet such an eventuality."

34. Rear Admiral Caperton on August 2, 1915, informed the French Minister that the "Des Cartes" (French warship) landed 1000 French troops at the French Consulate in Constantinople. The French Minister called this morning to thank me and the Government for protection afforded his legation by our landing.

35. Later on August 2, Rear Admiral Caperton reported to the President that "Professional soldiers called Cacos are largely responsible for the large number of Haitian revolutionists. The Cacos are bands under irresponsible and lawless chiefs, who side with the greatest inducement, and only nominally recognize the Haitians fear the Cacos and they practically control the country now in Port au Prince, about 1,500 Cacos retaining arms believed to have hidden arms and ammunition, but this message also contained the information that the demand for arms had been demanded by the Cacos and Congress. The demand was on the point of complying; that no other government in Haiti is not possible until Caco hands are broken, power broken," and that "the majority of the population are well disposed and will welcome disbanding Cacos and their leaders." Rear Admiral Caperton also insistently requested the additional

35. On August 3, 1915, Rear Admiral Caperton informed the Board that:

"Last night found squads of native soldiers apparently unarmed" -- over the city. Challenged everybody and demanded counter-attack. Rise to uneasiness. With my present force can successfully combat."

Rear Admiral Caperton further reported in this same message that he believed he was "successful in this except from soldiers. Men who won the revolution fear action of the United States may result from securing to them result of overthrow of government. Other of all classes glad United States forces here to prevent this very arrival marines on Connecticut I will be able to prevent outbreak and security to foreigners living in outskirts who are clamoring for requests are being granted. Situation Cape Hatien unchanged.

36. Later on the 31, Rear Admiral Caperton reported:  
"Believe time has come for settlement Haitian question; but for this -  
and in order that settlement may be permanent and government be  
and revolution may be ceased, must break up Caco hands. Must be -  
quell disturbance other points. Disturbances reported Les Cayes and J.-  
and for these reasons, if "United States desires to settle Haitian q.-  
imperative that additional regiment of marines be sent immediately.

ernment of Vilbrun Guillaume was overthrown by General Delva, although there were 1,500 government troops in Port au Prince. Delva was acting in Bobo's interests. General Delva then proclaimed by revolutionary committee. Revolutionary committee at first ally under my direction, but now frequently give orders without regard and act more independently. This is unsatisfactory, but I must agents for the direction of affairs, or else must assume entire military control, which is undesirable at present.

Congress is in session, it has elective power only, there being no. Upon the election of a President, Congress acquires legislative power and the revolutionary committee loses all authority. Jealousy between military committee and Congress exists. While it elects a President, it desires my protection. The congressmen were practically appointed by President, and are not representative of the people. Killing and disorder are usually the result of elections.

Proposed by prominent Haitians that a provisional government be formed, composed of President and ministers to replace the revolutionary committee. Provisional government to proceed immediately to come to an agreement with the United States, to order a new election, dissolve the Congress, and the United States to maintain order and peace during the transition.

Many recommendations, but favor no faction and indicate preference for order. I make no promises except that order will be maintained and all Haitians will be protected."

U. S. S. *Connecticut* with the Second Regiment of marines on board Port au Prince on August 4, 1915.

Admiral Caperton on August 4 forwarded the following message from the U. S. S. *Eagle* at Cape Haitien to the department:

"Armed troops are now out of town. Bobo's troops attempted to enter town but were chased to the woods by the *Eagle's* 6-pounder guns, and are now informed that if they come close they will be fired upon. Bobo's troops are at Ives in Cape Haitien and I will see about committee of inquiry. There are about 800 troops in the vicinity."

Following radiogram was sent by Rear Admiral Caperton to the department August 4, 1915:

"Cape Haitien with Pacifique Nord Alexis and some troops. Some troops left Cape Haitien when Blot's troops from country entered 6 a. m. Wednesday. There have now left Cape Haitien. *Nashville* has landed and taken over the city. Quiet at Cape Haitien at present."

Following radiogram dated August 4, 1915, Admiral Fletcher approved Caperton's recommendation for an additional regiment of marines and stated that:

"In view of the fact that armed forces have already been landed in Port au Prince, and of the opinion that an expeditionary force of at least 1,000 additional troops should be sent there to provide against contingencies such as may arise on the part of Haitians outside of the city."

August 4, 1915, Rear Admiral Caperton reported to the department:

"Port au Prince quiet. Regiment of marines ashore; stores and equipment landed. Blot left Cape Haitien for Monte Cristi, Santo Domingo, and Gonaïves. No further resistance to Bobo in north. Bobo's troops marching on Port au Prince due to arrive in about six days. Bobo promises disarmament on arrival Port au Prince. Cape Haitien quiet. Outbreaks reported at Miragoane, Jacmel, Haiti, Peti Riviere de Nippe in addition to these reported. Revolutionary committee at my order telegraphed all these places order must be restored; have reason believe this will be accomplished."

Admiral Caperton reported on August 5 that at 4 p. m. Thursday a detachment of marines and one company bluejackets occupied Fort National, Port au Prince, without firing a shot; that disturbances were reported in Gonaïves forming with threats of looting the customhouse; that he had sent on U. S. S. *Oscarola* and sent her to Gonaïves; and that Port au Prince quiet.

August 5, 1915, Rear Admiral Caperton reported:

"Port au Prince quiet; committee safely formed but looking to Zamor or Bobo for support. Bobo wants control city; has about 2,000 soldiers in vicinity. Soldiers have hidden arms. *Nashville* outposts allowed Bobo soldiers to enter disarming; 450 former Blot soldiers refugees; bishop's palace occupied. United States forces insufficient maintain palace and patrol city."

44. On August 5, 1915, Rear Admiral Caperton reported:

"Fourteen cannon of various kinds, 450 rifles, 1,000,000 rounds of ammunition in Fort National when occupied. Some unrest and agitation Port au Prince taking extra precautions to-night. No further news Cape Haitien. Sailed with commission 3 p. m. Thursday. At request, church authorities au Prince through chargé d'affaires and in view of unsettled conditions Haitien I authorized passage of about 16 Sisters of St. Joseph from Haitien to Port au Prince via *Jason*. Bobo and Bouamand on *Jason*."

45. On August 5, 1915, Rear Admiral Caperton reported as follows department:

"The Haitian Congress to-day issued a bulletin that on Sunday it will elect a president, but at my request it has postponed the election. The time election is inopportune. Menos, the Haitian minister at Washington, if here would be elected by Congress, I am told, but in his absence I have been informed that Dartiguenave, now president of the senate, is the candidate to be elected. He, I have heard from many sources, is a man of personal patriotism, and ability. He has never been connected with any revolution and is anxious for Haitian regeneration. He realizes that Haiti must accept any terms demanded by the United States, and he professes to be ready to use all his influence with Haitian Congress to have Haiti agree to such terms. Should he be elected he must be sustained by the protection of the United States."

"This condition applies to anyone who may be elected. The only other candidate is General Bobo, who is said to be a man of patriotism and intellect. His friends maintain that he would work solely for his country's good. Only fear of Cacos would elect General Bobo, and if he were elected a revolution against him would undoubtedly break out unless the United States prevented it."

"All classes except the Cacos express great relief at the presence of American troops, as Americans afford the only hope of relief from government terror. It is universally believed here that should the American Government withdraw, the Government will lapse into complete anarchy. The United States must, in my opinion, elect to remain in Haiti until the native Government is self-sufficient and until the people are educated to respect and abide by the laws."

"There would be complete machinery for all Government functions. The President be elected now. Progress toward good government could be commenced with protection and influence by the United States. At the same time, except as directed by me, there is no central government and the Haitian people are anxious to have a President elected. Haitians also are present that the continuance of their independence may not be jeopardized by the United States."

46. On August 6, 1915, Col. Littleton W. T. Waller, the brigadier general, stationed at the marine barracks, navy yard, Philadelphia, received the following personal orders, signed by the Acting Secretary of the Navy:

"Proceed via U. S. S. *Tennessee* to Port au Prince, report on the status of the cruiser squadron temporary duty in command First Brigade United States Marines and other United States naval forces on shore in Haiti."

47. On this same date telegraphic orders were issued to the brigadier general reading in part as follows:

"Embark brigade headquarters, Third Company (signal company) First Regiment (less Second Company), fully armed and equipped for transportation Haiti temporary foreign-shore service which is ready to receive troops."

48. All leaves of absence of officers were revoked, and the First Brigade reinforced by a detachment of 75 men from Norfolk and several officers. The following day, the 7th, the expeditionary force was ready to embark. The *Tennessee* arrived at the navy yard, Philadelphia, from New York at 9 a. m., Monday, the 9th. All stores were loaded and the troops had breakfast at 8 a. m., the 10th, at which time the *Tennessee* sailed for Port au Prince. Upon arrival, on August 15, 1915, all troops were disembarked and stores landed.

49. The annual report of the major general commandant, dated August 1, 1915, contains the following:

"The commander of the cruiser squadron having again requested additional force of marines, headquarters of the First Brigade, the signal"

panies of the First Regiment embarked on August 10 on board *C* and proceeded to Haiti, arriving there on the 15th. The expedition, together with its stores, was immediately landed, and since the brigade, under the command of Col. Littleton W. T. Waller, has been in the restoration and maintenance of good order and the presence in Haiti. Its service has been conspicuously efficient."

Rear Admiral Caperton reported on August 6, 1915, as follows:

"I have orders that all Haitian soldiers in Port au Prince not living quietly. At 11 a. m. began arresting those remaining; some resistance. One is injured. Two Haitian killed. \* \* \* *Connecticut* landed in Haiti on August 10 a. m. Cape Hatien quiet."

On August 7, 1915, the Acting Secretary of the Navy sent the following letter to Rear Admiral Caperton:

"Under orders for Port au Prince, with 850 marines, 35 more soldiers. Colonel Waller. Upon their arrival, will you have sufficient military control city of Port au Prince and country immediately around it which it draws its food supply?"

Rear Admiral Caperton reported to the department on August 7, 1915,

"Bobo had formally resigned the position of chief executive, disapproved his cabinet before he landed at Port au Prince, on August 7, 1915, and his generals in northern Haiti to deposit their arms with American forces. Similar promises were given by Bourand and to his supporters in the north. Rear Admiral Caperton on this date further reported that the late election of a President is clamored for by all classes of Haiti. That there were "only two serious candidates, Bobo and Dartiguenave, that "in the presence of congressmen, Dartiguenave, president-elect, stated that congressmen are agreed that Haiti must and will agree to any terms proposed by the United States, "including right of inspection, when necessary, customhouse control, and cession outright, without compensation, St. Nicholas Mole." His report contained the additional information that the Haitians "insist that no Government can stand except through the protection of the United States. Without this protection, there would be anarchy in Haiti, according to their statements. Most Haitians are in favor of the Americans will withdraw their troops."

On August 7, 1915, Rear Admiral Caperton reported to the department that the commission returned from northern Haiti on August 6, 1915; that succeeded in bringing all principal leaders in north to Port au Prince, including Bourand, Bourand, and Laroche, formerly of Blot party. Only two in northern Haiti now, Bourand and Bobo. Commission received assurance from Bourand that their forces would retain present position and would not further fighting. Question disarming was left for conference with the cruiser squadron. Since return commission both generals, after on board *Washington*, issued orders their troops proceed Cape Hatien to disarm."

On August 7, 1915, "Bandit Chief Desgants and 11 of his men captured several miles outside Port au Prince."

On August 7, 1915, the Acting Secretary of the Navy sent the following letter to Rear Admiral Caperton:

"The Haitians to fullest extent consistent with maintaining order and the situation and issue following proclamation:

"I am directed to assure the Haitian people United States has no object in Haiti but to insure, establish, and help to maintain Haitian independence and the maintenance of a stable and firm government by the Haitian people. No concession will be given to the Haitian people in their attempts to secure independence. It is the intention to retain United States forces in Haiti only so long as it is necessary for this purpose."

On August 9, 1915, the Acting Secretary of Navy sent the following letter to Rear Admiral Caperton:

"The Haitians wish you may permit the election of a president to Haiti. The election of Dartiguenave is preferred by United States. You are to assure the Haitians that the United States has no other motive than the desire to see the Haitians have a firm and lasting government by the Haitian people and wishes them to maintain both their political and territorial integrity unimpaired. That the Haitian Government grant no territorial concessions to any foreign governments will be upon by the United States. The question of the cession of Mole will be taken up later by the Government of the United States

along with the other questions to be submitted to the reorganized government with regard to its relations to the United States."

57. On August 10, 1915, Rear Admiral Caperton reported that in answer to a question as to whether he would support the Government if Dartiguenave were elected President, General Bobo replied "that he would not assist Dartiguenave's government nor accept him if elected." On this same date Rear Admiral Caperton reported Port au Prince was quiet, except Bobo troops were causing severe disturbances in vicinity of Grand Riviere, and that none of them had arrived at Cape Haitien to surrender their arms. "Ex-Governor of about 200 under General Auguste attacked St. Marc Saturday, August 7, repulsed by forces under committee of safety. Auguste and four followers killed."

58. On August 11, 1915, Rear Admiral Caperton reported as follows:

"In conjunction with chargé d'affaires informed senators and deputies elected and presidential candidates of intentions and policies United States Government as set forth by Secretary of State in cable message of August 10 last night. Senators and deputies cordial. Election will be held tomorrow. Passed quietly Port au Prince, but considerable uneasiness and demonstrations, due approaching elections and desperate attitude Bobo and Zamor factions. Revolutionary committee issued orders dissolving Congress and attempted seal doors Chamber Deputies; anticipate their action tomorrow. Force to Chamber of Deputies and informed committee their action without authority. For this reason and account hostile and disturbing influence Bobo and Zamor factions have dissolved revolutionary committee and now they have no further authority Port au Prince and would be considered public enemies of United States of America if they attempted give orders or further menace United States policies. Have taken extra precautions against disorder during election; have placed *Castine* and *Eagle* at Port au Prince with landed men from them to reinforce landing force. Have assumed control of telegraph office. Petigoave quiet. *Connecticut* to-day held conference with ex-Bobo forces relative surrender arms at Cape Haitien."

59. On August 12, 1915, Rear Admiral Caperton informed the Navy Department that on account of the disturbing actions of Bobo and Zamor at Cape Haitien and the inability to form civil government with neutral cause of their fear of the factions he was compelled to establish a provisional government at Cape Haitien with Commander Olmstead as military governor.

60. On August 12, 1915, Dartiguenave was elected President of the Republic of Haiti, Rear Admiral Caperton reporting the incident to the Secretary of the Navy in the following words:

"Day passed without disorder Port au Prince. Votes for President passed by Congress as follows: Dartiguenave, 94; Chauvin, 14; Thezan, 4; 1 blank. Dartiguenave was declared elected midst enthusiasm and immediately took oath of office. Following election Dartiguenave spoke, and never been chief any faction, band, or group, and that he will govern for benefit of Haiti, according to constitution and laws. He afterwards expressed appreciation of American forces, which he stated had made possible his free from intimidation. At 3 p. m. salute 21 guns was fired at Fort National and Haitian flag hoisted. Am continuing precautions against disturbances."

61. On August 13, 1915, the Secretary of the Navy directed Rear Admiral Caperton to exercise extreme caution concerning the firing of a salute to the Haitian flag since the Haitian Government "has not yet been recognized by the United States and will not be except upon certain conditions." Rear Admiral Caperton was further directed that "It is expected that the representative of the State Department to have carried through the Government's plan." Rear Admiral Caperton replied that "No national salute have been fired by American ships or forces in Haiti. I permitted them to enter and fire salute and hoist their flag at Fort National in accordance with time-honored custom in Haiti after election of President. I have not furnished military government of this city and consequently have not hoisted States flag on shore."

62. A slight disturbance occurred during the night of August 14-15 in the northern part of Port au Prince when a patrol was fired upon.

63. The U. S. S. *Tennessee*, with Colonel Waller, the First Regiment of Marines on board, arrived at Port au Prince on August 15, 1915.

64. On August 16, 1915, Colonel Waller sent the following message to the major general commandant:

command of naval force on shore Haiti this date. Colonel Cole commanded First Regiment. Colonel Kane commands Second Regiment headquarters and First Battalion sailed on *Tennessee* to Cape Haitien. Brigade headquarters Second Battalion, First and Third Company stationed Port au Prince."

August 17, 1915, Rear Admiral Caperton reported that the population was hostile to the government of Dartiguenave and were ready to take any party; that the Cacos troops outside of Cape Haitien were in a state of incredulous relative terms submission offered by me and are now have occupied without resistance Leogane with one company of the First secure Port au Prince and food supply for town."

August 17, 1915, Rear Admiral Caperton reported that he had sent one and one battalion of the First Regiment to Cape Haitien with a detachment of the *Connecticut* at that place. This report contains further information that the U. S. S. *Eagle* was on important duty between Leogane and Maragoane in support of a detachment of the First and pending American and foreign interests in that theater. Rear Admiral Caperton concluded his report with the statement that the United States "can not afford hamper me by reduction of my force if I have Haitian difficulties at this time."

The U. S. S. *Castine* landed one company of marines and assumed control of the town at 10 a. m., August 17, 1915. St. Marc was occupied in order to protect Port au Prince and to guard the food supply for that city.

August 18, 1915, the Secretary of the Navy directed Rear Admiral Caperton as follows:

"In accordance with the desires of the State Department, you are directed to take possession of the following customhouses: Jacmel, Aux Cayes, Jerimle, Petit Goave, Port au Prince. St. Marc, Gonaives, Port de Paix,

You will use the funds that are collected for organizing and maintaining an efficient constabulary for conducting such temporary public duty as may be required to afford immediate relief to the discharged soldiers and starving civilians by giving them employment and finally for the support of the Dartiguenave government."

August 20, 1915, Rear Admiral Caperton reported that "Some disturbances in Port au Prince last night, many rifles still in hands of populace."

August 21, 1915, the major general commandant issued orders for the First Battalion stationed at Annapolis, Md., to "embark the battalion, and equipped both as Artillery and as Infantry, on board the *Tennessee* for passage to Port au Prince, Haiti."

August 22, 1915, Rear Admiral Caperton reported that Cape Haitien was quiet, that minor disorders occurred in Port au Prince, a few shots were fired on the outskirts of the town, and that arms, machine guns, and ammunition continued to be found in Port au Prince.

August 23, 1915, Rear Admiral Caperton reported: "Nashville visited Port de Paix with marine officers; purpose making reconnaissance to-day. Port de Paix very unsettled, but no troops there. No government troops."

"Will occupy Port de Paix Wednesday or Thursday."

Rear Admiral Caperton reported to the Navy Department on August 25, 1915, "Conditions Port au Prince uneasy, our patrols in town fired on by the Cacos." That the Nineteenth Company of marines arrived off Port au Prince they landed without opposition. This report also stated that: "The marine officers on reconnaissance duty at Miragoane Tuesday." "There were slight disorders at Cape Haitien on August 28, 1915, and shot being fired on by snipers."

August 30, 1915, Rear Admiral Caperton ordered the Twelfth Company of marines to proceed on board the U. S. S. *Eagle* to Petit Goave and Miragoane to protect these ports for the purpose of protecting life and property and maintaining order. These orders were obeyed on August 31, 1915.

August 31, 1915, the Seventh Company of marines arrived off Gonaives, occupied that town and assumed charge of customs without opposition. This of course was accomplished under orders from Rear Admiral Caperton.

August 31, 1915, the *Tennessee* arrived in Port au Prince and landed the First Artillery Battalion, and the First and Ninth Companies, and moved to Cape Haitien where the Thirtieth Company was landed on August 31, 1915. The annual report of the Major General Commandant,

dated October 6, 1915, contains the following information concerning the Artillery Battalion.

"Additional marines having been further requested the Artillery Battalion consisting of three companies of an enlisted strength of 318 men, and twelve 3-inch landing guns and two 4.7-inch heavy field guns, sailed on the *Tennessee* on August 26, 1915, for Port au Prince. The battalion joined the First Brigade on August 31, 1915."

78. On August 31, 1915, there were a total of 88 officers and 1,541 men of the Marine Corps operating in Haiti, distributed among the following organizations:

First Brigade, field and staff.....	1
First Regiment.....	1
Second Regiment.....	1
Artillery Battalion.....	1
Signal Company (Third Company).....	1
U. S. S. Washington, detached.....	1
U. S. S. Connecticut, detached.....	1
On board <i>Tennessee</i> and <i>Eagle</i> .....	1
Total.....	6

79. On the above-mentioned date (August 31), the personnel of the First Brigade of Marines in Haiti was as follows:

#### FIRST BRIGADE OF MARINES.

Col. Littleton W. T. Waller, commanding.  
 Lieut. Col. Charles C. Long, chief of staff.  
 Maj. Louis J. Magill, A. A. & I. brigade adjutant.  
 Lieut. Col. William B. Lemly, acting quartermaster, brigade quartermaster.  
 Lieut. Col. William C. Dawson, acting paymaster, brigade paymaster.  
 Capt. Joseph A. Russell, brigade intelligence officer.  
 First Lieut. Edward A. Ostermann, aid to brigade commander.  
 Passed Asst. Surg. George L. Wickes, United States Navy, brigade surgeon.  
 Asst. Surg. Frederick Ceres.  
 Paymaster Clerk Horace W. Mitchell.  
 Field Clerk Harold H. Rethman.  
 Sergt. Maj. Charles L. Fickmann, brigade sergeant major.

#### FIRST REGIMENT.

Col. Eli K. Cole, commanding.  
 Capt. William T. Hoadley, regimental adjutant.  
 Capt. Jeter R. Horton, acting quartermaster, regimental quartermaster.  
 Asst. Surg. J. T. Borden, United States Navy, regimental surgeon.  
 Sergt. Maj. Lombard T. Hayward, regimental sergeant major.  
 Asst. Surg. William H. Michael, United States Navy.  
*First Battalion*.—Maj. Smedley D. Butler, commanding.  
 First Lieut. Alexander A. Vandegrift, battalion adjutant.  
 Fifth Company: Captain William W. Low; first lieutenant, John M. second lieutenant, George Martin.  
 Eleventh Company: Captain, Richard S. Hooker; first lieutenant, E. H. Utley; second lieutenant, Frank L. Martin.  
 Nineteenth Company: Captain, Macker Babb; first lieutenant, T. Clarke; second lieutenant, Henry P. Torrey.  
 Twenty-third Company: Captain, Raymond B. Sullivan; first lieutenant, Harry G. Bartlett; second lieutenant, Edmond H. Morse.  
*Second Battalion*.—Maj. Newt. H. Hall, commanding.  
 First Lieut. Julian C. Smith, battalion adjutant.  
 Fourth Company: Captain, Walter N. Hill; first lieutenant, Charles second lieutenant, Tracy G. Hunter.  
 Sixth Company: Captain, Frederic M. Wise; first lieutenant, Randolph second lieutenant, Marion B. Humphrey.  
 Twenty-second Company: Captain, Alexander S. Williams; first lieutenant, Howard C. Judson; second lieutenant, Bernard C. Judson.

SECOND REGIMENT.

re P. Kane, commanding.  
 Laurence H. Moses.  
 . Fryer, regimental adjutant.  
 rd W. Banker, acting quartermaster, regimental quartermaster.  
 im H. Parker.  
 min F. Rittenhouse.  
 . Surg. Frank X. Koltes, United States Navy, regimental surgeon.  
 William A Stoops.  
 John Blanchfield, regimental sergeant major.  
 Hon—Maj. Harry Lee, commanding.  
 Lt. Robert P. Peirce, battalion adjutant.  
 Company: Captain, William P. Upshur; first lieutenant, Adolph B.  
 i lieutenant, Allen H. Turnage.  
 Company: First lieutenant, Franklin B. Garrett; first lieutenant,  
 terhout, jr.; second lieutenant, Samuel L. Howard.  
 Company: Captain, Edward A. Greene; first lieutenant, John Q.  
 d lieutenant, David H. Miller.  
 Hon—Maj. Louis M. Gullick, commanding.  
 William F. Bevan, battalion adjutant.  
 Company: Captain, John C. Beaumont; first lieutenant, Edward W.  
 econd lieutenant, Alphonse de Carre.  
 Company: Captain, Giles Bishop, jr.; first lieutenant, Julian P.  
 d lieutenant, Vincent E. Stack.  
 Company: Captain, Frank F. Robards; first lieutenant, Samuel  
 nd lieutenant, Rolland E. Brumbaugh.

ARTILLERY BATTALION.

as C. McDougal, commanding.  
 Howard W. Stone, battalion adjutant.  
 any: Captain, Robert O. Underwood; first lieutenant, Victor I.  
 ond lieutenants, David S. Barry, jr., Douglas B. Roben.  
 any: Captain, Eugene P. Fortson; first lieutenant, Chester L.  
 d lieutenant, Albert R. Sutherland.  
 Company: Captain, Chandler Campbell; first lieutenant, Thomas  
 r.; first lieutenant, Woolman G. Emery.

SIGNAL (THIRD) COMPANY.

rd B. Creecy, commanding.  
 Allen E. Simon.  
 Lt. William B. Sullivan.  
 eptember 1, 1915, Rear Admiral Caperton reported to the Navy De-  
 he "will occupy customhouse, Port au Prince, to-morrow, and  
 or trouble in that city may necessitate martial law." On the  
 l that the chargé d'affaires concurred with him in his decision to  
 rtial law at Port au Prince " to-morrow. Rear Admiral Caperton  
 occlamation placing Port au Prince under martial law, a conclud-  
 reading as follows:  
 anding officer of the United States Expeditionary Forces, Col.  
 . Waller, United States Marine Corps, is empowered to issue the  
 lations and appoint the necessary officers to make this martial

ion to Port au Prince, the immediate territory occupied by the  
 es was placed under martial law. The ordinary civil govern-  
 wed to continue and was not to be interfered with except in cases  
 on was inimical with American interests. A few days later the  
 was extended to cover Gonaives Island, where frequent dis-  
 occurred. Martial law was declared at the request of President

eptember 4, 1915, the situation in north Haiti became critical.  
 Rear Admiral Caperton reported to the Navy Department: "In  
 i the Cacos situation is becoming critical because of their leaders,  
 avoring to obtain exorbitant bribes. These Cacos will not come  
 es and surrender arms and will not disband. \* \* \* In Cape

Haitien these Cacos have again begun investing the town and are preventing market people and foodstuffs from entering."

83. On September 4, 1915, Rear Admiral Caperton reported: "Existing of *Marietta* and Sixth Company of marines will leave Port Sunday afternoon to occupy Jeremie and customhouse at that place. It was occupied on September 6, 1915. On September 7, 1915, Gonaïves reported "uneasy" and much excitement existing among the natives. Three hundred Cacos under Chief Rameau were close to the town, and a detachment landed from the *Castine* to reinforce the Seventh Company of marines. On September 11 it was reported that there were about 400 Cacos near stopping trade from entering that town.

84. Colonel Waller left Port au Prince on September 13, 1915, for a reconnoissance at St. Marc, Gonaïves, and Cape Haitien.

85. The cruiser squadron commander continued to occupy *Sacramento*, with the Fourth Company and Seventeenth Company of marines. It sailed from Port au Prince, and on September 15 the Fourth Company of marines occupied Aux Cayes, and on the next day Jacmel was occupied by the Seventh Company of marines.

86. On September 16, 1915, the United States-Haitian treaty was signed by Rear Admiral Caperton reporting to the Secretary of the Navy as follows:

"Treaty signed by plenipotentiary of United States and Haiti at Port-au-Prince, Thursday."

87. Rear Admiral Caperton reported on September 17, 1915, that he had been informed by the charge d'affaires that the United States had been informed by the Haitian Government, he had fired the national salute of 21 guns in honor of the President.

88. On September 18, a working party engaged in repairing a water tank at Varigosa, near Cape Haitien, was fired on by Cacos. The fire was returned, and one Caco was killed and several wounded. The *Castine* landed to support the marines. On the same date shots were exchanged between the *Castine* and Cacos, near Gonaïves, Rear Admiral Caperton reporting as follows:

"Mounted marines patrol, 8 men and 1 officer, encountered 75 Cacos near Gonaïves, 9 a. m., Saturday. Cacos attempted to surround patrol, but shots withdrew. No casualties. Very little food comes into Gonaïves."

89. On September 21, 1915, Rear Admiral Caperton reported to the Secretary of the Navy, as follows:

"Conditions that town (Gonaïves) relative to food and water are intolerable as to require immediate action. Therefore directed reconnoissance to Ennery in same manner as was done at Cape Haitien. We learned of preparations for opening railroad, they started firing at destroying railroad tracks one-half to 1½ miles outside of Gonaïves. A detachment of 24 marines immediately proceeded along railroad, where they encountered Cacos from behind barricades across railroad opened fire on our troops at 100 yards distance. Fire was returned by our troops, and Cacos were driven back into bushes for 1½ miles. No casualties our force. One chief and 5 Cacos were killed and 1 chief wounded. Sniping from bushes to east of town at intervals. \* \* \*"

90. On September 21, 1915, Rear Admiral Caperton reported that Colonel Waller had returned from his reconnoissance and inspection trip to Ennery, Haiti. Colonel Waller reported the Cacos hostile. "On September 21, 1915, three squads of marines, two machine guns, and wrecking material, under the command of Colonel Waller, opened railroad to Grand Riviere without difficulty. Cacos were excited, but offered no resistance."

91. Maj. Smedley D. Butler, with a detachment of marines and a detachment of engineers, left Gonaïves at 10 a. m., September 23, 1915, for Ennery, and by 4 p. m. the detachment had advanced 10 miles. Major Butler arrived at Ennery on September 24, 1915, and then returned to Gonaïves. At this time a detachment of marines was patrolling a 9-mile circuit around Gonaïves.

92. Major Butler took command of the forces at Gonaïves on September 25, 1915. These forces were the Seventh Company and the marine detachment from the *Castine*, total of 5 officers and 104 enlisted men. On this same day Major Butler ordered General Rameau not to interfere with food and water supplies with railroad and telephone lines, or disturb the peace. In the afternoon Major Butler took a detachment of marines to a point outside of Ennery where the Cacos had set fire to the railroad track, and, as Major Butler reported, the Cacos "had the impudence and misfortune to fire on our troops. Fire was returned and the outlaws were chased to the bushes. St."

the night. On September 21, 1915, a detachment of Major Butler's 1st to La Pierre to repair the water main. On the same date Major Butler's detachment to Portaux, had a skirmish about a mile outside the city limits, the skirmish continuing intermittently for about 3 miles, the detachment returning to Portaux. At Portaux Major Butler talked with General Ennery, turning him again as described above. The detachment then returned to the city. On the morning of September 22 a detachment of marines and returned the fire, and, taking possession of General Rameaux, to the outpost of the marines, where he promised Major Butler to his forces. A later conference was held, at which Captain Carter, Major Butler, and Rameaux were present. On September 23 the detachment left for Ennery with a detachment, reaching there the 24th. The detachment reached on the return trip, on September 25, 1915, without

report, dated October 7, 1915, Colonel Waller commended Major Butler as follows:

Butler in this case displayed his usual energy and judgment. I gave orders to carry out the work to Portaux in three days, then proceed to accomplish the first part in two days. The instructions not to be delayed upon were carried out to the letter. \* \* \*

On September 25, 1915, previous instructions from the commander cruiser had been received, the marines under Col. Eli K. Cole, at Cape Haitien, being ordered to march to Haut du Cap, the first patrol being sent to Haut du Cap 3 miles to the south of Cape Haitien. This patrol received orders that "It is desired that our forces do not start an action with the Cacos forces encountered should be informed that we do not propose to use force unless they interfere with and attack our forces, in which case we will use force." After reaching Haut du Cap and completing the reconnaissance return march was taken up. Just as the rear point cleared the Haitians began shouting, and the patrol was halted and faced the Cacos. The incident passed without any hostilities, and the patrol returned to Cape Haitien without further incident.

The next afternoon, September 25, another detachment of marines made a march to Petite Anse, about 3 miles to the southeast of Cape Haitien, under the same orders concerning neutrality as the first patrol. Colonel Cole's detachment company from the *Connecticut* to cover the outpost while this detachment completed its mission without op-

positions were issued on September 25 by Colonel Cole that two detachments go out the next morning. One under Capt. Frederick A. Barker, with five squads of the *Connecticut's* marine detachment, to march to Portaux, thence to Plain du Nord, there to halt until about 2 p. m., when to return to Haut du Cap, join Capt. Chandler Campbell with a detachment of the Thirteenth Company, the combined command then to return to Cape Haitien. Captain Campbell, with two officers and six squads of the Thirteenth Company, is ordered to march to Haut du Cap, Madelaine, and Carrefour, and to remain at Haut du Cap, to remain there until the arrival of Captain Barker's detachment. Both of these patrols received the same instructions regarding neutrality as given the patrol mentioned in paragraph 94. At 8 a. m. on September 26 it was received that the attitude of the Haitians was hostile and that they would be opposed. Colonel Cole directed them to "go ahead." At 10 a. m. word was heard from the direction of Haut du Cap and First Lieutenant Campbell, with three squads, was sent to reinforce Captain Barker. Lieutenant Campbell's detachment was fired upon at a point about three-quarters of a mile from Haut du Cap and two marines were wounded. Further reinforcements were sent. Captain Barker's detachment, practically surrounded by Cacos, returned to Haut du Cap without opposition. Upon leaving Haut du Cap for Portaux the detachment was fired into from all sides, and four marines were killed—Frank J. Brandle, Vincent Gage, Bernard C. Glassner, and one private. Expecting reinforcements and a junction with Campbell's company, Captain Barker held his position. The detachment in Campbell's company was fired into from the rear on the way to Haut du Cap, and four marines were wounded. The Haitians killed in these actions were

160. Total casualties to the marines in these engagements were 10. On the return of Colonel Cole to Cape Haitien on the night of 26th he had a consultation with the senior naval officer present, to march to

Quartier Morin the next morning and either attack and drive the Cansu place, their headquarters, or if they did not stand to occupy that town. troops.

98. Field order No. 8, dated September 27, 1915, contained the instructions for this operation. The advance guard was composed of the Eleventh Infantry, under Captain Hooker; the main body, under Captain Low, was made up of the Fifth, Twenty-third, and Thirteenth Companies, while the rear guard, under Captain Barker, consisted of the *Connecticut's* marine detachment. The advance guard reached Quartier Morin about 10.45 a. m. About this time a shot was fired by the column's rear guard. The town was entered and occupied with little resistance. One Haitian was killed during these operations.

99. On September 28, 1915, a reconnaissance was made to Plain de N to Haut du Cap over the same route that had been covered when the : : fired upon, but no resistance or hostilities were encountered.

100. These operations are described by Rear Admiral Caperton in the following radiograms to the Secretary of the Navy:

"Yesterday forenoon sent patrol to Haut du Cap. Afternoon sent patrol to Anse. Both patrols passed Cacos outposts, whose commanders waited until communication could be held with Caco chief, but no opportunity was encountered when patrol pushed on. To-day at 6 a. m. sent out two patrols, each 20 men each, first to Plain du Nord via Haut du Cap; second to Haut du Cap via Petit Anse and Carrefour Detrous. Patrol ordered to push through to the offensive action, but to defend themselves if attacked. First patrol pushed out Caco outposts, but went on. About 8.30 a. m. firing became general. Patrol at Haut du Cap, both patrols engaged. Colonel Cole with marines sent to assist first patrol, and remainder of *Connecticut's* landing force landed. About 11 a. m. second patrol returned Cape Haitien. Colonel Cole, with other patrol, remained at Haut du Cap. Firing continued at that time. Two men killed; counted 40 dead Cacos on Haut du Cap road. The purpose of these patrols necessary to insure free entry of food and supplies to Cape Haitien and not considered in nature of offensive operations. Colonel Williams left Port au Prince to-night on board *Eagle* for Cape Haitien.

"Cape Haitien quiet. Colonel Cole and all forces returned from Cap at 6 p. m. Have cleaned out village Haut du Cap, respecting property. Caco chiefs informed yesterday that patrol would be sent with no hostile or offensive intents. Will continue operations tomorrow. Estimated losses Cacos not less than 50 killed.

"Colonel Cole and troops returned at 3 p. m. They went to Quar and remained there one hour and half. No opposition encountered. One Caco chief who fired rear guard and was killed. No troops countered."

101. Word having been received that bandits and Cacos were robbing and pillaging the town of Petite Riviere, Colonel Wainwright, Capt. R. O. Underwood to take half a company, mounted, and proceeded to the town and protect the people. The detachment left St. Marc on September 1, 1915. An engagement with the Cacos took place and Sergt. John J. Platt killed almost instantly, being shot in the right eye. Three Cacos were killed and nine wounded. The detachment left Petite Riviere on September 3, 1915, the remains of Sergeant Platt and arrived at St. Marc the same day. In his report Captain Underwood made the following statement: "Along the route in returning the inhabitants turned out everywhere to express their regret at the loss of the marine. To show their gratitude the women of the village carried the corpse for some distance chanting a native hymn." Captain Platt and Gunnery-Sergt. T. J. McNulty were highly commended by the General Commandant and the Acting Secretary of the Navy in a letter of September 13, 1915, stated as follows:

"The department congratulates the forces engaged in the above operations at Petite Riviere for their prompt and decisive action on mission."

102. Pvt. Matthew I. Liptak was accidentally drowned at Jeremie on September 28, 1915. A detachment of marines under Sergt. Edward C. Thompson went to bring in the body was fired upon by town roughs and Sergeant was killed.

103. Colonel Waller on October 1, 1915, met the hostile Cucos at Morin. An agreement was drawn up and signed by both sides to the part that the Cucos would disarm immediately, turn in all arms and join to United States forces, go to their homes and not interfere with the United States forces.

telephones, commerce, agriculture, or other industries of the country. Admiral Caperton in a radiogram to the Secretary of the Navy conference in the following words:

Waller conferred to-day at Quartier Morin with Morenci and cement signed Cacos begin turning in arms on October 5. No news

tober 2, 1915, Rear Admiral Caperton reported to the department: Cape Haitien and Gonaives. Jeremie and Jacmel quiet. Doctor Santiago de Cuba."

the signing of the convention at Quartier Morin on October 1, 1915, a period during which conditions were very unsettled in Northern Caco forces were scattered over a territory of approximately 2,000 miles roughly within the territory included between St. Marc, Port de Paix, Cape Haitien, Fort Liberte, Hinche, Ennery, St. Marc, centers of their activities being Gonaives, Quartier Morin, Le Liberte district, and Grand Riviere; the district along the border ninth to Carice was held by troops of the former Government. It so that the disarming of the soldiers would take place at the same disarming of the Cacos by their chief in the same district and on 1915, the expeditionary commander, Colonel Waller, and his staff, and the Eleventh Company of Marines embarked on the *Nashville*, Fort Liberte and landed the same day. The insincere attitude "General" Severe delayed the departure of the party for Quana-November 4, 1915.

tober 11 the brigade commander requested 150 marines to replace e and sick men of the brigade. In consequence thereof the major andant, on October 13, issued orders for the detachment and trans-nd lieutenants and 106 enlisted men from Norfolk to Haiti. This called from Charleston on the *Prairie* on November 4.

tober 6, 1915, Rear Admiral Caperton made the following report ment: "Chamber of Deputies ratified treaty to-day by vote of 75 6 against."

ated above, Colonel Waller and his party left Fort Liberte for escorted by six squads of the Eleventh Company on October 4, iced there late that night. The Eleventh Company was stationed n at Quanamint and the Fifteenth Company was assigned to t Liberte, Major Butler being detailed to command the battalion he two towns. The Fifteenth Company arrived at Fort Liberte on relieving a portion of the Eleventh Company which was sent to re-pany at Quanamint.

tober 20, 1915, four squads of the Thirteenth Company occupied ne 22d two squads of this company was fired on by the Cacos from rand Riviere, there chief being killed in the return fire. Colonel at Grand Riviere with the Twenty-third Company on the afternoon

Major Butler left Fort Liberte with his detachment on the 22d o report to Colonel Cole at Grand Riviere on the 23d. The mounted was attacked during the night of October 24-25 by not less than There were no American casualties, but considerable numbers of the killed. On October 25, 1915, the marine detachment of the *Con-* sent to Bahon to reenforce the marines preparatory to an attack here. The force advanced to the vicinity of Fort Riviere on the October 28, driving small bands of Cacos before them, and returned iviere on October 29, 1915. These operations resulted in two g slightly wounded, Corpl. Richard J. Coleman and Pvt. Hawly 3.

r orders of Colonel Waller, Major Butler with his detachment Le Trou to Grand Riviere and Bahon; thence toward Grosse Roche. r's radiographic report to Colonel Cole at Cape Haitien of this re- is as follows:

at Le Valliere 11 a. m., 26th. After dark, evening of 24th, while as crossing river in deep ravine suddenly fired upon by about 400 hes 100 yards from ford; one horse killed. Fought our way forward tion and remained there for night surrounded by Cacos who kept up but poorly aimed fire. We returned fire only when necessary to ctual advances toward us. Owing to our good position no men or ed during night. At daybreak, three squads in charge of Captain

Upshur, Lieutenant Ostermann, and Sergeant Daly, which had been our positions during the night, advanced in three different directions and knocking hell out of the Cacos and chasing them in all directions. Cacos killed and 10 wounded; this number verified. Many more Private Fredericks slight flesh wound left arm. Upshur and Ostermann, advancing from two directions captured Dipitie with a total of 13 marine garrison to flight. Demolished and burned fort, all three squads' houses from which fire had been coming. Swept clear the district a mile of all Cacos. Lieutenant Miller fired 60 rounds from machine reported several casualties in addition to total of 18. At 8.30 a. m. advance to Grosse Roche; at 10.30 a. m. isolated sniping commenced on our flanks and rear, ranges from 1,200 to 600 yards; impossible to snipers, tried to shoot them; sniping continued in intervals until No casualties on our side. Reached Grosse Roche at 1 p. m. Small party of Cacos, entirely deserted as was all country through which we passed. Continued advance toward La Valliere at 5 p. m.; heavy rain storm caused rise of 12 feet in 30 minutes. Continuous march along river until 6 p. m. when we made further progress impossible; lost two horses and two donkeys. The animals saved only by good luck and hard work. Remained for night on left bank after making repairs to outfits, continued advance to La Valliere at 11 a. m., 26th. Men and animals have had no rest for 55 hours; have walked foot over mountains and rough trails 40 miles in two days on the 26th. Rations will only last until night of 27th. General Apollon reports that east of La Valliere quiet. Our operations indicate all active Cacos are bounded by Ste. Suzanne—Grand Riviere—Bahon—Grosse Roche—La Valliere. Country mentioned alive with hostile Cacos and desire to commence operations against them at as early a date as possible. Have decided further advance eastward useless and will return to Fort Liberte evening of 27th. At 11 a. m., 24th, passed within 2,500 yards on an air line from Fort Capois, located on the east mountain peak in vicinity; probable location due east from Ste. Suzanne. This march has been most difficult, but officers and men in splendid behavior throughout admirable beyond description. Request that you give opportunity to take command of operations against Cacos in the future mentioned."

111. For conspicuous gallantry during the engagement incident to the capture of Fort Dipitie, Capt. William P. Upshur, Capt. Edward A. Ostermann, and Gunnery-Sergeant Daniel Daly were awarded the medal of honor; Sergeant receiving his medal for heroic work at the capture of this fort at Riviere, on November 17, 1915. General Order, No. 139, August 27, 1916, announcing to the service the award of these medals of honor, reads as follows:

"Captain William P. Upshur, Marine Corps, for conspicuous gallantry during the engagement incident to the capture of Fort Dipitie, October 24, 1915."

"Captain Edward A. Ostermann, United States Marine Corps (Lieutenant), for conspicuous gallantry during the engagement incident to the capture of Fort Dipitie."

The following is also quoted from the report of the commandant, United States Marine Corps:

"On October 22, 1915, Captain Upshur, First Lieutenant Ostermann, Lieutenant Miller, Assistant Surgeon Borden, and 35 enlisted men of the 14th Company of Marines, all mounted, left Fort Liberte, Haiti, for reconnaissance. After dark on the evening of October 24, while crossing a deep ravine, the detachment was suddenly fired upon from the rear by about 400 Cacos concealed in bushes about 100 yards from fort. The detachment fought its way forward to a good position, which it held during the night, although subjected to a continuous fire from the rear. At daybreak, the marines in three squads commanded by Captain Upshur, Lieutenant Ostermann and Gunnery-Sergeant Daly, advanced in three directions surprising and scattering the Cacos in all directions. The detachment commander commented on the gallantry displayed by the men of this detachment in the following language:

"The action of the 35 men in the attack made upon them during the night of October 24 can not be commended too highly. It is true that they were in pitch darkness, surrounded by 10 times their number and for their lives, but the manner in which they fought during that night, the steady, cool discipline that prevented demoralization, is remarkable. One squad failed, not one man of the party would have lived to tell

assault upon the enemy, made in three different directions and because as the light permitted them to see, was splendid. It meant utter annihilation. It succeeded, thanks to the splendid examples of officers and noncommissioned officers, supported by the men. Ustermann, advancing from two directions, captured Fort Dipitie of 13 marines, putting garrison to flight. Demolished and burned the squads burned all houses from which fire had been coming. Therefore, that Capt. William P. Upshur, First Lieut. Edward A. and Gunnery Sergt. Daniel Daly should be given medals of honor for their engagement and the work of the following day."

noted that Gunnery Sergt. Daniel Daly is mentioned by the conspicuous gallantry at both Fort Dipitie and Fort Riviere.

el Waller left Port au Prince on October 27, 1915, aboard the Cape Haitien to conduct the necessary operations to subdue the was accompanied by his chief of staff, Lieut. Col. Charles G. Long. Cape Haitien, the plans for the operation were somewhat accelerated continued attacks on the marines at Bajon and the sniping at seen Grande Riviere and Bajon. The plan adopted was based upon made by Major Butler after his reconnaissance. While the the operations were anticipated or foreseen by the expeditionary the general and detailed plans were largely those of Major Butler given the command of the mobile column for the proper execution, although headquarters of the expeditionary force were moved to kept in touch with him. On October 29, 1915, Colonel Waller in Admiral Caperton: "All reports show gathering of Cacos at neighborhood; much discontent due to Government appointment men to office in north."

October 29, 1915, in a letter to the commanding officer of the district Haiti, the expeditionary commander set forth the disposition of ratory to a movement against rebels in the vicinity of Fort Capel Waller's headquarters were stated to be at Le Trou and those ole at Grande Riviere.

the morning of November 2, at about daybreak, the Cacos surrounded the town of Le Trou, but were driven back with a loss of 32 killed 20 minutes' fighting. Small columns were sent out in four directions the Cacos and several more were killed in these encounters. sent that many Cacos were in the plains, so it was decided to drive the mountains before attacking Capois, and therefore the movement until November 5. On November 4 Major Butler moved from Suzanne. On the march up the column was attacked by Cacos. was repulsed with ease, the Cacos losing six or seven men killed, General" St. Julian.

November 5, 1915, Captain Campbell sent the following report to Her and Cole: "Captured Fort Capois at 11.15 this morning; no had with me Lieutenants Osterman, Thrasher, Clark, Emory, Tor Boone, Ensign Snelling, detachments from Thirteenth, Nineteenth, third Companies. Will wire details as soon as written." On the Captain Campbell made the following more detailed report:

up at 4.45 a. m.; Lieutenants Clarke, Torrey, Ensign Snelling, one five squads, taking trail approaching fort from southeast; myself, Ostermann, Thrasher, Emory, Doctor Boone, one machine gun, taking trail approaching from west. We were fired on when yards from the fort and had to clear several hills; at the same time navy from Clarke's detachment, which was also clearing approaches. Progress was difficult as trails were very steep and we were from both the fort and outposts. We drove in all outposts and at 8 on 200 yards from the fort. Clarke was in very much the same opposite side of fort; we were planning to take fort by assault lived word that Butler had been sighted. I got in touch with told him we would wait for them to close up. About this time posed on our right, coming from direction of Ste. Suzanne and Caraw about 50 coming over the hills; our rear guard was in good possibly took care of these. Firing between our advance party and the continuous, but they were firing through bamboo, and would not sing out of the way of their shots. At 10.45 a. m. the fort started and I saw Caco jump parapet followed by another one; charged in but a heavy fog rolled in from the north, obstructing our view in

all directions. When we got to the fort the Cacos had all escaped. The parapet of the fort was of stone, so our machine guns and rifles had little effect on it. There was evidence of blood in many places, but no wounded; the garrison all escaped to the north in general direction of Suzanne. Captain Upshur and Fifteenth Company came in about an hour later, coming over same trail we had taken; Major Butler arriving an hour later, stating that they had sighted the escaping Cacos ahead of them. I can not speak too highly of both officers and men with me under fire for four hours, all orders were promptly carried out and advance was steadily pushed on. Captain Low and the First Company in charge of fort, Major Butler returning to Ste. Suzanne, and I to South Mountain."

116. On November 7, 1915, a patrol destroyed a bamboo rampart 3 miles east of Capois. On November 8 Major Butler, with Captain Upshur, attacked Fort Selon, 5 miles northeast from Capois. On November 9 Waller reported to Rear Admiral Caperton as follows: "Fort Selon captured yesterday. Cacos fled at sight of our men. All houses in the town now displaying white flags, and people say they have had enough. No fighting, and leaders have fled. Will clean up to westward of railroad at Ranquitte. Band of 15 bandits trapped near Grande Riviere, 2 killed, 3 wounded. Visited Limonade to-day; everything quiet; satisfied the Cacos crushed was more than aggregation of ordinary brigands. The march have average 15 miles a day for nine days, are half as nails, and nothing."

117. Three squads of marines surprised a band of outlaws who had been hiding 2 miles west of the town and killed at least two and wounded 3. On November 10 six squads of marines, while out in an attempt to capture "General" Norde, ran into a Caco outpost and killed two of the enemy. The detachment destroyed a trench fort and Caco camp at Carecol, but failed to capture Norde. On the same date a detachment, under Major Butler, was fired at by Cacos near Limonade. On November 12, a detachment of marines, a band of 10 armed Cacos, killing at least 3 and wounding 6 more. First Lieutenant Ostermann, who was wounded near Bahon on November 11, 1915, was sent to the hospital at Norfolk via the *Hector* on November 13.

118. Fort Riviere was captured on November 17, 1915, the message from Cole to Colonel Waller containing the following description:

"Capture of Fort Riviere effected by four columns. Campbell's company; Barker, marine detachment *Connecticut*; Low, Fifth company; Caughey, seaman company from *Connecticut* and automatic machine gun company from Twenty-third company. All companies were in their positions specified, and Butler, with Low's company, made the assault supported by the other companies. Hand-to-hand conflict in fort lasted 10 minutes. The detachment killed there and 22 jumped parapet, but all were killed by fire from machine guns, all avenues of escape being blocked. Forty-seven rifles and 100 pounds of ammunition found in fort after capture. Fort of mortar and brick of substantial construction. The fact that this fort was taken without a siege on our side speaks worlds for the ability and good judgment of all concerned. Have sent to the Cape for dynamite to destroy fort as a final destruction, by blowing up, will have great moral effect. All quiet in the town, people returning to town."

119. General order No. 319, August 25, 1917, announces the award of honor to certain officers and enlisted men for gallantry in capturing Fort Riviere. The general order reads in part as follows:

"The department takes pleasure in announcing to the service the award of medals of honor to the following-named officers of the Marine Corps and enlisted men of the Marine Corps, for conspicuous gallantry in the capture of the enemy in Haiti in 1915."

Lieut. Col. Smedley D. Butler, United States Marine Corps (then 1st Lieut.), for conspicuous bravery during the attack on Fort Riviere, November 17, 1915.  
Gunnery Sergt. Daniel Daly, United States Marine Corps, for conspicuous gallantry during the engagements incident to the capture of Fort Riviere, November 17, 1915.

First Sergt. Ross L. Iams, United States Marine Corps (then 1st Lieut.), for conspicuous coolness and bravery in entering Fort Riviere at the head of the attacking force when such action on his part seemed almost certain in his being killed or wounded.

uel Gross, United States Marine Corps (then private), for cool-  
very in entering Fort Riviere immediately behind Sergt. Iams when  
on his part seemed almost certain to result in his being killed or

nection, the following report of the commandant of the Marine  
ted:

umber 17, 1915, it was planned to attack Fort Riviere, Haiti, with a  
up of detachments from the Fifth, Thirteenth, and Twenty-third  
and the marine detachment and sailors from the *Connecticut*.

was an old French bastion fort, about 200 feet on the side, with  
of brick and stone, the walls being loopholed. The original en-  
een on the northern side, but had been blocked, a small breach in  
wall being used in its stead. As this breach in the wall was the  
e to the fort, it was naturally covered by the defenders on the  
ing passage through it into the fort a most hazardous undertaking  
ng men. Notwithstanding the fact that the fire of the Cacos was  
assing through this hole in the wall, Sergt. Ross L. Iams, Fifth  
hesitatingly jumped through, closely followed by Pvt. Samuel  
e Twenty-third Company. A mêlée then ensued inside of the fort  
minutes, the Cacos fighting desperately with rifles, clubs, stones,  
which several jumped from the walls in an effort to escape but  
the automatic guns of the Fifth Company and by the Thirteenth  
lvancing to the attack.

Sergt. Daniel Daly, Fifteenth Company, during the operations was  
ispicuous figure among the enlisted personnel."

oss L. Iams, Fifth Company, is recommended for a medal of honor  
and bravery in entering Fort Riviere at the head of the attacking  
uch action on his part seemed almost certain to result in his being  
inded.

uel Gross, Twenty-third Company, to receive a medal of honor for  
and bravery in entering Fort Riviere immediately behind Sergt.  
uch action on his part seemed almost certain to result in his being  
unded.

ed that Maj. Smedley D. Butler be given a medal of honor for his  
bravery during the assault on Fort Riviere. Two men entered  
n, doing so to prevent him from being the first. Theirs was devo-  
while his action was devotion to duty. The assault inside the fort  
23 men with the knowledge that no quarter would be given them."  
ovember 18, 1915, the Secretary of the Navy, referring to the report  
re of Fort Riviere by Rear Admiral Caperton, sent the following  
aphrased as follows, to that officer: "The department appreciates  
displayed and excellent work done. The department desires that  
be suspended in view of the heavy losses received by the Haitians  
agements in order to prevent further loss of life." On November  
Waller informed Colonel Cole at Cape Haitien that "department  
suspend offensive movements. Continue necessary patrolling for  
habitants and security of our own people. Loss of life on both  
voided if possible. Mission to Hinche to be a peaceful one, and all  
vements to be avoided." (See pars. 131, 142, 144.)

s report, dated January 10, 1916, to the commander cruiser squad-  
Waller gave the following definition of a Caco:

be explained that the Cacos have been the controlling element in all

They were purchased by first one candidate and then another.  
contract with one man, they, having put him in power, would imme-  
their services to the next aspirant to unseat the first."

e report mentioned in the preceding paragraph Colonel Waller com-  
personnel of the Navy serving with him, and also certain marine  
e following words:

ng, I wish to invite the attention of the squadron commander and  
al commandant to the good work done by Col. Eli K. Cole during  
ovement. I have sent him a letter of thanks and congratulation,  
ed.

also to invite special attention to the admirable work done by  
R. Horton, acting quartermaster, Marine Corps, in charge of all  
his department worked without hitch or delay, although the diffi-  
great.

"Lieut. Col. Charles G. Long was chief of staff, and a very valuable addition to any operation. Always calm, happy, and efficient, he is a balance wheel anywhere."

123. Rear Admiral Caperton, on November 19, 1915, sent the following message to the Secretary of the Navy, summing up the work accomplished in north Haiti:

"Operations against Cacos bandits in north Haiti during last year has resulted in dispersion Cacos, capturing many of their strongholds, large quantities of arms and ammunition, and bringing peace throughout Cacos country. This area is included within line Cap-Haitien, San Raphael, Pignon, Carice, Mont Organise, Ouanaminthe, Massacre River, and Cape Haitien. This area is now patrolled by our forces, is now peaceful, and country people are now busy with their work. Our patrols are also at present operating from Port de Paix, from Ennery, St. Michel, Marmalade, Plaisance, and Poteau, from Port de Paix for distance of eight miles to south and from St. Marc through the Valley. These areas are quiet."

"This last movement of Cacos appears to have been revolutionary against present Government as well as brigand. While petty brigandage may continue from time to time, yet it is hoped no more such organized or revolutionary activities will occur."

124. When the *Connecticut* sailed from Port au Prince on December 1, 1915, to rejoin the battleship squadron the commander, cruiser squadron, gave in part as follows: "Commander cruiser squadron takes this opportunity to express his appreciation of excellent service and support rendered by commanding officer, officers, and crew of *Connecticut* to the cruiser squadron during campaign of last four months in Haiti."

125. In addition to those casualties already mentioned, Pvt. W. L. was wounded in the knee in a skirmish with Cacos near La Trinité on December 2, 1915. The operations in December, 1915, consisted of several skirmishes with bandits. A small skirmish occurred on December 4; on December 17 bandits and their leader were captured at Gross Roche; a skirmish on December 12, in which 1 native was killed and several wounded, occurring between Perches and Terrie Rouge; and a skirmish on December 10 between a marine patrol and a small Caco band in the vicinity of Port-au-Caco being killed.

126. On December 16, at 6 a. m., Capt. Frank F. Robard died at Port-au-Prince from concussion of the brain, resulting from a fall from his horse. At 1 p. m. the *Sacramento* sailed from Port au Prince carrying his remains.

127. On December 22, 1915, Rear Admiral Caperton, on board the *Ington*, sent the following message to the department: "In view of the unsettled relations between United States and Haiti and necessitating present military control of situation until appointments of civil authorities can be made. I recommended that marine force now ashore be not reduced at this time beyond detachment of Twelfth Company."

128. In the meantime treaty negotiations had been going on, the ratification of Deputies ratifying the treaty on October 6, and the Senate ratifying it by Rear Admiral Caperton, on December 11, as having ratified it on that date by a vote of 26 to 7. The treaty was not proclaimed until May 3, 1916.

129. Col. Littleton W. T. Waller commanded the marines in Haiti from August 15, 1915, to November 10, 1916. He was succeeded by Brig. Gen. Eli K. Cole on November 22, 1916.

130. On December 31, 1915, there were 90 officers and 1,546 enlisted men of the Marine Corps on duty in the Republic of Haiti distributed in the following organizations:

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Headquarters, First Brigade.....	
Third Company (Signal).....	
Artillery Battalion.....	
First Regiment.....	
Second Regiment.....	
Total.....	

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annual report of the Secretary of the Navy to the President, dated 1915, contains the following summary of events in the Republic of Haiti, from August, 1915, to the end of the year:

August it became apparent that so many contending factions were in the effort to gain control of the Haitian Government that a peaceable establishment of order in Haiti could not be effected without the aid of the American forces. It was therefore decided to send six efficient forces to control the seacoast ports of Haiti and to maintain order, and a force of about 2,000 marines under Colonel Waller.

The courage, sacrifice, daring, and capacity of the marines—officers and soldiers of the sea have again illustrated their wonderful mobility and devotion to their former high reputation. Command was assumed of the ports in Haiti: Cape Haitien, Port de Paix, Gonaives, St. Marc, Jacmel, Petit Goave, Miragoane, Jeremie, Les Cayes, and Jacmel. The Cacos in the neighborhood of Cape Haitien and Gonaives, have been more or less openly hostile and have attempted to prevent the American forces from reaching either of these cities. In the effort to permit the free operation of the American forces to come in conflict with the Cacos, and during these conflicts several Americans have been killed and there have been some casualties among the Cacos. The American forces have at no time taken offensive action against any of the Cacos, but have only returned the fire of attacking forces.

On August 12 Dartiguenave was elected President of Haiti, and he immediately took the oath of office. He has cooperated with the American forces in the effort to establish peace and order in Haiti. A treaty was ratified on August 15 by the Haitian Congress, and it is hoped Haiti will soon be established on a firm basis and that at an early date a large proportion of the American forces can be withdrawn.

In connection with the administration of the revenues, the naval pay officers are utilizing their well-known capacity, and in the improvement of health and sanitation the naval surgeons are doing the same thorough work as when called to serve at home or abroad."

Another part of the above-mentioned report the Secretary of the Navy says:

"In connection with Haitian affairs, which came with the assassination of the President, Guillaume, on July 27, demanded immediate and energetic action on the part of the Navy to protect American and foreign lives and property and to restore order throughout that distressed country. Our cruisers were ordered to Haitian ports and armed guards landed. Later, an expeditionary force of about 2,000 marines was sent to complete the occupation of all open ports. A strong force is still in Haiti in effective control of the situation. Conditions on the island have constantly improved, and the newly formed Government has received all needed support toward establishing itself upon a firm basis."

On January 30 a. m. January 5, 1916, the Caserne Barracks at Port au Prince, where the marines were quartered, was fired upon by a small body of Haitians. Immediately thereafter the provost marshal's building was fired upon and the senate building, and three marines returned the fire. A second fire at another point was also made on the provost marshal's building, and a provost officer was fired on several times. All disturbances were suppressed within an hour, one Haitian being killed, a few wounded, and Corp. Vedor, of the marines, was slightly wounded in the foot. Sixteen Haitians and men of bad character were arrested and many rifles were confiscated. Apparently the disturbance was of a political nature, directed against the Haitian government and American occupation. The movement was headed by ex-Senator Bourand for President, the President to be assassinated. On January 5, 1916, Col. Littleton W. T. Waller sent Maj. Robert H. Waller with two squads of marines and a machine gun on a special train to Port au Prince where they secured a gasoline launch and proceeded up the lake Lajas. At about 11.50 a. m. they met Mizrael Codio and two others, a party, and took them back to Port au Prince. Joseph Josephs, supposed to have been killed at Fort Riviere, was apprehended in North Haiti on January 5, 1916.

On January 31 the flag of the cruiser squadron was shifted to the U. S. S.

136. The treaty between the United States and Haiti, providing for the organization of the Haitian constabulary, was ratified by the United States on February 28, 1916. The treaty provided for the Haitian gendarmes to be described later in this report.

137. At 1 a. m., March 6, 1916, the constabulary at St. Michel, commanded by a Haitian sergeant, was attacked by a band of natives and driven to the sea. Marines were dispatched to the locality, quieted the disturbance, dispersed several of the band, and a new detachment of gendarmes under the command of a sergeant were placed on duty in St. Michel.

138. On March 9, a small patrol was fired on between Le Trou and Le Cap. About this date a small skirmish occurred between the gendarmes and the Cacos at Acul Samedi. The Cacos attacked Ranquette on March 11, but were driven off, and on the same date there was a little trouble at St. Michel.

139. Rear Admiral Caperton on March 13, 1916, reported that the shore forces in Haiti amounted to not more than 1,700 enlisted men and that it was not considered practicable to maintain military control of the country with a smaller force, and that the strength could not be reduced to a single unit without greatly prejudicing the control and prestige of the United States in Haiti. On March 11, the Secretary of the Navy had sent Rear Admiral Caperton a radio which is paraphrased as follows: "Relinquish military control which you are now exercising in Haiti; nor, without further instructions, put end to martial law as now in force."

140. Outlaws attacked Caracol about March 16, but were driven off by the gendarmerie.

141. On March 24, about 17 Haitian prisoners escaped from the gendarmes at Fort Liberte, two being killed while escaping. The escape was made through a hole cut in and under the wall.

142. Navy Department General Order No. 197, March 25, 1916, contains the following commendation from the Department of State:

"The department has received with gratification a letter from the Department of State, dated March 4, 1916, transmitting a copy of a letter addressed by that department on the same date to the chairman of the Committee on Naval Affairs of the House of Representatives, a paragraph of which reads: 'I can not too strongly recommend that officers and enlisted men of the Navy and Marine Corps of the United States be made available for service in Haiti, not only because I am convinced that the purpose of the treaty may be most advantageously carried to successful completion by them, but particularly on account of the fact that by their excellent behavior and co-operation they have gained the confidence and esteem of the Government and people of Haiti, toward whom this Government has now assumed great responsibilities and obligations.' The department takes much pleasure in extending through the medium of this general order, its warm appreciation of the excellent services recently rendered in Haiti by the officers and enlisted men of the United States Navy and Marine Corps."

143. About March 28, 1916, the station at Cerca la Source was attacked by an armed force of bandits from all sides at once. Pvt. Ducas of the gendarmerie was sentry on post, and was killed by the first shot fired. He was then mutilated with machetes. With the assistance of one of the bandits, Serg. Aubrey M. Haley beat off an attack on this town, killing three of the bandits. On June 9, 1916, Haley was promoted to sergeant and recommended by the major general commandant. At the time of this attack, he was a corporal in the Marine Corps, and an acting sergeant of the gendarmerie. This same band retreated to Castellieur and attacked the gendarmes under Acting Lieut. of Gendarmes Luther O. Collier. With one gendarme successfully defended the barracks, killing four of the bandits. About March 29, the Cacos attacked gendarmes at Le Mielle, at Cerca la Source, and at Acul Samedi.

144. On March 30, 1916, the Secretary of the Navy addressed the following letter to Col. Littleton W. T. Waller:

"1. The following communication addressed to the Secretary of the Navy by Rear Admiral William B. Caperton, commander cruiser squadron, United States Atlantic Fleet, dated January 3, 1916, is quoted for your information: '1. While the work of the Navy in Haiti is not yet completed, the commander cruiser squadron believes it to be sufficiently advanced to merit the department's attention to the excellent and effective services rendered by Col. Littleton W. T. Waller, United States Marine Corps in this work.'"

el Waller, during the operations of October and November in with the expeditionary force of marines and the seamen from the actively crushed all armed resistance against the American occupation of the Haitian government, and has maintained peace and order in all country.

el Waller has most efficiently and willingly supported me in and negotiations in Haiti, and his bearing and conduct throughout has added distinction to his already long and efficient service to the United States.

The Department heartily commends your conduct and services with the forces in Haiti and congratulates you upon the success attending

the execution of this letter will be filed with your official record."

The Major General Commandant, in forwarding a copy of the above letter of Rear Admiral Caperton to Colonel Waller, wrote the following:

I enclose herewith a copy of a letter from the commander of the cruiser Albatross, the Secretary of the Navy, dated January 3, 1916, commending in the most excellent and efficient services rendered by you in Haiti in command of the expeditionary force.

The letter referred to gives me great pleasure, and I congratulate you on the success of and addition to your high reputation for capacity and efficient positions. Your record reflects luster on the Marine Corps, and the commendation of the commander of the cruiser squadron will give satisfaction to all members thereof.

Copies of this letter and of the inclosure have been filed with your file.

Incidents between bandits and the marines or gendarmes occurred at Port au Prince on April 1; on April 10 between Terrier Rouge and Camp Napp near Fort Liberte on April 11; near Terrier Rouge on April 12; a skirmish on April 16; and about May 1 a skirmish near

Port au Prince between the United States and the Republic of Haiti was reported on May 3, 1916.

On May 31, 1916, Croix de Bouquet was attacked by Cacos under

First Lieut. John Dixon with five gendarmes made a good run against great odds, killing 12 Cacos without casualties to themselves. One Greelish was wounded in the arm in action. About this date other prisoners escaped from prison at Port au Prince. About June 1 American forces reoccupied Croix de Bouquet, Pont Bedet, and Thomastown—these reverses Codio fled toward the Dominican border with the United States gendarmes in pursuit. About June 7 the Americans overtook his band at Fond Parisien. Codio, Mettallus, and nine other Cacos were captured. The Americans then continued in pursuit of Herard and Rameau, who had fled from Codio. They were captured by gendarmes a few miles from Mirebalais. About June 7 Colonel Waller, in reporting upon these incidents stated in part: "People in Province opposed to revolution and reform." One gendarme was wounded in action with Cacos at Port au Prince on June 22.

The House of Representatives approved in June, 1916, authorized the service of the Haitian gendarmerie, which had already been completely organized by the command of Maj. Smedley D. Butler.

Incidents between bandits and marines or gendarmes took place near Port au Prince on June 28; near Paratise on July 4; at Capotille on July 5. Pvt. John J. United States Marine Corps, was killed in action with bandits at Port au Prince on July 10. Skirmish on July 15 at Carice and Bahon. On July 15, Francois Gauvin fired at American sentry from ambush at Port au Prince and was chased by marines and gendarmes and killed.

On July 18, 1916, Rear Admiral Caperton reported to the Secretary of the Navy: "This morning turned over command of the cruiser Albatross to the command of the cruiser Albatross." Rear Admiral Caperton had served continuously in command of the cruiser Albatross from the beginning of these Haitian troubles until July 18, 1916, when he was relieved by Rear Admiral Charles F. Pond.

Incidents between gendarmes and Cacos occurred at Bayaha on July 26; at Culdespins about July 26; another on July 27 at Savanna; another at Culdespins on July 30; another at Mount Capitan on July 30; another at Mount Hodals on July 31, in which Private Braughmann

was wounded in cheek from rock splinter caused by a bullet; about August 24, 1916, two patrols of gendarmes encountered a band of 12 bandits and captured 3.

153. The agreement between the United States and the Republic of Haiti concerning the organization of the Haitian gendarmerie was signed August 24, 1916, and on the same date the major general commandant and brigade commander, First Brigade, United States Marine Corps, Porto Rico, transferred all officers and enlisted men on duty with the Haitian constabulary from the Marine Corps organizations to which they were attached to the constabulary detachment, and on September 1, 1916, reported to the United States as of that date detaching all gendarmerie officers from the United States as of August 31, 1916.

154. In the latter part of August, 1916, systematic operations were conducted on a large scale to capture Celidano Pantallon, Colonel Walker, and orders to capture him if possible.

155. Following is an extract from a Department of State communication dated September 28, 1916, to the Navy Department:

"It is the opinion of this department that the time has not yet arrived for the withdrawal of the naval forces now in that country and the termination of martial law. Until such time as the gendarmerie has proven itself efficient in all emergencies and the internal peace of Haiti is thereby assured it is the desire of this department that the present status be continued."

156. Pvt. George M. Meier, Sixteenth Company, was stabbed and killed at Cape Haitien on September 29, 1916.

157. On October 9, 1916, the major general commandant reported to the Bureau of Navigation that the strength of the expeditionary force in Haiti was 979 enlisted men and recommended that it be reduced to 500 enlisted men. On October 21, 1916, the American minister in Haiti reported that experience had proven that any apparent reduction in the forces of occupation of Haiti would remove the salutary restraints from the troublesome element and cause a dissipation of the feeling of security among the Government and the people, thereby endangering public peace. On November 3, 1916, the Secretary of the Navy stated that the department does not desire any material reduction in the forces in Haiti and Santo Domingo at the present time. The expeditionary force in Haiti, he stated, would not be withdrawn, and martial law would not be repealed until the gendarmerie and administrative civil position provided for the treaty were ready to assume control and assistance. On the same date the Secretary of the Navy informed the major general commandant as follows: "The department desires that no reduction in the forces ashore in Haiti and Santo Domingo be made at the present time. Favorable consideration will be given, however, to a gradual reduction in the near future of the forces in Haiti to 500 when circumstances justify such reduction."

158. About October 22, 1916, Second Lieut. Henry P. Torrey, commanding detachment of marines and gendarmes, jumped a bandit strong at Savanneaoulit, killing several bandit leaders. A brush with the bandits occurred on December 2, 1916, near Jeremie, 2 miles south of La Vega. On December 28, 1916, Desmera Vital's camp at Ranquette, 18 miles from Ouanaminthe, was surprised at daylight by a detachment from Ouanaminthe.

159. It would be impracticable to insert in this report all the communications, statements and writings of the successful accomplishments of the United States Marine Corps in the Republic of Haiti, but the following extract from an interview with Right Rev. Charles Blayney Colmore, bishop of Porto Rico, published in the Washington Post of December 27, 1916, the Magazine of February, 1917, and the Recruiters' Bulletin of January, 1917, serve as an illustration:

"The reconstruction work of the United States marines in Haiti is one of the most thrilling and gratifying chapters in contemporary American history," said the Right Rev. Charles Blayney Colmore, bishop of Porto Rico and Haiti, who has been at the Willard for several days on his way back to Porto Rico from the convention of the Episcopal Church recently held in St. Louis.

"Americans can hardly visualize the awful squalor, suffering, and crime that existed in Haiti before its occupancy by Admiral Caperton," said the bishop, "nor realize the extent of the regenerating labors of the United States marines during the months they have been on duty there."

nes have literally taught the Haitians how to live decently. Be-  
 coming sanitation, save in the crudest and most unsatisfactory  
 unknown; fevers and epidemics were as plentiful as revolutions, a  
 as in vogue, and the country was the victim of continuous upris-  
 ing by political scoundrels, each of whom ravaged the customs  
 as each in turn came into short-lived power.

of the United States marines ended this sorry story. With the  
 cility and adaptability for which the marines are noted, these  
 its of American civilization so changed Haiti that after they had  
 our months when I went on my annual visitation to the island I  
 it to be the same spot. It had been improved beyond my wildest  
 ary systems had been installed, the towns had been cleaned up,  
 and revolutionists were working happily for living wages, and a  
 as animating the people. The United States marines quietly were  
 as reconstructors of a nation and efficient guardians of the Mon-  
 and peace makers of the Americans.

he American people to realize what a big work is being done  
 little is known of it, and the men who are doing it deserve the  
 attitude of the Nation. It isn't a pleasant task to teach a people  
 rn straight,' and the marine officers and men realize this and yet  
 stout hearts and high courage. They laugh at the hardships of  
 their duty, and their motto is 'Semper fidelis.'

work of the marines is magnificent and they provide a standard  
 ry efficiency raised to the nth power. Naturally, they are greatly  
 the reorganization of the corps under recent legislation and other  
 s instituted by Major General Barnett, who is the idol of this  
 ghting force.

e great possibilities in Haiti. It is a country blessed with many  
 ntages. Its people are a simple, well-meaning folk—too easily  
 own good—but under such wise supervision as they are enjoying  
 capable of contributing in large measure to the well-being of the  
 and to the material prosperity of the Americans." (The Washing-  
 umber 27, 1916.)

ember, 1916, there were 61 officers and 1,020 enlisted men of the  
 on duty in the Republic of Haiti, distributed among the following  
 :

	Officers.	Enlisted men.
1st Brigade.....	13	39
(Signal).....	3	88
.....	23	337
.....	23	561
.....	61	1,020

Major General Commandant of the Marine Corps in his annual  
 e Secretary of the Navy, October 10, 1916, made the following

te of my last report the First Brigade, consisting of the First and  
 ents, the Artillery Battalion, and the Signal Company, under the  
 Col. Littleton W. T. Waller, was in occupation of the Republic of  
 as engaged in the restoration of order and the preservation of  
 country. This brigade has carried out its mission in a signally  
 mer. Peace has been restored; the inhabitants have returned to  
 vocations, and business has rapidly progressed. The work of the  
 rine Corps in Haiti was of such a successful nature as to cause  
 artment to recommend the enactment of a law authorizing officers  
 men to accept appointments as officers in the Haitian constabulary,  
 ion of which was provided for in a treaty between the United  
 aiti. This recommendation of the State Department was enacted  
 er the command of Maj. Smedley D. Butler, United States Marine  
 mandant. It consists approximately of 100 officers and enlisted  
 larine Corps; 12 officers and enlisted men of the Navy, and 2,500  
 in gendarmes. It is expected that as Haitian citizens become

qualified to serve as officers they will gradually replace the American and enlisted men who are now serving as officers of the constabulary."

161. The Chief of Naval Operations in his annual statement to the Senate of the Navy, October 12, 1916, included the following:

"The occupation of Haiti by the expeditionary force of United States Marines, which was initiated in July, 1915, still continues. The Haitian gendarmerie, under officers of the United States Marine Corps, has been organized in accordance with the treaty recently concluded between this Government and that of the Haitian Republic, and as soon as certain administrative arrangements have been satisfactorily arranged, it is contemplated that the present continued occupation of that country will cease. The present government of Haiti gives every evidence of stability and that country is now enjoying a prosperity greater than it has for many years."

162. In his annual report, dated December 1, 1916, to the President, the Secretary of the Navy made the following statements:

"In the restoration of order and the preservation of peace in the Western Republics of Haiti and Santa Domingo, the Marine Corps has rendered most valuable service. This service drafted most of the personnel of the entire corps, except that portion serving aboard ships and guarding coasts, and almost during the entire year the corps was engaged in this expeditionary work. About this time last year Col. Littleton W. T. Waller, with the First Marine Brigade, was in occupation of Haiti. Peace was restored and the tide of commerce again flowed through their natural channels. The effective work accomplished led to the organization, at the instance of the United States Government, of a Haitian constabulary, for which provision was made in the treaty between the United States and Haiti. Organized under Capt. D. Butler as commandant, this constabulary consists of 112 officers and 1,000 native Haitian gendarmes, and as Haitian citizens become qualified as officers they will gradually replace the Americans. The State Department has been generous in its commendation of the work done by the Marine Corps, which was so effective that it was possible in May to withdraw a portion of the force and transfer it to Santo Domingo, where a revolution broke out."

163. On January 21, 1917, the Major General Commandant and his staff, accompanied by a company with the Assistant Secretary of the Navy, left Washington for an inspection trip of the Republic of Haiti and the Dominican Republic. Arriving at Port au Prince the party went on horseback from that city to Cap-Haitien and made a thorough inspection. During the trip the party conversed freely with the President of Haiti, members of the Haitian cabinet, the American minister, all the principal officers of the Marine Corps, the gendarmerie d'Haiti, local officials in the country, and parish judges. The party heard no complaint, but, on the contrary, heard many remarks indicating that conditions in Haiti were better than they had been for many great many years. Having completed the inspection of the Republic of Haiti the party proceeded to the Dominican Republic, but after a short stay at Puerto Plata it became necessary to abandon the trip owing to the outbreak of war with Germany, and they returned to the United States.

164. Conditions were exceptionally peaceful throughout the Republic of Haiti during the year 1917, very few actions with bandits being reported.

165. On April 16, 1917, the brigade commander reported as follows:

"The reduction of the number of marines in Haiti by two companies, in my opinion, a serious mistake. While I do not believe any serious trouble can be inaugurated, there are many people who formerly lived by the sword for government and who now are in pressing need of money, who certainly will make trouble if they felt reasonably sure of any success. The vast majority of the people of Haiti are well disposed, but very ignorant. They have the habit of obeying without any question whatever their leaders, and while we have broken to a great extent this power it takes time to start a current of unrest in a considerable portion of the population. If Haiti declares war we certainly should provide adequate protection. In my opinion the present number of marines is insufficient. It is in my mind, that we increase our influence in this island and not withdraw it, and if an attempt were made to cause trouble, although it was put down, it would retard or injure our influence here very materially. I believe there should be a sufficient number of marines here to insure the continuance of the present conditions of peace and order. While I believe

e majority of the educated people of Haiti desire that Haiti the war to the extent of following the example of the United are many interests opposed to it, and to withdraw troops just at in this matter is to be settled can not but have a very unfor-

Following extracts are quoted from the consular report on Haiti, Consul John G. Terres, Port au Prince, March 20, and published in Department of Commercial Reports, Annual Series, No. 30A, May 14, reported by Brigadier General Cole:

From the United States into Haiti in 1916 were more than 130 later than in the preceding year. In 1915 they amounted to and in 1916 to \$8,775,064, an increase of \$4,968,392. This gain is due to continued peace throughout the country, which has enabled work and be paid for their labor.

American occupation has accomplished many things for the good and progress of the country. It has given employment to the idle laboring men and women to obtain a livelihood. It has led to great improvement in the city and also the roads leading for some distance into the country. The result should be a decided improvement in the mode of transportation which is essential. The people are entirely satisfied with their situation during the occupation and appreciate the utilities introduced into all the different sections of the island.

Unfortunately for commerce that the interior debt has not been repaid, the interest paid, this default having resulted in reducing sales of goods for 1917. Most of the bonds are held by the people, who have to pay the interest to be paid as formerly, and thereby to meet their expenses. The failure to do this has embarrassed them financially and has diminished the sale of imported goods."

Port au Prince was received in Port au Prince on May 26, 1917, that on May 26 and of outlaws had been encountered by the gendarmes at Cross Roads, midway between Valliere and St. Suzanne.

May 27, 1917, Brigadier General Cole reported that "the number of troops at present in this country is entirely inadequate in case anything happens and while I hope everything will go well it is neither advisable nor expedient to reduce our forces as has been done."

May 28, 1917, Brigadier General Cole reported that the British Legation had informed him that he was much worried over the propaganda being spread against the Americans and the changed attitude of the Americans on the part of many classes of people.

Brigadier General Cole reported May 28, 1917: "Conditions around Le Cap and Valliere to the border are reported as not good; this has come from different sources, and as Le Trou has always been the center of trouble north it will require careful watching. The reduction of troops is very unfortunate; as a matter of fact, the reduction has gone to the danger point. There is little doubt but what a considerable open antagonism of the National Assembly is due to our reduction and to a consequent belief that the United States is pressed for time a company or detachment goes its number is magnified."

May 29, 1917, Brigadier General Cole reported that he had made attempts to cause the hostile attitude, but without success, and while addressed he believed the belief of the British chargé to be caused by the fact he lived with an "alarmist."

May 17, 1917, the Haitian gendarmerie had a large review at Port au Prince in honor of the Haitians who were serving as French soldiers and on furlough. The President and cabinet, the American and French consuls and many other prominent people were present.

Following quotation from a letter addressed by President Dartigues to Brigadier General Cole on June 22, 1917, is of interest:

"I am respected by the people of my native city, I have had the good fortune to be a public man to enjoy the esteem of all, either as speaker of the Chamber of Deputies during one year or as president of the Senate of Haiti during five years.

"To arrive at the First Magistracy I certainly did not have the same fortune as those who had the command of revolutionary bands for the sole purpose of getting themselves into power by shedding the blood of their fellow citizens over the ruins of cities that they burned and then do nothing else but squander the State's revenues."

175. Under date of July 21, 1917, the brigade commander stated he had received a report from Jeremie giving many details of a situation with ramifications throughout the island, and that he had issued orders to have the matter investigated, and also that he thought that there was one chance in a thousand that the report was true.

176. On August 11, 1917, the brigade commander reported the following:

"The President, General Butler, and two members of his cabinet have gone to Furcy, to remain for some four days; I think this is about the first time a President of Haiti for many years has dared to leave the capital, and go out into the mountains without being surrounded by an army."

177. The house of Capt. John L. Doxey, at Hinche, was attacked on October 11, 1917, by about 25 cattle thieves. The sentry was on the roof and opened fire on them, and in the skirmish that ensued two natives were killed. A patrol of gendarmes under a marine officer set out in pursuit of the thieves. Disrappel, the leader, and captured Disreil, who was second in command. The brigade commander's report on this incident, under date of October 11, is as follows:

"Yesterday afternoon received a report that an attack had been made by thieves or bandits on the town of Hinche, the number of the attack being given as approximately 60. The department commander, General d'Haiti, in whose department the district of Hinche is situated, issued upon receipt of the information sent out patrols from all sections of the territory concerned. Upon receipt of the information here instructions were issued to send the patrols toward the border and to Hinche from Lascahobas as the result of a report received by telephone from Lascahobas as the result of a report from a white officer to Hinche is to the effect that at about 2.30 a. m. on the morning, October 11, a band of about 25 cattle thieves sneaked into the town of Hinche and surrounded the house of the American officer commanding the district. They were discovered by a sentry, who attacked them as they were attempting to break into the house of Captain Doxey. The latter killed two of them, as they were seen to drop, and upon the approach of other gendarmes the band took to flight, taking with them the two who had been shot. A gendarmerie patrol under white officers were sent out, overtook the band, killed the leader and captured the second in command, who is now confined in Hinche; the leader was recognized as a man of bad character named Disreil. The report stated it is believed that the thieves were cattle thieves from along and across the Santo Domingo border."

"C. O., Second Regiment, headquarters Cape Haitien, sent a detachment of men from Quanamithe along the border to the south to cooperate with the detachment of gendarmes."

"The district commander at Hinche states that he does not consider anything other than an attack of outlaws and that he believes in capturing or destroying the band without assistance. However, the whole district is being carefully and thoroughly covered by numerous detachments."

178. The following extract dated October 19, 1917, from the brigade commander's report is of peculiar interest:

"Yesterday afternoon the President, Secretary of Public Works, the gendarmerie, and myself made a trip in automobile across the mountain range which bounds the north side of the Plain of the Sac for the purpose of inspecting the road now being repaired to the north and Mirebalais. We also inspected the cavalry camp and some of the work being performed on the road toward St. Marc. While at a place called Diable, where the gang of workmen farthest advanced were at work, a group of six unusually intelligent market women came up the mountain to see the work. They were suggested to the Secretary of State for Public Works that they were women what they thought of the work being done and the conditions of the work and they stated that the work was very much appreciated by them and that they thanked God that the Americans were in Haiti."

179. On October 22, 1917, a band of bandits attacked the train at Arcahaie, but were driven off. The object of the attack apparently was to arrive at Arcahaie with money on board.

180. The brigade commander on October 28, 1917, reported as follows:

"Received a report yesterday concerning emigration from Haiti to Santo Domingo particularly from the section of the Plain of the Cul de Sac. The informant stated that it was said to him that this was due to the approach of the winter."

tem. This matter has been discussed before and upon its receipt actions to have a count made of the number of people passing the travel route between Haiti and Santo Domingo for a period of time to determine the actual outgoing and incoming of people who were passing back and forth across the border. There is no question but that some such emigration, but, in my opinion, the reports are much exaggerated and I doubt whether the corvée system has much to do with it. Much higher wages are paid in Santo Domingo than in Haiti there is a certain exodus." (See pars. 233, 234, and 274 of this letter.) The brigade commander, on November 4, 1917, reported in part as follows:

At Port au Prince 11 p. m. yesterday and joined President and his party. At 8.30 we attended high mass at the cathedral, followed by a visit to the communal office at 10.30 a. m. The President's welcome seemed very warm though it is impossible to tell whether or not a large proportion of the representative people were present. There were numerous speeches—President spoke twice and each time he came out very strongly in defense of the convention and eulogized the aid the United States had given Haiti in coming to give. He stated that the country had, under the reign of the formerly ambitious politicians, been brought to the very brink of ruin; only due to his having accepted the responsibilities of the Presidency following his election having endeavored to work with the United States and allowed Haiti to retain its independence and not to find itself alone in which Santo Domingo stands to-day; he stated that such relations between the two countries must continue in the future, and that this country was dependent upon the absolute casting out of the hands of the dead and the harmonious steering of all elements with the Government of Haiti and the United States to build up the resources and to improve the moral and educational conditions of the country. The Secretary of Public Works, who comes from Gonaïves, and who is a friend of Charles Zamor, made a strong, aggressive speech regarding the country was enjoying as the result of the presence of Americans."

On November 2, 1917, President Dartiguenave addressed the following address to General Cole:

When you are about to leave Haiti, being called to the performance of other duties, I feel under obligation to give you a testimonial of my warmest recollections that you are leaving in my mind, and I can say that you are in the minds of all Haitians among whom you have lived.

All have been able to appreciate the sincere desire that had never failed me of working effectively, in accord with all the national interests of Haiti's welfare and prosperity. This is sufficiently proven by the results of your fruitful cooperation.

And, if I am able, at this hour, to feel increasing hope of a better future for my country, I owe a large part of my satisfaction to your intelligent collaboration which has been happily seconded by the sound judgment marked your official relations with myself and with the Government.

It is an infinite satisfaction to do homage to the same, while not forgetting to express the great pleasure that I have always felt in my relations with a perfect gentleman that I have found in you.

I can offer you nothing that can better respond to my impressions, but my affectionate wishes of good health, of happiness and glory in the service of your country's service.

In the name of the Government and in my own name, I add, my dear General, my hearty thanks and the assurance of my most distinguished sen-

On December 11, 1917, an automobile was driven for the first time over the road from Gonaïves to Cape Haitien. This was the first wheeled vehicle to travel this road in 112 years. On December 18, the brigade commander reported to the major general commandant as follows: "Automobile arrived at Port au Prince, Haiti, to Cape Haitien, Haiti, yesterday." The major general commandant replied with the following radiogram: "Informal radiogram 09518 most gratifying. My sincere congratulations have been instrumental in doing this great work."

184. Captain John R. Martin died at Port au Prince, Haiti, on December 18, 1917. His funeral was held on December 18, the American Minister and representatives of the Haitian Government being among those present.

185. The brigade commander reported to the major general commander December 31, 1917, as follows:

"At 11 a. m. called officially with the brigade staff on the President and congratulated him on the one hundred and fifteenth anniversary of the independence of the Republic."

186. The military representative of the United States in Haiti in 1917 the following statement in a memorandum entitled "Relations between officials of the Haitian Government":

"The United States is carrying on in Haiti a great experiment, the object of which is a matter of national importance to the United States as the naval service is concerned, of service pride. It is, of course, a matter of doing the greatest possible work for Haiti. Nothing should be allowed to stand in the way of complete success. The thing that is for success in a higher degree than anything else is complete harmony and team work between all Americans who are in any way connected with the experiment. On the other hand, no worse thing could happen than if the Haitians get the idea that there is any lack of complete harmony between Americans who are officially here."

187. In addition to those marines mentioned by name in the foregoing paragraphs Corpl. Grover T. McNab, of the constabulary detachment, was in action with bandits at La Borgne on April 4, 1917.

188. Brig. Gen. Eli K. Cole served as brigade commander in the Republic of Haiti from November 22, 1916, to November 28, 1917, on which date he was relieved by Col. John H. Russell.

189. On July 1, 1917, there were 67 officers and 931 enlisted men of the Marine Corps on duty in the Republic of Haiti distributed among the following organizations: Headquarters, First Brigade, 7 officers, 91 enlisted men; constabulary detachment, 33 officers, 66 enlisted men; Second Brigade, 27 officers, 774 enlisted men; total, 67 officers, 931 enlisted men.

190. On December 31, 1917, there were 68 officers and 865 enlisted men of the Marine Corps on duty in the Republic of Haiti distributed among the following organizations: Headquarters, First Brigade, 9 officers, 63 enlisted men; constabulary detachment, 26 officers, 72 enlisted men; Second Brigade, 33 officers, 730 enlisted men; total, 68 officers, 865 enlisted men.

191. The major general commandant in his annual report to the Secretary of the Navy, dated October 10, 1917, made the following statement:

"The first provisional brigade of marines, in conjunction with the constabulary, has continued its efficient service in Haiti. A state of peace has been effectively maintained and the inhabitants of the country have been given an opportunity to develop its resources."

192. The Secretary of the Navy in his Annual Report to the President December 1, 1917, made the following statements:

"During the year the Marine Corps has performed excellent service in Haiti and Santo Domingo, the operations being conducted in an efficient and judicious manner. This was especially so in the suppression of the bandits in Santo Domingo. \* \* \*

"In the business of aiding in the restoration of peaceful conditions and administration in Haiti and Santo Domingo, both in administrative and military service, officers and men of the Marine Corps have shown excellent ability and helped greatly toward the rebuilding and sanitation and wise government of these islands. During these years they have found aid and assistance in America administered through the Navy Department. To this high credit Admiral Knapp has been assigned as military representative of the United States in Haiti and head of the military government in Santo Domingo. He gives warm praise to the achievements and spirit of the Marine Corps."

193. On January 5, 1918, the President of the Republic of Haiti with the first Port au Prince in an automobile at 4 a. m. and arrived at Cape Haïtien at 7.50 p. m., making stops at Arcahaie, St. Marc, Dessalines, Gonaïves, Plaisance, and Limbe. On January 9, 1918, the presidential party left Cape Haïtien at 5.17 a. m. and arrived at Port au Prince at 8.50 p. m. On February 23, 1918, the President of Haiti, accompanied by Lieut. Col. D. Butler and others, left Port au Prince on a motor trip over the route to Mirebalais and Lascahobas. The President and party returned on the trip on February 25, 1918. The actual running time in going up to Lascahobas

while the return trip consumed 3 hours and 15 minutes, due to between Lascahobas and Mirebalais.

Brigade commander's report of this first automobile trip is of interest below:

I left in automobile for Cape Haitien. About nine cars started at Port au Prince, at the same time. The leading car was driven by Colonel Butler, with the President of Haiti. A short distance from the city this car broke down and Lieutenant Colonel Butler returned to Port au Prince. I took the President in my car and continued with him on the trip, arriving there at 7.50 p. m. Stops were made on the way at Marc, Dessalines, Gonaives, Ennery, Plaisance, and Limbe.

At each stop we found the town decorated and the citizens all turned out to welcome the President. Speeches of welcome were made by the magistrat and the members of the communal council, and the President was most enthusiastic in his response. The contentment and happiness of the people, as indicated by the speeches, was not only with the present Government but with the future, for which many cheers were given. The longest stop was at Gonaives, where luncheon was served at the gendarmerie headquarters; this stop lasted for about 50 minutes. Stops at other points were from 15 to 20 minutes.

The automobiles were in very good condition and no trouble whatever was experienced during the journey except a few blow-outs.

We arrived at Cape Haitien about the same time with the exception of Colonel Butler's car, which had returned to Port au Prince, and I left with baggage, which had no lights and in consequence remained in the night at Limbe."

The brigade commander reported that on January 6, 1918, the President visited the market at 9.30 p. m., where a public ball was being held. "Amidst the applause of the people the President and magistrat each danced with one of the women present." On January 7, 1918, "at 7 a. m., I took the President and Lieutenant Colonel Butler in the regimental headquarters Ford automobile, stopping at Quartier-Morin, Limonade, Trou, Chabert, and Fort-Liberte, where the usual addresses were made. These

were all decorated and great enthusiasm was shown clearly demonstrated by the contentment and happiness of the people. I was especially struck by the fact that the people all looked healthy and well fed. Many cheers for the President were given. At Quinanthe an unusually large turnout and the President showed the satisfaction of the people and greatly pleased the people who told me that he was simply delighted at their happiness and at the results which he found in the north." On January 8, 1918, the President left by special train for Grande Riviere. Upon arrival at Grande Riviere usual speeches were made and a warm welcome given the President. The following quoted letter, dated January 10, 1918, addressed by the President to the "Gen. S. D. Butler, chief of the gendarmerie of Haiti," is self-explanatory:

"My first trip in the north has been accomplished under conditions so favorable that I can not refrain from expressing my entire satisfaction and appreciation for the part you have played in this happy result. It is, in fact, the great works of reconstructing and repairing the public highways under your intelligent and energetic direction that I have been able to accomplish in a short time, to go to the north, where I have verified, to my satisfaction, the actual progress in the regions visited and the excellent condition of the inhabitants. I prophesy for my country a brilliant and a future of order and of peace.

"In giving you my most cordial congratulations, it is impossible not to mention your devoted helpers, to whom you will please convey the impression of my gratitude of my Government.

"I accept, my dear general, my deepest thanks, together with my most sincere regards."

The Acting Secretary of State expressed his appreciation of the services of Gen. Eli K. Cole in the Republic of Haiti in the following letter, January 24, 1918, to the Secretary of the Navy:

"The honor to request that your department convey to Brig. Gen. Eli K. Cole, of the United States Marine Corps, lately in command of the United States marine forces in military occupation of the island of Haiti, the thanks of the Department of State for the services he has rendered to the United States during his sojourn in Haiti, and particularly in reference to his assistance in connection with the Haitian constitution."

198. In connection with Brigadier General Cole's service in Haiti following commendation is quoted from a letter of Rear Admiral Caproni, the major general commandant on January 14, 1916:

"The commander cruiser squadron especially commends the servicing, and soldierly conduct of Col. Eli K. Cole, United States Marines, not only in these operations, but also in his handling of the situation at Port au Prince prior to the arrival of the brigade."

199. The following letter, dated March 6, 1918, from President Darrin to "Gen. S. D. Butler, chief of the gendarmerie d'Haiti," is set forth:

"I feel a sincere pleasure, at the time of your return to the United States, to send you a testimony of my deep satisfaction for the cooperation and assistance you have given to the Government of Haiti, in its work of peace and order. I explain to myself and fully understand how necessary to your health and diversion after the long labors to which you have submitted yourself was your arrival in Haiti.

"I then extend my most sincere wishes that you have a good journey home, my dear General Butler, and Mrs. Butler, who is included in the wishes that I express at your intention, and chiefly that your health and greatest profit from your leave, in order that, returned to Haiti with a store of energy, you will be able to continue to lend the Government much appreciated help.

"Expressing the desire to see you return in the country, I do not regret the present circumstances which put the United States in the position of calling for all its men of merit and energy. Should these circumstances take you away from Haiti, you can be sure that the Government, and particularly, would feel a real regret to be deprived of your valuable help. It has so much helped, and that I shall keep of both you and Mrs. Butler with much agreeable remembrance.

"In these feelings, one more 'bon voyage,' my dear general, and adieu, in expression of my heartiest consideration."

200. In accepting the resignation of Col. Percy F. Archer as such chief of the gendarmerie d'Haiti, President Dartiguenave, on April 3, 1918, expressed himself as follows:

"While expressing my regret to see you obliged to leave my service, I address to you my liveliest congratulations on your work for peace in Haiti, the stability of my Government. The ability, regularity, and activity which you have manifested in the performance of your duties has given you a place on my memory and the memory of the country. I am happy to tell you by your conduct, so worthy of praise, you have responded to the sentiment of loyalty which characterizes the aid and assistance which His Excellency, President Wilson has lent my people to allow it to take its evolution, to become prosperous and powerful. My best wishes accompany you in the part that you have been called to furnish to the triumph of the right and liberty, the heroism for which your country is paying the sacrifice of its marvelous resources and the precious blood of its children."

201. On June 3, 1918, the brigade commander at Port au Prince received a radio from the commanding officer of the Second Regiment of marines at Port au Prince to the effect that he had received what he considered to be reliable information from two widely separated sources that plans had been made for an immediate uprising. By prompt action the brigade commander prevented a contemplated demonstration. That the action of the brigade commander is appreciated is shown by the following letter dated July 9, 1918, from the Assistant Secretary of State to the Secretary of the Navy:

"I have the honor to acknowledge the receipt of your confidential letter of the 25th ultimo, in which you inclose a report from the brigade commander of the United States Marines, at Port au Prince, stating the action taken by him in a view of repressing certain anti-Government and antioccupation acts in Haiti.

"I have the honor to say in reply that the department highly appreciates the manner in which Colonel Russell handled the situation, and I shall be glad if you will be good enough so to advise him."

202. In connection with the satisfactory performance of duty in Haiti, Col. John H. Russell, the following two letters are quoted. The first, dated April 29, 1918, from the major general commandant to Colonel Russell, and the second, dated May 14, 1918, to Colonel Russell from Charles C. Eberhart, major general at large:

ing Rear Admiral Harry S. Knapp, United States Navy, Military Santo Domingo, called upon me, and during his call took occasion the excellent work you had performed during your tour in Santo Haiti. He was very warm in his praise of your performance of is with great pleasure that I tell you that this has been reported rs and that this letter will be made a part of your official record. thank you personally and as commandant of the Marine Corps for h high praise as Admiral Knapp has given you and to congratulate

leave the island of Haiti I wish to place on record in writing my of the many courtesies and great assistance which have been during my visit to the island, both by the Marine Corps and the d'Haiti, by which it has been possible for me to accomplish my saving of both time and effort which would have been quite im- not been so fortunate as to have been able to avail myself of your kindly offers.

me of the Department of State, as well as in my official and per- z, I wish to thank you for your courtesies and attentions. cept also my very best wishes for a continuance of the marked has thus far crowned your efforts in the highly important and at which you are engaged."

Following letter dated April 27, 1918, addressed by the Department e Secretary of the Navy, is self-explanatory:

rtment has received your letter of April 23, 1918, requesting that of Haiti be informed of the nomination by the President of the for appointment by the President of Haiti, in accordance with the cle 10 of the treaty between the United States and Haiti of Sep- and the act of Congress concerning the Haitian constabulary, ie 12, 1916, Maj. Alexander S. Williams to be chief of the Gen- Haiti, vice Lieut. Col. Smedley D. Butler, detached.

welcoming this letter and returning the inclosure to the same, it is t Lieutenant Colonel Butler be informed of the appreciation which ent of State feels regarding the excellent manner in which he per- uties as chief of the Gendarmerie d'Haiti, and that the depart- that Lieutenant Colonel Butler has contributed in a large meas- success of the United States in its efforts to assist Haiti in that abilitation."

ent Dartigueuave wrote the following letter to Lieut. Col. Smedley May 22, 1918:

ledge receipt of your letter of May 6, by which bringing to my e orders detaching you from functions in Haiti, you tender me ion as chief of the gendarmerie d'Haiti.

are that it is an accomplished fact, I testify again my regret ized to cease your service in this country, the more that I was well the broad and intelligent cooperation that you have constantly Government.

agreeable to me to note the favorable impression that you received tay among us. In return for the 'bon souvenir' that you are kind ep of the excellent relations that the members of the Government held with you, be sure, on our side, we will never forget the man learned to esteem in your person. So, I would feel the greatest e your wish to return to Haiti realized, and such is the feeling of ten friends.

llief, I renew to you, my dear Colonel, the expression of my hearty

igade commander on June 12, 1918, made the following report con- constitution of the Republic of Haiti: "The voting polls were a. m. and closed at 5 p. m. At Port au Prince all shops were Although crowds were around the voting booths, they were most orts from all over the Republic soon indicated that the new con- id be adopted by a large majority vote and that no disorders " On June 13, 1918, he reported that: "Returns showed the the constitution by an overwhelming majority. Some isolated t be heard from for three or four days. Up to this time returns firmative votes and 335 negative. No disorders during the day." epublic of Haiti declared war against the Central Powers on July e marines stationed at Port au Prince assisted in extinguishing a

big fire on September 16, 1918. The President of Haiti warmly commended the marines for their services in the following letter, dated September 19, 1918, to the brigade commander:

"I have the honor to thank you, in the name of the Government, for the great assistance which the marines gave to the people of Port au Prince during the fire of the 16th of September instant.

"In begging you to kindly interpret and transmit to the marines my devotion during the great disaster has been greatly appreciated. In return for the Government's sincere thanks, I pray you to accept, Mr. Colonel, both the expression of my gratitude and the assurance of my high consideration."

206. The operation of the Corvee System was discontinued on October 1, 1918. (See pars. 233, 234, and 274 of this letter.)

207. The gendarmes stationed at Hinche engaged bandits under the command of Peralte in October, 1918, killing 35, but suffering fatal casualties among themselves. Additional gendarme troops immediately took to the field and captured many more bandits. Under date of October 17 and 18, 1918, the brigade commander reported this incident as follows:

"Received a report that a small band of bandits had come down from the mountains at night and fired on the town of Hinche. The gendarmes at Hinche immediately engaged with them and killed 35. Two gendarmes were killed.

"This affair conclusively proves to my mind the efficiency of the gendarmes and the security of the country in their control.

"For years, of course, it may be expected that bandits who live in the mountains east of Cerca la Source will come down into the plains for raids. In this case the leader was said to be an escaped convict, Captain Peralte. The gendarmerie are trying to round up any who may be engaged in this affair and who have escaped.

"Further information was received concerning the operation of the bandits at Hinche which was reported under date of October 17. It appears that 12 armed bandits came down from the mountains on the Haitian-Dominican border gathering in an unarmed force of civilians for the purpose of obtaining other support. Early information was received by the gendarmes at Hinche regarding this contemplated attack and this punitive and preventive force was met by the gendarmes in such a manner as it is believed to have given the bandits a lesson in the future. None of the civil population of Hinche was killed, and the only two gendarmes killed or wounded were injured by the fire of their own force. Gendarme mounted troops immediately took to the field and succeeded in capturing a number of them and killing several. It is previously reported this affair has no political or military significance and so ever and repetition of such raids by bandits hidden away in the interior frontier may be expected for some time to time."

208. The brigade commander, under date of November 11, 1918, reported the following:

"A few bandits are operating in the mountains surrounding the Hinche district, making occasional descents down on the plain. Numerous small parties, however, been sent to this district and a troop of cavalry is now operating there and it is hoped that they will soon be completely broken up."

209. The brigade commander, Col. John H. Russell, was relieved on October 7, 1918, by Brig. Gen. Albertus W. Catlin.

210. On July 1, 1918, there were 59 officers and 800 enlisted men of the Marine Corps on duty in the Republic of Haiti distributed among the following organizations:

Headquarters, First Brigade.....	1
Constabulary Detachment.....	1
Second Regiment.....	1
Total.....	3

211. On December 31, 1918, there were 64 officers and 884 enlisted men of the Marine Corps on duty in the Republic of Haiti distributed among the following organizations:

	Officers.	Enlisted men.
1st Brigade.....	14	87
Detachment.....	20	76
It.....	30	72
.....	64	884

report of the Subcommittee for Investigation of Conduct and Administration of the Navy, dated March 11, 1918, and published as Appendix A of the Report of the Secretary of the Navy to the President, dated December 18, contains the following:

that, besides taking care of new appointments in the commissioned ranks, the enlistments and the training of this additional force, the Marine Corps has attended without a hitch to its ordinary and regular duties of guarding harbors and naval stations, both in and outside of the United States. It has furnished expeditionary forces for duty in France and elsewhere outside the United States and supplied marine detachments for all battleships, cruisers, and auxiliary vessels placed in commission during existing hostilities. At the present time it has kept a force of officers and men in Haiti and Santo Domingo to maintain good order against certain insurrectionary elements amongst the natives."

In his annual report to the President, dated December 1, 1918, the Secretary of the Navy made the following statements:

"In addition to the splendid service the marines have rendered on land, on the water, and in the air in Europe they have performed their usual duties in other parts of the world."

\* \* In Haiti and Santo Domingo they are helping in the work of maintaining law, sanitation, and development, keeping in order the few remaining elements of insurrection. The good conditions in these islands have been largely brought about by the firm and efficient and cooperative spirit of the marines on duty."

Under the direction and guidance of naval administration, the islands have enjoyed quiet and just laws well administered, enjoyed development, prosperity, and tranquillity. The marines have not only preserved order, but have effected a measure of internal improvement."

In Santo Domingo and Haiti the people have learned that the United States policy except one of unselfish friendship and neighborliness, and good offices to secure stable conditions that will redound to the welfare of the people of these two countries, long disturbed by revolution and insurrection."

Major General Commandant in his annual report to the Secretary of the Navy, dated October 10, 1918, made the following statement:

"Haiti and Santo Domingo the work done by the marines has been a success. Generally speaking, a state of peace has been maintained in both countries. There have been a few outbreaks of bandits in Santo Domingo. The marine forces have been amply able to suppress any sudden uprisings. It may be stated that conditions have been very materially improved in both countries under military control, and the officers and men stationed there have performed their duties most satisfactorily and efficiently." "A small revolution started in the latter part of 1918, under the leadership of Charlemagne Peralte in North Haiti, continued in a small way throughout 1919, Charlemagne being killed in October, 1919, and was succeeded by Jean-Baptiste, who was also killed in April, 1920."

The patrols and the gendarmerie had numerous skirmishes with the bandits during the year 1919, and finally succeeded in breaking up the outlawry. On January 8, 1919, the brigade commander reported that for the past several months the gendarmerie patrols had several encounters with small bands and had killed all of the bandits. On February 4 a gendarme patrol, under Lieutenant, routed a band of 200 men, and on the same day it was also reported that gendarmes line-men were attacked by Cacos while repairing the line near Muscadia. On February 21 a gendarmerie detachment defeated a band of bandits north of Mirabalais, killing and wounding a number of them. On March 12 a band of about 70 Cacos were reported to have occupied the town of Bois, north of Lake Assuey, and killed two of the three gendarmes there. On March 17 a detachment of gendarmes had a running fight

with a large band of Cacos north of Las Cahobas. On March 20 the marines and two gendarmes, assisted by a few inhabitants, beat the Cacos at Ronquith. On March 21 Sergt. Nicholas B. Moskoff of the detachment, was wounded in action at Dufall, dying of his wounds the next day. On March 25 Gunnery Sergt. Chester J. Abbot was wounded at Mirabalais. On March 28 Sergt. Henry C. Willis and Pvt. Roy were wounded in action, the former dying of his wounds. On April 2 Pvt. H. Grodi was wounded in action at Petit Fond. On April 4 Maj. John L. with four officers and 51 men, attacked about 500 bandits and scattered them; Major Mayer being killed in action; on the same day a patrol destroyed the camp of Charlemagne Peralte, and killed several bandits. On April 9 a band of about 75 bandits were encountered west of St. Marc while a party repairing telephone lines, Gen. Demosthenes Merinord being with them. On April 14 Captain Burks jumped bandit camp 15 miles south of St. Marc and killed several. On April 17 the gendarmes had a skirmish with the bandits at Maitland. On April 21 a marine patrol surprised a bandit chief named Benoit while he was riding his horse. On May 19 a skirmish took place between a patrol and the bandits at Terrier Rouge. On May 20 the bandits were driven off by marines at Maitland. On May 30 there was a skirmish at Narde. Skirmishes occurred on June 4, near Mirabalais; on June 13, near Bellabare; on June 19, near Cayman; on June 20, near Acul Samedi; on June 30, between St. Michel and Raphael; on July 1, at Monlin Crochu; on June 3, at Cerca la Source; on July 9, at Pignon; on July 10, at Terra Rouge, one corporal of marines being killed; on July 11, between Fort Liberte and Terrier Rouge; on July 13, between Carvajal, and at Malssade, and at Les Perches; on July 14, at Grand Bois and at Petit Fond; on July 15, at Grand Bois; on July 17, at Terra Rouge; on July 19, at La Chapelle, Pignon, Malssade, and Hinche; on July 20, at la Source; on July 22, at Saut d'Eau, Chomonde, and Fond des Orangers; on July 22, at Savanne, Grande, and Cholet; on July 24, at Pignon and Maitland; on July 25, at Laoy and Baramque; on July 26, at Norme Cranale, between Malssade and Pignon; on July 27, the camp of Chief Benoit was destroyed; on July 27, at Jacoline; on July 28, at Source Bamboo and Fond Carvajal; on July 29, at La Hoy; on July 30, at Fort Zinque; and on July 31, at Baie de la Source. Prvt. Raphael H. Grodi was wounded at Petit Fond on April 2, 1919, and Cecil H. Ames on April 7, at the same place.

218. During the month of August skirmishes were had with the bandits at the following places: Petite Riviere de l'artibonite, Saracen, Baie Terrible, Saut d'Eau, Thomassique, Malssade, St. Raphael, Cemetery Flende, Mount of Terra Rouge, Cerca Carvajal, Mirabalais, Cholet, Dessalines, Gauthier, of Guayamoc, Savanette, Madame Jole, Lermite, Baie Terrible, Las Perches, Dufalya, Malssade, Thomassique, Chapel Madame Jole, Perodon, Las Perches, Madame Jole, Ranche Antoine, Grande, Laguey, between Carvajal and la Source, Las Cahobas.

219. During the month of August one marine was wounded in action with the bandits.

220. During the month of September skirmishes were had with the bandits at the following places: La Victoire, near Mirabalais (two attacks), Caspaigne Terrible (Corporal Debelle slightly wounded), west bank of the River, Saut d'Eau, Malssade, near Hinche, near Mirabalais, Bois de la Pain, Baie Terrible, near Malssade, cattle train near Hinche, outskirts of Petite Montaigne, Laselle, Terra Rouge, Boucan Carre, Savanette, Saut d'Eau, Montaigne, Noire, Hinche-Malssade road, Ranquette, Bas de St. mos, Terra Rouge (two marines acting as gendarme officers killed, taken for bandits), near Carvajal, Malssade, Lamocet, Malssade, near Hinche, Saut d'Eau, Mirabalais, Malssade, Pignon, near Mirabalais, Hondo Valle, Bas de Saut, outside of Hinche, and La Masse.

220. A very few skirmishes occurred during the month of October. James O'Byrne was wounded in action at Mirabalais on October 11. Shots were fired in the city of Port au Prince in one of the bad storms on the same date. A four-hour fight occurred between the gendarmes and the bandits when the latter attacked Cerca Carvajal on October 25.

221. On October 30, 1919, the brigade commander reported:

"Arrangements made for a campaign against Charlemagne and it is hoped that results may be obtained therefrom in a few days.

"Bandits approached the town of Mirabalais, fired three shots, and killed off two citizens who lived well on the outskirts of the town, escaping the patrols in the fog and darkness.

patrol at Montagnes Noires struck and destroyed a bandit camp. It hit small bands of bandits at Bouoque Marie and in the section

the night of October 31–November 1, 1919. Charlemagne Peralte by marines, the brigade commander's report under date of November 1, 1919, being as follows:

Details of the death of Charlemagne.

Charlemagne Peralte, with about 1,200 men, undertook to capture Grande Riviere. He then had planned the capture of Le Trou and an attack on Cape Maitland. Captain Hanneken, of the gendarmerie (sergeant, United States Marine Corps), was aware of the contemplated attack on Grande Riviere and the location of Charlemagne's headquarters during the attack and he had planned to capture or kill Charlemagne by attacking his headquarters. In his plans he carried out, the greatest secrecy was maintained and in the force of Grande Riviere was made, as it was necessary that the attack on Grande Riviere be made by the bandits.

On the night of October 31, 1919, Captain Hanneken, Gendarmerie d'Haiti, and William R. Button, Gendarmerie d'Haiti, with faces blackened, and 20 men in old, dirty civilian clothes, and one automatic rifle, took up position at the point where it had been learned Charlemagne intended to establish headquarters during the attack on Grande Riviere.

Information soon reached them that Charlemagne had changed his plans and moved some three hours away on the top of a hill.

It was known, as well as the fact that Charlemagne expected the arrival of bandits to bring him information of the capture of Grande

Cape Maitland. Hanneken had observed some 700 men advancing to an attack on Grande Riviere. He knew the attack on Grande Riviere would take place. He intended to advance with his own force and try and penetrate Charlemagne's camp to capture or kill him.

At great risk and with many narrow escapes, he and his men penetrated through six lines of outposts and at midnight attacked the camp and Charlemagne and nine other bandits. It is believed Charlemagne's camp consisted of not less than 250 men.

Charlemagne's body was taken to the Cape and properly identified."

Awards of honor were awarded to Second Lieut. Herman H. Hanneken, 1st Lieut. William R. Button, General Order No. 536 of the Navy Department, dated November 10, 1920, reading as follows:

The Navy Department takes pleasure in announcing to the service the award of the medal of honor to Herman H. Hanneken, second lieutenant, United States Marine Corps, and to William R. Button, corporal, United States Marine Corps, for extraordinary heroism in the line of their profession and eminent and conspicuous gallantry and intrepidity in actual conflict with the enemy near Grande Riviere, Republic of Haiti, on the night of October 31–November 1, 1919.

Information having been received at district headquarters that Charlemagne, the supreme bandit chief in the Republic of Haiti, accompanied by about 1,200 outlaw followers, had arrived in the vicinity of Capois, Haiti, with the avowed purpose of capturing and pillaging the town of Grande Riviere, permission was granted Second Lieutenant Hanneken, then

(captain, Gendarmerie d'Haiti), United States Marine Corps, and William R. Button (first lieutenant, Gendarmerie d'Haiti), United States Marine Corps, to carry into execution previously arranged plans for the capture of the bandit chief. Selecting about 20 gendarmes, all of whom were properly disguised, Hanneken and Button, on the night of October 31, took position where they might observe the movements of Charlemagne. About 700 bandits having been observed making their way toward Grande Riviere, it was decided to endeavor to capture Charlemagne in his camp. It was understood he purposed to remain and receive reports of the pending attack upon the town of Grande Riviere. After several hours' difficult mountain climbing through a country overrun by the first of the six outposts guarding Charlemagne's camp was reached. Due to the effectiveness of their disguise and aided by the darkness during the night, the challenges and examinations of the enemy at this outpost was successfully passed, as were the four succeeding outposts. The sixth outpost was the immediate guard over Charlemagne, being a few paces from the person of the bandit chief. Advancing rapidly toward

Charlemagne, who apparently had been led to believe that the men approaching him were members of his band with reports from the Grande Riviere, Hanneken, armed with two revolvers, and Button, with a light Browning machine gun, were suddenly halted by two bandits who handled their rifles in a threatening manner. Believing that no further was to be lost, Hanneken promptly opened fire upon Charlemagne, and with equal promptness turned his machine gun upon the remaining bandits who were seeking cover. The surprise attack was a complete success, the dead body of Charlemagne and about 9 of his bodyguard were found in the camp. The bandits, however, continued their fire throughout the night upon the position held by Hanneken and his force, and during the night of November 1, 1919, several bands of outlaws, retreating from their unsuccessful attack upon Grande Riviere, were encountered and dispersed.

"Second Lieutenant Hanneken and Corporal Button not only demonstrated themselves by their excellent judgment and leadership but at all times placed themselves unhesitatingly in great personal danger. Their movements during the night in a thickly wooded country overrun with several hundred armed Haitian bandits. At any time during the night of October 31, November 1, 1919, the slightest hesitation or error of judgment would have cost not only their own lives but the lives of the detachment of gendarmes under their command. The successful termination of their mission will undoubtedly prove of untold value to the Republic of Haiti."

224. The brigade commander, under date of November 1, 1919, reported that he had received the news of the death of the bandit chief, Charlemagne, and that he had immediately issued general instructions to spread the news of Charlemagne's death and to increase our military activities by sending out patrols and trying to round up bandits while disheartened. The brigade commander called on me, and was very much elated over the news of Charlemagne's death.

225. Private Clarence E. Morris, of Squadron E, First Division Marine Corps, was killed by Haitians on November 4, 1919, the brigade commander's report, dated November 22, reading as follows:

"Information was received regarding the death of Private Morris (Squadron E unit). It appears that Private Morris left his plane, taking with him a Lewis air machine gun and three drums of ammunition. He obtained three natives to guide him, and later gave the machine gun to one of the natives to carry. Becoming tired, he sat down, and while in this position one of the three natives came behind and struck him with a machete, killing him. The natives then took the machine gun, his clothes, and ammunition and fled out to join the bandits. The above information was given by a bandit who recently surrendered.

"Patrols were at once sent out to the position indicated by the bandit, and the information he gave led to the recovery of the remains of Private Morris, of which by this time nothing but bones and the leather of his helmet remained. The machine gun was also recovered and about 100 rounds of ammunition."

226. The early facts concerning the incident which led to the death of Private Morris are contained in the following report of the brigade commander, under date of November 7, 1919:

"Lieutenant McFayden and Pvt. Clarence E. Morris made a forced landing last night north of Maissade. Lieutenant McFayden left Morris in the disabled plane and walked to Hinche, arriving there at 7 a. m. this morning, reporting the landing of the plane. Patrols and another plane were sent out to look for the disabled plane. The patrols first failed to find it, but the plane was located by another plane about 4 p. m. On landing it was discovered that Private Morris had left his plane, taking with him the Lewis air machine gun and three drums of ammunition. Patrols were sent out in all directions. Natives living in the vicinity and market women in the towns questioned about Private Morris, but to no avail."

227. Pvt. Harry Lawrence was killed by the Haitians on November 10, 1919, between Chapelle Nouilles and Saut d'Eau, the brigade commander's report, under date of November 30, reading as follows:

"Pvt. Harry Lawrence reported missing. Private Lawrence was operating as a patrol operating in the Mirebalais district under the command of Lieutenant Cukela. The patrol had had a skirmish with a bandit group, and a short time after Private Lawrence was discovered to be missing."

t in all directions in order to try and rescue him or obtain information about him."

November 27, 1919, the brigade commander reported that "several ved from patrols in the Mirebalais district. Struck large groups and dispersed them." On November 28 he reported: "Held a con-

the commanding officer, Mirebalais district, regarding the necessary down the bandit leader Benoit Batravail. I believe it exorable at this time to capture or eliminate this man, as he is more an any of the others in his methods."

December 28, 1919, the brigade commander reported as follows: of bandit activities in the hills and patrols have been sent out in s. The military situation in spite of the small force at my command gradually improving. Numerous groups of bandits still exist and ; throughout the country. These must be harassed and finally run st difficult matter—but gradually we are working out plans for and clearing them up, keeping up at all times the most aggressive nstant patrolling, in order to try to clear up the situation as much luring the present dry season. With a larger force at my command situation could be cleared up, but the present strength will only disintegrate the bandit groups as to prevent any serious reorganism during the coming wet season."

Admiral Thomas Snowden assumed the duties of military representative of the United States in the Republic of Haiti on February 25, 1919.

June 15, 1919, the brigade commander reported as follows:

work turned over to engineer of Haiti, on authority of military ve of United States in Haiti."

President Dartiguenave, on July 14, 1919, addressed the following letter S. Williams, chief of the Gendarmerie d'Haiti: "

I acknowledge receipt of your letter of July 14, No. 857-19, by which you hat you have been recalled to serve with the United States Marine submit your resignation as an officer of the gendarmerie, to take e date of your departure.

In accepting this resignation I feel that I ought to do a deserved homage it of discipline that you have impressed upon the gendarmerie to recognize the big share you made yours in the realization of

the errors that might have been committed in the accomplishment of they were unavoidable, and any thinking man could not find their here else than in the conditions of the country, which it is necessary with if one wants to arrive without long trials to the reform of l institutions. These errors are, anyhow, largely paid for, in my the general results obtained for the benefit of the Haitian society. arting from you with the deepest regret and will never forget the lations, marked with such a frank cordiality, that I have had the enjoy with you during your stay in Haiti.

I receive, General, with my wishes to go ahead in your noble career, ion of my hearty feelings."

Colonel Alexander S. Williams, United States Marine Corps, Chief of merie d'Haiti, received the following letter, dated July 17, 1919, him by President Dartiguenave:

the moving manifestations of June 23 last, when some officers and gendarmerie received the rewards deserved by their conduct and had occasion to express to you the congratulations of the Governme work that you have accomplished in Haiti, congratulations which er persons present concurred in.

I desire to give you a personal testimony of my satisfaction, and I a sword, the symbol of gallantry and energy, is what is best suitable r, the natural protector of justice and guardian of honor. With ssible pleasure I offer this one to you, hoping that in whatever counce call of duty will lead you in, it will remind you of this country, ing four years, you have stoutly helped to install that spirit of discipline, basis of all progress and civilization.

Deep, personally, be sure of it, the best remembrance of your active and of the personal relations that I had with you.

I accept, my dear General, the hearty expressions of my most disfeelings."

233. The following proclamation to the citizens of Haiti, published in Brigade Memorandum Order, No. 128, is self-explanatory; dated August 19, 1919:

*"Citizens of Haiti:*

"The time has come to put a stop to further bloodshed. It has become necessary to use stern measures to repress the disorders in the north. At the recent arrival of military engines we can use even sterner measures. I hope, with your help, to be able to abandon such means. I ask your cooperation and I ask you to have faith in the good intentions which the President of the United States of America entertain toward your country."

"The corvée has been done away with entirely. Work on the roads is entirely voluntary and will be paid for daily. The workmen will come and go when it pleases them; they shall be paid for the hours of work. Any injustices committed by native or American officials should be reported to American military officials and justice will be done and the offenders punished."

"It is the desire of the American people to establish security and prosperity in this country. It can not be done while the bandits burn and rob. All good inhabitants should give the greatest assistance to officers of the occupation in suppressing the bandits. All natives who have been tempted to join these thieves and bandits, masquerading under the name of Cacos, who desire to resume their peaceful farming, have but to report to the military officials, assure them of their peaceful intent and future loyalty, and a full pardon and all possible protection will be granted. This protection is impossible if the country people continue to support the bandits and the Cacos themselves Cacos."

"I personally promise you that the United States Government desires to give to the citizens of Haiti security and prosperity and the enjoyment of liberty, equality, and fraternity." (See paragraphs 180, 234, and 235 of the letter.)

234. A history of the corvée system (referred to in the preceding paragraph) in the Republic of Haiti is contained in the following quoted letter from the brigade commander, dated June 19, 1919:

"1. By the word 'corvée' is meant a system of enforced labor. In Haiti such a system has formed a part of the law for many years prior to the American occupation. It had not been enforced for some time due to the chaotic conditions prevailing as a result of the almost incessant revolutions in that country."

"2. As a consequence of this lack of enforcement of the law, the roads in Haiti outside of the towns and cities, and communication at these points by land was almost impossible."

"3. Soon after the American occupation of Haiti it was realized that the roads between the principal towns were a military necessity."

"4. By the corvée system, men living in a district were required to work on the main road or artery in that district a certain number of days during the year. The Haitian Government was without funds to employ labor for public work, or in fact, for any public work. It was heavily in debt, to the effect of some \$31,000,000, and the United States was trying to rehabilitate it. The act of the United States must be to enforce law and order and develop the country throughout the land. In order to accomplish this, good roads were necessary."

"5. The gendarmerie of Haiti, which was formed soon after the American occupation, acting for the Haitian Government, resurrected and put in force this old corvée law. Great strides in road making were effected, and many months a road from Port au Prince to Cape Haitien and from Port au Prince to Ouanaminthe was opened up. The occasion of the opening of this road was made a source of great rejoicing by the Haitians and the President of the Republic of Haiti made the trip from Port au Prince to Cape Haitien and Ouanaminthe in an automobile to his great satisfaction and that of the people in all the hamlets and towns along the route. Another road was opened up between Port au Prince and Jacmel."

"6. About this time, it was brought to my notice that some dissatisfaction existed over the corvée system, and although I knew the President of the Republic was heartily in favor of this work, I decided in September of 1919 that the military necessity for the construction of roads no longer existed. I informed the chief of the Gendarmerie of Haiti to that effect, and that enforced labor on roads be stopped. The chief of the gendarmerie"

that effect and road making in Haiti consequently ceased, the small funds to the Gendarmerie of Haiti for the repair of roads being not sufficient to maintain the road to Cape Haitien and Ouanaminthe, and the road to Jacmel, in a state of good repair.

It is realized that from Jacmel to Port au Prince, one has to go on a tedious trip by horse, and that now the trucks can carry cargo from Port au Prince, where they can be shipped north or that on from Cape Haitien, Gonaives, and St. Marc to Port au Prince. Maintained where heretofore it has been solely by water, the advantages are to Haiti from a commercial, as well as a military standpoint, (See paragraphs 180, 234, and 274 of this letter.)

Lt. Col. L. McCarty Little assumed command of the First Provisional Brigade, United States Marine Corps, on July 15, 1919, relieving Brig. Gen. W. Catlin, who was on leave in the United States.

is quoted below an extract from the report of the military representative of the United States in Haiti, September 2, 1919:

General Catlin accompanied General Catlin on a visit to the advanced positions of the bandits and beyond in order to get some idea of conditions regarding the bandits. He also visited Gonaives and Cape Haitien. A report of the condition was found to exist. While the bandits were still in small bands, here and there, they were much broken up and the military was trying to obtain favorable terms of surrender from the military.

The handling of the operations by the military authorities is satisfactory and, while unsettled conditions still exist and will so exist for some time to come, matters can be said to be well in hand. The gendarmerie is rendering acceptable service in aiding the marines in policing the country and in punishing the bandits. Under existing conditions, I recommend that the present military forces be fully maintained."

On the date of September 4, 1919, Secretary of State Robert Lansing sent the following letter to the Secretary of the Navy:

The Department has received a cablegram from the American minister at Port au Prince dated August 29, 1919, in which he states that a report is prevalent at the expiration of his leave General Catlin will retire at his own request and consequently be relieved as brigade commander of the First Provisional Brigade. The minister states that if the report is true he would most urgently request the assignment of Col. John H. Russell, United States Marine Corps, to this post as successor to General Catlin. The minister states that in his previous service there Colonel Russell has shown his ability to handle the situation in an extremely satisfactory manner and that he is familiar with the conditions in Haiti.

The information received by the minister is correct, I venture to suggest that the appointment of Colonel Russell be made, as he is in all probability the best person whom the department could send.

The Department will be glad to be advised at as early a date as you may see fit as to whether the Navy Department will find it practicable to transfer Colonel Russell to Haiti."

Colonel John H. Russell assumed command of the First Provisional Brigade in the Republic of Haiti on October 1, 1919, relieving Lieut. Col. L. McCarty Little.

On Sunday, November 16, 1919, marines who were detailed as officers of the Gendarmerie d'Haiti were decorated at Port au Prince by President L. O. G. with Haitian medaille militaire, for destroying Charlemagne and his band. A few minutes before 3 o'clock a battalion of gendarmes of the Champ de Mars. Attired in uniform similar to that of the United States marines upon whom they are modeled and by whom they are being replaced, they marched on to the parade grounds and swung into line. The party took its position with Gen. Frederic M. Wise (who relieved Gen. A. S. Williams on July 19, 1919), Gendarmerie d'Haiti (Colonel, United States Marine Corps), on President Sudre Dartiguenave's right and Gen. A. S. Williams on his right and rear. To the right and rear of this line was Col. Russell, United States Marine Corps, brigade commander, and a port staff. When the President arrived the President's march had been an excellent band of the Gendarmerie. As the President faced the band he played the rather fine strains of the Haitian national anthem brought the band to the "present arms," and all military units rendered the salute. At command they advanced and halted before the President. The four officers to be decorated: Col. James J. Meade, Gendarmerie

d'Haiti and United States Marine Corps; Capt. Herman H. Hamer, Gendarmerie d'Haiti (sergeant in the Marine Corps); Second Lieut. W. Button, Gendarmerie d'Haiti (corporal in the Marine Corps); and Lieut. H. R. Woods, Gendarmerie d'Haiti (sergeant in the Marine Corps). The decorations were then presented. The decorated officers were joined by the President in taking the review. The band struck up "Semper Paratus," the marching tune sacred to the marines, and, with an easy precision and a correctness of alignment that spoke plainly of the thorough training, the battalion, led by its Marine Corps officers, passed in review. The brigade commander, under date of November 16, 1919, made the following report of this affair:

"During the afternoon medals given by the Haitian Government to officers who participated in the attack on Charlemagne's camp, and to officers of Grande Riviere were given to these officers by the President. It was after the ceremony the President invited us to a small reception at the palace. While at the palace, the President informed me that he was very much pleased on account of what had taken place during the last few days."

238. On July 1, 1919, there were 98 officers and 1,526 enlisted men of the Marine Corps on duty in the Republic of Haiti, distributed among the following organizations:

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Headquarters, First Brigade.....	1
Squadron E, M. A. F.....	1
Constabulary detachment.....	1
Second Regiment.....	1
Total.....	4

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239. On December 31, 1919, there were 83 officers and 1,261 enlisted men of the Marine Corps on duty in the Republic of Haiti, distributed among the following organizations:

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Headquarters, First Brigade.....	1
Squadron E, M. A. F.....	1
Constabulary detachment.....	1
Second Regiment.....	1
Eighth Regiment.....	1
Total.....	5

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240. In his annual report to the President, dated December 1, 1919, the Secretary of the Navy made the following statements:

"Expeditionary forces have been maintained, as in previous years, in Haiti and Santo Domingo. While there have been some outbreaks of the gendarmerie in Haiti and the constabulary in Santo Domingo, which were officered by members of the Navy and Marine Corps, have proven of great value in maintaining peace and order.

"Under the naval administration of Haiti, the marine forces have been serving order and suppressing banditry and robbery by the criminals affected elements. Conditions have improved, and the bandits are being captured or have surrendered. The education and health of the people have improved, and the enforcement of law has been followed by progress to the industrious residents.

"Called to restore order and administer the finances of these countries close to us in geography and in interest, it is gratifying to report that we have been freed from all suggestion of selfish aims on the part of the civil and military agencies. The development of the country:

tro of the people's improvement in agriculture; the firm and kind  
n of justice have borne their fruit in the most prosperous years  
f these neighbor governments. Major General (Commandant) in his annual report to the Secretary,  
dated October 10, 1919, made the following statements: "In the  
e year expeditionary forces have been maintained, in previous  
n, Haiti and Santo Domingo. There have been a number of out-  
dits in both the latter places, but three have been promptly sup-  
stated: previously in this report, two aviation squadrons have  
e each to Haiti and Santo Domingo, and these have proven very  
cutting and, with the assistance of the land forces, in dispersing  
ws by machine-gun fire and the dropping of bombs."

Let the occasion pass without making mention of the thoroughly  
er in which the officers and men stationed in Cuba, Haiti, and  
go have performed the duties assigned to them. To the majority  
is a bitter disappointment to be ordered to duty there when they  
d expected that they would get a chance to fight the Germans in  
act, a very large percentage of the enlisted force were men who  
with that sole purpose. However, with but few exceptions, they  
own personal feelings and wishes and performed their duties  
wonerous and disappointing in view of what they had expected,  
capable and efficient manner. Though in an inconspicuous and  
er, they did their part in winning the war just as much as did  
re fortunate enough to go to France.

Gendarmes in Haiti and the constabulary in Santo Domingo,  
icered by members of the commissioned and enlisted personnel of  
l Marine Corps stationed in those places, were in practical opera-  
out the year and have proven of immense value in the pacifica-  
l development of those countries.

Operations against Haitian bandits from January 1, to March, 1920,  
t in general in the following report dated March 10, 1920, by the  
ander to the military representative of the United States in Haiti:  
ning on January 1, 1920, an intensive campaign against the band-  
d and northern Haiti was undertaken by all units in the field.  
o months prior to this time the patrolling was carried on as has  
ore and the time was utilized more particularly in preparing a  
de staff organization, reorganizing the brigade, improving the  
ilitary conditions of the men in the field, especially at our main  
es, and making preparations to start more active field work at the  
the year.

Three accompanying maps, one for the month of December, one for  
f January, and one for February, illustrate graphically the work  
by the brigade and gendarmerie.

As a result of this work, together with the lesson received by the bandits  
ed to enter the city of Port au Prince and now referred to by them  
le," and the deportation of Germans is made apparent by the many  
and men who are daily surrendering.

Of the past month 2,995 have surrendered and since December 27,  
0,000 "bon habitants" passes have been issued.

In order to prove their sincerity I require that all chiefs who surrender  
go out with one of our patrols, thus identifying themselves with  
us, and furthermore, I require that they shall talk with the people  
to induce them to stop brigandage, return to their homes, start  
their land, and obey the laws of their country and the occupation.  
One time I have been in touch with Benoit Bistraville but I am  
iced that his statement that he desired to surrender was false.  
k ago I gave him 10 days in which to comply with the conditions  
therwise my proposition would be considered canceled. Yesterday  
atrols struck his camp. He had about 800 men and about 50 rifles.  
his band at once broke up into small groups which are now being  
ed by our patrols. A very important and useful bandit leader named Dominique recently surrendered at Las-  
has been doing excellent work for the occupation in assisting our  
nducing the people to return to their farms.

In a careful estimate of the situation in Haiti, I am of the opinion  
he past two months tremendous strides have been made toward the

pacification of Haiti and with the capture, surrender, or death of Benoit. The pacification of the city will be practically complete.

"10. Of course, for some time small bands of what are really bandits will continue to roam over certain uninhabited sections, descending over sections or habitations remote from large towns to commit depredations. Such bands will gradually disappear through our patrols, and persistence of the Consul d'Agriculture and good inhabitants and the opening up of the country by the introduction of roads, etc. It must be remembered that the section in which bandit groups have been operating was, three or four days ago, many days journey from Port au Prince, could only be reached on foot, and was consequently in a state bordering on savagery.

"11. It is perhaps unnecessary to remark that the above much improved conditions has been brought about mainly by the tireless efforts of the men in the field, and the brigade headquarters staff, especially the staff as G-3 (Maj. R. L. Sheppard). Ceaseless patrolling over the trails, and following up of rumors to find perhaps nothing but disinformation, at the end, the return to camp with a rest up or perhaps a touch of rain, then out again, the strain incident to patrolling or small detached parties where one must be constantly on the qui vive and remembers the battle of 1919, where 50 armed bandits rushed the sentinel guarding his four men, have all tended to make the work a real man's work requiring of men the qualifications of good soldiers.

"12. That they have succeeded so well is due in a large measure to the skill, and enthusiasm of the officer (Lieutenant Colonel Little) who is in command of the marines and gendarmerie operating in the affected area.

243. The brigade commander under date of January 10, 1920, reports as follows:

"This was election day. The elections were communal elections. I stationed a representative of the occupation with authority not to interfere with the election in any way but to report on the results of the election law, and if necessary to preserve order.

"Port au Prince was the only city in Haiti where trouble was expected, but extraordinary precautions were taken to prevent any trouble and the result election day was one of the quietest we have had for some time. Clement Maglorie, the editor of Le Matin, and at present a member of the communal commission was elected magistrate of the commune of Port au Prince. Reports received indicate that the communal elections went quietly throughout Haiti.

"Received information that a group of bandits had arrived in northern Haiti and sent immediate instructions to start a most aggressive and active campaign against them to drive them out of northern Haiti at once, as it was of considerable importance that quiet should be maintained in Haiti."

244. On January 12, 1920, the brigade commander reported as follows: "Reports, received indicate a decided improvement from a military point in the Marebais and Las Cahobas district.

"Every effort is now being exerted to capture the bandit chief Benoit. He was recently elected president by the other bandit chiefs. It is important that he should be taken, from both a military and political point.

"Large numbers of surrenders have taken place recently, including chiefs, the greater number of whom have stated that they surrendered because they considered their cause hopeless."

245. The brigade commander on January 15, 1920, reported as follows: "About 4 a. m. this date, bandits with a strength of approximately 100 attempted to enter the city of Port au Prince, first dividing into three groups. They were promptly met by marine and gendarme patrols, driving them back and pursued them to the hills, patrols at daybreak being sent westward to the Cul de Sac to work into Port au Prince, combating that section. About 10 per cent of the bandits who attempted to enter the city were killed or wounded. A chief named Solamon who led the column into the Rue de la Paix and set fire to a few shacks in this section was captured. This man was with the bandits for some time. He comes from the Belair section of Port au Prince and stated that he is the only one who could lead them against the city and that the lesson that they received was entirely unexpected and that as Port au Prince is concerned he does not believe that they would attack it again. From another man it is expected that valuable in-

ined as regards the assistance and direction to this movement  
ain people in Port au Prince. This information I am very anx-  
1."

brigade commander on February 7, 1920, made a report to the  
ul Commandant concerning the following incident that occurred  
mentioned engagement:

commended that Sergt. Edward J. Daly, United States Marine  
ven a letter of commendation from your office for his excellent  
the morning of January 15, 1920.

cts are as follows: Sergeant Daly was sent with Pvt. Lencil Combs  
er M. McLaughlin to act as a point. Sergeant Daly saw a man in  
niform (one of the bandits) who beckoned to Sergeant Daly to  
Sergeant Daly did so and was immediately jumped by about 40

had been partially concealed by the darkness. Sergeant Daly  
men were completely surrounded. Private Combs was shot through  
dying later from his wound. Private McLaughlin's wrist was  
rough and Sergeant Daly was knocked down by a blow on the  
m a club and badly cut on the back of the right leg. He recovered  
using a rifle as a club fought his way out, receiving another cut on  
kder. The main patrol then arrived and dispersed the band.

nt Daly continued in the fight although the surgeon recommended  
a dressing station to have his wounds dressed.

ction commenced at about 3.40 a. m. and it was not until 6.30 a. m.  
ing was quiet that Sergeant Daly had his cuts attended to. When  
n he brought with him a native woman who had been shot in both  
nsisted that her wounds be attended to before he would allow the  
er attend to his (Daly's) wounds."

chargé d'affaires ad interim at Port au Prince reported this attack  
Department in the following message:

mation of my cablegram of January 16, 9 a. m., I have the honor to  
a group of armed bandits entered Port au Prince on the morning  
instant and burned one block of the city known as Belair. The  
e met by the marines and gendarmes and were quickly repulsed.  
r patrols were sent through the outlying districts and have cap-  
lled many of the bandits who escaped at the time of the attack on  
e lesson has been a severe one and it is hoped that the bandit move-  
ceived a serious check. Although reported in my cable that the  
andits were about 300, subsequent reports tend to show that there  
ity a much greater number. On the morning following the attack  
false alarm given at the American Sugar Co., (Haitian American  
, which caused considerable excitement throughout the city, and in  
ch the brigade commander, Col. John H. Russell, issued an order  
all citizens to avoid giving false alarms under penalty of just and  
nishment. To-day Colonel Russell has issued a proclamation offer-  
l of 5,000 gourdes or \$1,000 to any person giving information as to  
outs or causes the capture in one way or another of the supposed  
bandits, one Benoit Batraville. It is anticipated that the offering  
rd will have a beneficial effect if not resulting in the capture of  
his second and greater attack on the city of Port au Prince, follow-  
ek made in November last, in which, it was reported 60 bandits had  
city, has naturally caused an unfortunate impression and would  
e the necessity of granting more marines to the brigade commander,  
frequently requested."

Department of State forwarded the above message to the Navy  
with the following letter:

he honor to inclose for your consideration a copy of a dispatch from  
l'affaires ad interim of the United States at Port au Prince report-  
ack made by armed bandits on Port au Prince on the morning  
15 last. The chargé refers to the previous attack made in  
s well, and adds that an unfortunate impression has been caused  
attacks. He suggests that the necessity of granting additional  
quently requested by the brigade commander, has been shown by  
tances which have recently occurred. It is hoped that your depart-  
able to act appropriately on the suggestion of the chargé d'affaires."  
Secretary of the Navy, on January 16, 1920, authorized the following  
he engagement at Port au Prince on January 15, 1920, to be released  
1:

"The Navy Department has received the following dispatch from H. Russell, commanding the First Provisional Brigade of Marines, Port au Prince, Haiti.

"Three hundred armed bandits at Port au Prince this morning (January 15) to enter Port au Prince, dividing into three columns, joined by a few sections of Port au Prince. Promptly encountered marine and gendarmes who drove them back and pursued them. Over 50 per cent killed, many captured. Believe lesson will be sufficient to prevent repetition.

"Active patrolling with force at hand is being continued and it is notwithstanding lack of troops which necessitates practically not to entirely clear up population by end of dry season, with exception of thieving.

"Have seen President who informs me he is greatly pleased with the results." P. L. Coombs seriously wounded. Pvt. F. M. slightly wounded."

250. On February 21, 1920, the brigade commander, reported that one of the most influential bandit chiefs in central Haiti, surrendered at Cahobas. The surrender of this man was of great importance, as he was one of the few chiefs with the necessary initiative and daring to be prominent. On March 14, 1920, the brigade commander reported an attack made on Benoit Batrville's camp caused the scattering of about 300 in all, in all directions. He further reported that information received was to the effect that Benoit had only about three chiefs left, and it was stated that he had recently killed one who had been on the reporting in and surrendering. On March 27, 1920, the brigade reported that a report had been received of the surrender of Patillo, known as the minister of war under Charlemagne Perote, and who was a leading bandit chief in north Haiti.

251. The brigade commander, under date of April 4, 1920, reported an incident in which Sergt. Lawrence Muth, a lieutenant in the Gendarmerie was killed in action on April 4, 1920. The report follows:

"Received news of a fight between a small patrol of marines and led by Lieutenant Muth, Gendarmerie d'Haiti (sergeant, United States Corps), and Benoit's band on Morne Michel at daylight this morning. That this patrol on reaching the top of Morne Michel saw a few bandits of them and at once opened fire on them, but in return received a force in ambush on their flank and rear. Lieutenant Muth's first fire, shot through the stomach and then the head. Private Stone (United States Corps) was next in command; but the fire from the bandits was so close and injured his right side, with the result that upon firing it exploded, injuring his face and left eye. The two remaining marines used their rifles, but were forced to gradually retreat toward Las Cahobas, killing two bandits. Lieutenant Muth was dead, and his body was left on the mountain, but Private Stone was taken to Las Cahobas.

"Upon receiving the news at Mirebalais 21 patrols were at once sent out. The body of Lieutenant Muth was recovered that afternoon by a patrol of Lieutenant Colonel Little, and about 25 more bandits were killed. Muth is situated about two hours from Las Cahobas and is a very hard case, or five hours up a narrow trail.

"All clothing had been removed from the body of Lieutenant Muth. The body had been badly mutilated, heart cut out, and head cut off. The body had then been replaced. The head and heart had been taken away and probably eaten.

"Lieutenant Muth died a most gallant death leading his men and giving them directions as to the course to pursue.

"It appears that two bandit chiefs, Pléhotte and Louis Nord, came down from the north and joined Benoit trying to induce him to go to the north.

252. On April 11, 1920, the brigade commander reported as follows: "Attended the funeral of Sergeant Muth. The President of Haiti and cabinet attended the ceremonies.

"Benoit Batrville sent five letters to residents of Hinche begging assistance. They replied informing him that he had best surrender to the country and that they would have nothing to do with him."

253. On April 15, 1920, the brigade commander reported as follows:

"Left promptly, at 5 a. m. with the President, some members of his staff and aids, and the chief of the gendarmerie for Mirebalais. The President was in the car with me. The trip to Mirebalais was made without incident.

at Mirebalais the President replied in French to the addresses of the magistrate, judge de paix, etc., and then in creole addressed the market place. The day had been especially selected by me as it was a day at both Mirebalais and Las Cahobas, and the people had been anticipating the news that the President was coming, so that there would be a large attendance. The market was therefore especially large. The people showed an intense interest to a very earnest speech made by the President, who told them that Benoit Batrville was an outcast, a man of no account who even could not read or write, and yet that he aspired to the presidency.

That he—the President—had five years ago signed a convention with the United States; that he was a Haitian and loved his country; and that he had signed such a convention five times over if need be to clear up the situation in Haiti. He further told them what a great and powerful country Haiti was, and that the white officers and men now giving them aid and allowing them to pursue their work were men of the highest integrity, who were devoted to the interest of their country and fighting for the good of Haiti, and that it was necessary that the Haitians should do their part in every way. He then appealed to the women on account of their influence over the men to exert their influence to stop banditism.

His remarks were well received, and I believe had an excellent effect. At Mirebalais is Benoit's native town, and for the President to go there and talk against him must necessarily cause him to lose considerable influence.

At Mirebalais we went to Las Cahobas, and there the President addressed a particularly large and enthusiastic crowd. Returning to Mirebalais we anchored at the marine camp, and then we left for Port au Prince, our journey being accomplished in excellent time and without untoward incident.

On our return trip the President thanked me for arranging the trip for him, and he stated that he thought it would do a great deal of good, and that he felt that the real cause of trouble—or in other words, the heart of the matter—was in Port au Prince and Cape Haitien.

April 17, 1920, Lieut. Col. L. McC. Little, United States Marine Corps, sent me the following letter from President Dartiguenave:

Very agreeable to me to address you my sincere thanks for the kind letter of which I was the object on your part during my excursion through Mirebalais and Las Cahobas.

It was particularly struck me in the course of this visit and most deeply in my heart; that is, that you have known how to find the secret to make the people loved by the populations placed under your protection. It could not be otherwise, for you ally in the exercise of your charge a perfect spirit with one of remarkable firmness. Following the example of Colonel L. Generals Wise and Hooker, and understanding the sufferings of these people so long exploited by those ambitious of power, you yourself to sow good about you in filling with conscience, humanity, and devotion the duties of your office to the honor of the Government and of the United States.

I receive, Colonel, with my heartiest felicitations, the assurance of my distinguished esteem."

On reports of the brigade commander, from April 17 to April 20, 1920, I received the following information: The President of Haiti, accompanied by a number of foreign affairs, the minister of public instruction, chief of the cabinet, Commander McLean, Commander Gayler, two newspaper correspondents, several aides of the President, and the brigade commander, left Port au Prince at 5 a. m. for an extended trip through north Haiti. During the trip the President made speeches in French and creole at the following places: St. Marc, Petite Riviere, Dessalines, Gonaives, Ennery, San Raphael, Maissade, and Hinche. At Hinche the President gave the brigade commander the following dispatch, which he at once sent by radio to Port au Prince:

OF STATE FOR INTERIOR.

Port au Prince:

at Hinche in good health. The population is manifesting their joy and desire to know me, and their gratitude to the occupation and the gen-

darmerie for the reestablishment of peace in their region. I am gratified by the strength of all my soul and the satisfaction of a chief loving the people of his people.

PRESIDENT OF HAITI

256. On April 24, 1920, the brigade commander forwarded the following patch to the Navy Department:

"Have just completed tour of country to Hinche and return with President of Haiti. President enthusiastically received everywhere along route. Newspaper men who accompanied party declared in their papers that pacification is restored. President made excellent speeches and greatly enjoyed results of trip."

257. Additional details concerning the death and subsequent mutilation of Sergeant Muth is contained in the following report of the brigade commander dated April 20, 1920:

"An important prisoner was taken on the outskirts of Hinche the night of April 19. He was on his way in to surrender, and it is believed that he will be able to give us some valuable information. He stated that he was present at the death of the giant Muth was killed, and that Benoit went up and examined him and found that he was still living. He then took a war machete and chopped Muth's head nearly off. He then called a Dominican chief named Francigue and ordered him to completely sever the head. The brain was then taken out and the chief was made to rub it on their rifles, with the idea that it would increase the accuracy of fire and make them hit marines when they fired at them."

258. Eight marine officers were decorated with the Haitian medal of honor by the President of the Republic of Haiti on April 28, 1920. Their names are as follows:

"Col. John H. Russell, United States Marine Corps:

"Has rendered invaluable services to the republic in organizing, as commander, the operating forces, the pacification of the disturbed regions; has on many occasions traversed these regions, thus giving to his subordinates the example of coolness, of courage, of contempt of danger. Remarkable for his military skill and energy, has during the nights of October 9, 1919, and January 15, 1920, inflicted severe lessons upon the bandits, who since that time have understood that they could not longer venture out in open country."

"Lieut. Col. McCarty Little, United States Marine Corps:

"An officer of a generous and courageous character; acquired great popularity in the regions where he had combated to reestablish order. He organized and commanded with great energy, with an activity that was beyond all expression."

"Gen. F. M. Wise, chief of the Gendarmerie d'Haiti:

"Being of remarkable coolness and courage, he has, in spite of the dangers and of the ambushes of unseen enemies, constantly traversed the disturbed regions to reorganize peace. He is the principal worker for the restoration of peace and in the reorganization of the Gendarmerie d'Haiti on a new basis. He has, with the help of the United States Marine Corps, united the various factions which suppressed the regrettable revolt of Cacos."

"Gen. R. S. Hooker, assistant chief of the Gendarmerie d'Haiti:

"He has taken an active part against the bandits in the district of the Artibonite, and the west. On more than one occasion, and in the most dangerous and greatest dangers, particularly at Hinche, personally conducted his men into the field of action. He has merited to be named the 'Savior of Hinche' by the people of that town."

"Maj. Thomas C. Turner, United States Marine Corps:

"An officer of remarkable valor; has taken a very active part in the suppression of the bandits at the time of their attack against the capitol on January 15, 1920, repelling and inflicting great losses upon them."

"Maj. Ralph L. Sheppard, United States Marine Corps:

"Has distinguished himself by his activity, his intelligence, and his courage in the conduct of the intelligence service; was a matchless auxiliary chief in the organization of the pacification; had taken part in the suppression of the bandits installed in the Belair section on January 15, 1920."

"Col. Walter N. Hill, Gendarmerie d'Haiti:

"Gave proof of an admirable coolness in personally directing the operations against the bandits during the night of January 14-15, 1920, and in the pursuit of the fleeing bandits from Belair as far north as Croix des Boquets and in the capture of his men, who were scattered over 15 miles of territory infested by brigands. He is an example of a courage that stood every test and showed the greatest display of valor and danger."

**L. Vandergrift, Gendarmerie d'Haiti:**

kill and coolness in leading his men to the attack and putting to bay casualties the bandits who had established themselves in the t during the night of January 14-15, 1920."

rigade commander on April 28, 1920, reported as follows:

on was held at the palace this afternoon, and the President awarded militaire to Colonel Russell, Lientenant Colonels Little, Wise, and Majors Turner, Hill, and Sheppard.

ident, before the reading of the citations, made a little address and much in earnest in his remarks, at one time his eyes filling up with had to turn away. He stated that we had brought peace and had country the semblance of a nation."

rigade commander, on May 1, 1920, reported as follows:

he bandit chief, is being driven by our patrols from one section to the last reports place him in the neighborhood of Thomode with a and 4 horses. It is known that he has had out recruit patrols,

believe that he has met with much success, as many of those he be are apt to run away at the first opportunity."

following letter, signed by the Secretary of State on May 12, 1920, ad to Secretary of the Navy Daniels, is of interest:

een greatly interested in information which has come from Haiti following the tour through the Republic which was made by the Presi- under arrangements perfected by Col. John H. Russell, commander Brigade, United States Marines. Good results are expected from which the President made in many of the important towns.

be pleased, Mr. Secretary, provided it is not against the discipline ce, if you would convey to Colonel Russell my appreciation and he excellent work he has performed in carrying out his duties in elently."

Secretary of the Navy, in forwarding the above-quoted letter to sell, wrote him the following letter on May 14, 1920:

losing you herewith a copy of a letter which I have received from idge Colby, which must be as gratifying to you as it is to us here in ent. I am also sending you a copy of a letter I have written to the State. All of us here appreciate the excellent service you have t only in your present duty but elsewhere."

Secretary's letter to the Secretary of State, dated May 14, 1920, oned, follows:

receipt of your esteemed favor of May 12, and it gratifies me very ceive your communication giving warm praise to Col. John H. take great pleasure in sending a copy of your letter to Colonel also placing your word of commendation upon his record. He is and a splendid gentleman."

it Batrville, the supreme leader of the Cacos in Haiti, was killed detachment on May 19, 1920. On May 20, 1920, the brigade com- ported as follows: "In sharp fight between marines and bandits in ay Benoit Batrville was killed. This removes lead ng bandit chief complete pacification."

report of Capt. Jesse L. Perkins, United States Marine Corps, 20, 1920, gives the following description of the killing of Benoit

18, 1920, I left marine camp at Mirebalais, Republic of Haiti, from the regimental commander to go to Marche Canard and take econd Lieut. Edgar G. Kirkpatrick and the 28 marines who were that section, and continue the search for Benoit and his band, who sed to be in that vicinity.

tion has been received that Benoit was at Morne Mat Roseau, east anard. I found that the section had been well covered by Lieuten- rick's patrols, and he reported to me that Benoit was not in that that he received information that he was either in Grand Bois or Peine. Remembering that on two previous occasions I had ob- accurate information as to Benoit's whereabouts from one Exantus Marche Colombier, at 10 p. m., May 18, I, with Lieutenant Kirk- Sergeant Passmore, went to the caye of Exantus and asked as to bouts of Benoit's band. I was told that at noon the same day a of 200 bandits had left Morne Pierre, going in the direction of te Bois Peine, about four hours march from Marche Colombier,

which information Lieutenant Kirkpatrick had received. I decided of such size could be none other than Benoit's, so I took Lieutenant Kirkpatrick and 10 marines, with Exantus's son as a guide, and entered Petite Anse at 1 a. m., May 19.

"At 6 a. m. we were discovered by an outpost of five men, who fired at us, turned and ran toward the main band farther over on the mountain. Lieutenant Kirkpatrick after the fleeing patrol, who went down near by, and with Sergeants Passmore and Taubert and Private Eutrech proceeded in the direction of the main camp as fast as we could, not being to enter the main camp and take Benoit by surprise but to have a chance to escape. As we reached the camp we were met from perhaps a dozen rifles. The camp was located among hills covered by bushes and thickets, but at the same time right on the path that passes over the mountain. The entrance to the camp was between two large rocks, one on each side of the trail, and close to it but so as to form a natural cup with a natural entrance and exit. Sergeant Passmore in the lead with a Browning automatic rifle, followed by myself and Taubert. As we entered Benoit raised his rifle and fired at us from about 10 feet. He was immediately shot down by Sergeant Passmore. The bandits were in sight, but many were firing on us from the rocks around us. Lieutenant Kirkpatrick and the other marines soon arrived at the rear of Sergeant Taubert and took up the fire with us. After about 10 minutes the entire band seemed to realize that their leader was killed, and disappeared among the rocks and did not retreat in a group as usual. We turned to examine Benoit's person, and he was in the act of rising at the time for his revolver. Hence it was necessary for Sergeant Taubert to finish him.

"Benoit had either decided to stand his ground and fight or was too tired to run. He was armed with a Springfield rifle and a Colt revolver. The body of the late Lieutenant Muth, gendarmierie d'Haiti. Benoit had cartridges in his rifle and revolver he carried about 20 rounds in a belt hanging over his shoulder. An officer's whistle and a bundle of his effects and correspondence were also found on his person. He was barefooted, wore a straw hat, and ordinary blue clothes.

"The support given me by Lieutenant Kirkpatrick and the other marines of the patrols was prompt and aggressive. Sergeants Passmore and Taubert and Private Eutrech are especially deserving of praise for the contribution shown at the beginning of the attack."

266. The following extracts from the "daily diary reports" of the brigade commander furnishes additional details of the killing of Benoit Batraville.

"May 19, 1920: At 1.30 p. m. received a report from Mirebalais that a patrol, commanded by Captain Perkins, had penetrated into the camp of Benoit Batraville, near Savanette, at 6.30 a. m., and that Benoit Batraville was killed.

"Later information confirmed the above and I at once informed the Governor of Haiti, who expressed his great delight and appreciation of our work.

"Benoit Batraville had, upon the death of Charlemagne, been duly elected by the remaining chiefs as their leader in what the bandits called a war against the Americans. He was a much more aggressive man than Charlemagne, but lacking in intelligence and leadership.

"His death, it is believed, assures complete pacification.

"May 20, 1920: Reports received show that Captain Perkins, with about 10 marines, received information from a native about noon that Benoit had recently passed and the direction he had taken. Captain Perkins at once started in pursuit and marched until the following morning, getting little or no rest when he succeeded in striking their camp. A sharp battle lasting about 15 minutes, but upon the fall of Benoit his followers, about 100, vanished.

"Received a letter from the President extending his congratulations.

267. On May 31, 1920, the brigade commander reported as follows:

"Intense patrolling is being carried on in the hills in order to prevent bandits from reorganizing after the death of Benoit, and to discourage a number of small bands have been hit. The rains for the past week have been very heavy and patrol work has become most difficult."

268. On June 11, 1920, the brigade commander reported as follows:

"Patrolling has been very actively carried on since the death of Benoit. Leger, a bandit chief of considerable importance, came in to Thomas

nd rifles and surrendered. This is a very excellent indication. Only chiefs of any importance remain, and they have little or no initiative ence. Among them, however, is Norde, a chief from the north, who flowing, and Justine Civile, a discharged gendarme. It is my intend up these two at the earliest possible moment." June 19, 1920, the brigade commander reported as follows: "I ay an active bandit chief named Castine Fede surrendered. This surtically completes the surrender, capture, or death of all of the prom-bandit chiefs. The pacification of Haiti may therefore be said to be of course patrolling will have to be vigorously continued for many order to prevent a recurrence of trouble and to gradually eliminate f thieves that live in the hill districts."

une 30, 1920, the brigade commander reported as follows: of 75 bandits were encountered between St. Michel and San Rafael. ered with some casualties, and a number of rifles and horses cap-

June 30, 1920, there were 86 officers and 1,282 enlisted men of the ps on duty in the Republic of Haiti, distributed among the fol- izations.

	Officers.	Enlisted men.
First Brigade.....	11	117
Detachment.....	21	77
ly.....	2	48
I. A. F.....	11	64
ent.....	20	396
ent.....	21	680
	86	1,282

Haitian campaign medal commemorates the expedition to the f Haiti in 1915. General Order No. 305, June 22, 1917, authorized and reads, in part, as follows: "To commemorate the services performed by the personnel of the Navy and rps during the recent operations in Haiti, a campaign badge, to be he 'Haiti campaign badge,' will be issued to the officers and men who d in those operations.

riod for which this badge will be issued is from July 8, 1915, to 3, 1915, and any officer or enlisted man of the Navy or Marine Corps l in Haiti during this period or part of such period is entitled to , as are also officers and enlisted men who were attached to the ftoned in the following list, between the dates mentioned opposite l."

view of the fact that important military operations had taken place ublic of Haiti subsequent to December 6, 1915, the question of either the period from that date for the above-mentioned campaign badge orizing an additional campaign badge was brought to the attention of ry of the Navy, who, on November 6, 1919, signed the following letter or general commandant:

not considered that the services rendered in Haiti since the limiting General Order 305, namely, December 6, 1915, have been sufficiently or of the military importance necessary, to justify an extension of

ler date of September 18, 1920, Brig. Gen. George Barnett (major mmandant from February 25, 1914, to June 30, 1920), in obedience to eived from the Secretary of the Navy, prepared and forwarded the report to the Secretary of the Navy:

obedience to your telegraphic instructions, received yesterday after- 40, at my home at Huntly, Va., I took the night train and came to the t early this morning so as to again go over the records at head- marine Corps. The facts in the case, as far as I can gather, are as

e in September, 1919, the cases of Pvts. Walter E. Johnson and John J. , Jr., were forwarded to me by the Judge Advocate General of the

Navy, as usual in such cases, for comment as to the disciplinary involved. I read these cases over carefully, and I particularly noted the arguments of the counsel for the defense in the case of Private Johnson. First Lieut. F. L. Spear, who stated that unlawful executions of the so-called Cacos, had occurred in Haiti. I was shocked to see such a statement was the first knowledge I had had that any such thing had taken place. I immediately wrote to the brigade commander, First Provisional Brigade of Marines, Port au Prince, Haiti, under date of September 27, 1919, in which letter reads as follows:

" SEPTEMBER 27

" 'Confidential.

" 'From: The Major General Commandant.

" 'To: The Brigade Commander First Provisional Brigade, Matheux, Port au Prince, Haiti.

" 'Subject: Unlawful acts by members of the gendarmerie d'Haiti in Haiti.

" '1. It appears from the testimony in the general court-martial of Privts. Walter E. Johnson and John J. McQuilkin, Jr., Marine Corps, the argument of the counsel for the defense in the case of Private Johnson, First Lieut. F. L. Spear, that unlawful executions of Haitians, etc., have occurred in Haiti. You will issue immediately necessary instructions regarding these unlawful actions.

" '2. It appears that Sergeant Brokaw, Lieutenant of the gendarmerie, has been transferred north to the hospital, so no action can be taken in this case.

" '3. Make an investigation and submit a confidential report regarding the actions of Lieutenant Spear, as stated in his argument as counsel for the defense in the court-martial case of Private Johnson. A copy of this report is attached hereto.

" '4. Such unwarranted and unlawful actions on the part of officers or men of the Marine Corps or of the gendarmerie d'Haiti can not be justified under any circumstances.

" (GEORGE B. BROWN)

" Between that time and October 2, 1919, I read the case of Private Johnson over again, and in order to impress upon the brigade commander the necessity for a full and complete investigation I wrote him a letter, a copy of which reads as follows:

" OCTOBER 2

" 'Personal and confidential.

" 'MY DEAR COLONEL: Since you left here several things have come to my notice with reference to the affairs in Haiti, especially in relation to the actions of the gendarmes in the interior. The court-martial of one private for the killing of a native prisoner brought out a statement by his counsel that showed me that practically indiscriminate killing of natives has gone on for some time. I had General Long write you about this matter a few days ago and I wish to write a personal note to you to say that I hope you will handle the matter personally with Colonel Wise and not only attempt to correct it but absolutely correct it.

" 'I was shocked beyond expression to hear of such things and to know that it was at all possible that duty could be so badly performed by a man of your class. I know that you will take this up most seriously and I can only strongly urge upon you the necessity of going into it personally and thoroughly. At the same time I wish you would personally see to it and issue the orders that nothing is allowed to remain of the corvée system, and I am widely known throughout Haiti that this system will not be tolerated after.

" 'I want personal instructions sent to every officer and noncommissioned officer, both with the marines and the gendarmerie, that conditions such as by the evidence in the trial of the private above referred to must be corrected and such action can not be tolerated for a moment; and I want the guilty parties thoroughly sifted and the guilty parties brought to justice. I think the most startling thing of its kind that has ever taken place in the Marine Corps and I don't want anything of the kind to happen again. I think the knowledge gained only from the cases that have been brought before

rine Corps has been sadly lacking in right and justice, and I look  
e that this is corrected and corrected at once.  
ng you for anything that you may do in this line, and with kindest  
yourself and Mrs. Russell,  
ry sincerely yours,

“ ‘Major General Commandant.

HN H. RUSSELL,  
st Provisional Brigade, United States Marines,  
“ ‘Port au Prince, Haiti.’

ed this letter ‘personal and confidential’ because I did not wish  
he brigade commander’s office, except himself, to have knowledge  
put a copy of it in the files at headquarters of the Marine Corps,  
rictly an official letter.

on a request came from the brigade commander in Haiti to have  
y of certain officers who had been on duty in Haiti, and were then  
ed States, taken and forwarded to him. These officers were sum-  
Washington, and their testimony was taken by Lieut. Col. Harry R.  
States Marine Corps, under the direction of Brig. Gen. Henry C.  
adjutant and inspector, United States Marine Corps, and forwarded  
ide commander in Haiti by second indorsement, dated January 12,  
of which reads as follows:

[Second indorsement.]

“ ‘HEADQUARTERS, MARINE CORPS,  
“ ‘Washington, January 12, 1920.

he Major General Commandant.  
Brigade Commander, First Provisional Brigade, United States  
Port au Prince, Republic of Haiti.

Report of investigation of certain irregularities alleged to have  
mitted by officers and enlisted men in the Republic of Haiti.  
e: (a) Confidential letter of major general commandant, dated Sep-  
7, 1919.

urned. The testimony of the persons mentioned in the seventh para-  
e first indorsement hereon is attached, as requested.  
s directed that this investigation be completed as soon as practicable  
e full report of the investigation, together with your recommendations  
ises, be submitted to these headquarters.

“ ‘GEORGE BARNETT.’

January 12, 1920. I addressed a letter to the Secretary of the Navy  
he facts in the case and presented it personally to the Secretary, who  
sald letter in his own handwriting. A copy of this letter with  
ment reads as follows:

“ ‘JANUARY 12, 1920.

he Major General Commandant.  
Secretary of the Navy.

Investigations of certain irregularities alleged to have been com-  
by officers and enlisted men serving on shore in the Republic of

the latter part of September, 1919, my attention was called to testi-  
e general court-martial cases of Pvts. Walter R. Johnson and John J.  
jr., United States Marine Corps, which apparently showed that  
cts were being committed by the gendarmerie and marines in the  
f Haiti.

s office immediately addressed a letter to the brigade commander  
e was directed to take immediate steps looking to the suppression  
lawful practices and to conduct an investigation of the acts alleged  
en committed.

request was recently received from the brigade commander that the  
of certain officers and men who are now in the United States be  
This testimony has been taken and will be forwarded to the

brigade commander at Port au Prince, Haiti, with instructions to make investigation as soon as practicable and submit a report of the results of the investigation, together with his recommendations in the premises, to headquarters.

“(GEORGE B. HAINES)”

[First indorsement.]

“The action taken is approved, and the department desires this matter be expedited and proper steps be taken in accordance with the views above.”

“(JOSEPHUS D. HAINES)”

“5. Shortly after the first letter was written on September 27, 1919, my assistant, Brig. Gen. Charles G. Long, to write to Colonel Russell, brigade commander in Haiti, and tell him that any officers or Marine Corps who had been in Haiti and were then in the United States were wanted either as witnesses or for disciplinary action if he would come I would order them back to Haiti at once. In my letter of September 27, paragraph 2, I stated that Sergeant Brokaw, lieutenant of the gendarmes, had been transferred north to a hospital, so that no action could be taken. I said this because it had been reported that Brokaw had gone to the hospital on account of insanity.”

“6. About the time that the second indorsement, dated January 12, 1920, was written General Haines stated to me that he had gone over the testimony fully, and that in his opinion there was not sufficient evidence for a conviction here, but that the testimony in whole had been sent to the brigade commander. General Haines said that he was going to write a personal letter to Colonel Russell, and asked if I had any objection to his so doing—I stated I had no objection, but that I wished a thorough investigation. General Haines said that much of the testimony was only hearsay and could not be proved, and directed that Colonel Russell forward to headquarters a report of what his opinion could be proved. A copy of this confidential letter of General Haines to Colonel Russell reads as follows:

“(DECEMBER 7, 1919)”

“Confidential.

“MY DEAR RUSSELL: The report of the investigation of Major Russell, dated November 3, together with your communication of December 7, was received yesterday. The recommendation contained in paragraph 7 of your letter is being carried out.

“In the meantime the general thinks that it would be advisable to get all the testimony possible—if necessary, sworn statements in the event it is considered that this is desirable, because such testimony is difficult, if not impossible, to get after the people implicated are in Haiti. It is considered especially desirable to ascertain, if you can, how the records of the gendarmerie disappeared.

“As soon as the testimony here is taken it is the general's intention to send such people as may seem necessary to return to Haiti. You will be notified by radio when they start.

“With all good wishes of the season,

“Sincerely yours,

“(H. C. HAINES)”

“Col. JOHN H. RUSSELL,

“United States Marine Corps,

“Commanding First Provisional Brigade Marine Corps,

“Port au Prince, H. I.”

“The papers referred to in the first paragraph of this letter are not at headquarters, as General Lejeune has them with him. The question, however, are the ones which resulted in the investigation conducted at headquarters Marine Corps, and the testimony taken was forwarded to Colonel Russell under date of January 12.

“7. I was present at a conversation General Haines had with the Secretary of the Navy, wherein General Haines stated that in his personal letter he told Colonel Russell to hold the report until sent for from headquarters. Colonel Russell evidently did not act upon this suggestion, because on March 20 he forwarded his report in the matter.

“8. On May 3, 1920, I left Washington for the Pacific coast on an inspection, and was absent until June 9. At the time of my departure

port had not been received at headquarters. Very shortly after was relieved as commandant of the Marine Corps, and up to the daily detached no report had been received.

Considering the circumstances under which Colonel Russell had to make the very poor transportation in Haiti, and the distance to be so not consider that there was any undue delay on his part. The steamer, under date of January 12, could not have reached him in the middle of January, and from that time until March 20 did an unreasonable time for the investigation.

The above report contains all the facts in the case known by me, and on the late in September, 1919, when I first became aware that affairs were in a right in Haiti every action possible was taken by headquarters for a thorough investigation. Colonel Russell acknowledged my letter of October 2, and stated in his reply that he would do everything to effect a thorough and prompt investigation. He forwarded to me the proclamation he had issued on the subject. His letter and a proclamation are attached to my original report on this subject to the general commandant of the Marine Corps. This proclamation issued by Russell shows that he took my instructions absolutely literally, and in time doing everything in his power to correct conditions. The enclosed letter and proclamation read as follows:

"HEADQUARTERS FIRST PROVISIONAL BRIGADE,  
UNITED STATES MARINE CORPS,  
Port au Prince, Republic of Haiti, October 17, 1919.

GEORGE BARNETT,  
General Commandant, United States Marine Corps,  
Washington, D. C.

SIR GENERAL: I received your letter in the last mail, and am answering to assure you that I have taken up the matter you mention most and will go into it thoroughly. I am inclosing herewith a copy of an order which I have issued, as well as a proclamation. The proclamation will be published in all the newspapers in Haiti, posted in all towns, the markets to the people of each town by the magistrat (mayor). I have gotten out several other proclamations since my arrival, with a view to allaying the fears of the people regarding the bandits. Immediately upon my arrival things began popping here, right and left together with an unsatisfactory political situation kept me on

General Long the other day regarding conditions here, and I have now completely cleared the plain of the Cul de Sac of bandits. At present they appear to be gathering in Honda Valley, with a view of crossing the border and going to northern Haiti or of another plain. The latter I hardly believe, as we get at them too readily in the plains.

Now making preparations to strike this band from Belladere, Las Vanette. It will be unable to cross the border, if our plans work so that get away will be forced to scatter and retreat toward the

estimated that about 2,000 bandits infest the hills. They are under the leadership of Peralte, who styles himself the supreme chief. I estimate that they are armed with machetes, knives, pikes, a few pistols, and some hundred rifles. I don't believe that in all Haiti there are more than 500 rifles, if that many. They are very short of ammunition. They are armed with the Krag by tying a piece of goatskin or string around the cartridge. I have consequently issued very strict orders regarding the use of our own and gendarmerie ammunition.

The Haitians, as you no doubt know, are a very hysterical people. Rumors are circulated among them daily, that are simply ridiculous, and they believe them and completely lose their heads. They are very hard in consequence to quiet them. However, I believe I have succeeded in bucking them up. Of course, the officials seized the opportunity as much as they could out of the affair, until I sent for the President (Minister of Interior), told him plainly that the Government,

instead of cooperating with me, was obstructing my work, and that I stand for it. Then things brightened up as far as the officials were concerned.

"Yesterday I accompanied the American minister in a visit to the President, with the result that one of the cabinet members, who has been a great troublemaker, has resigned, so that the political situation is also much brighter.

"As you know, General, I shall give my very best to the situation which is far from satisfactory, and with the backing that I know I have from headquarters I feel confident I can clear it up and make a respectable corps.

"With kindest regards to Mrs. Barnett and yourself.

"Very sincerely,

"JOHN H. RUSSELL

"NOUVELLE ADRESSE A LA POPULATION.

"HEADQUARTERS FIRST PROVISIONAL BRIGADE.

"UNITED STATES MARINE CORPS.

"Port au Prince, Republic of Haiti, 15 October 1917.

"Citoyens:

"Vous êtes tous convaincus maintenant que le régime de la corvée a été définitivement aboli. A une certaine époque, un tel travail par votre pays a été jugé nécessaire, ce afin de vous ouvrir certaines parties du pays qui étaient presque inaccessibles; mais il y a de cela plus d'un an, il a été décidé que la nécessité pour de tels travaux n'existant plus, la corvée a été abolie et ne sera plus envigueur en Haiti.

"L'Occupation entend établir pour vous, dans votre pays, une justice, afin de vous permettre de vous engager dans les travaux agricoles et de gagner par la une existence honnête.

"A cela je vous adjure de continuer à vaquer à vos occupations dans la persuasion que vous êtes entièrement et sincèrement protégés par l'Occupation.

"L'Occupation est déterminée à faire que les lois d'Haiti soient respectées et elle assurera de son entière protection tous les bons et paisibles citoyens, qu'elle pourchassera les bandits.

"JOHN H. RUSSELL.

"Colonel du Corps d'Infanterie de Marine.

"Commandant de la 1<sup>re</sup> Brigade.

"11. In January, 1917, I visited Haiti in company with the Assistant Secretary of the Navy. We went on horseback from Port au Prince in the north and made a thorough inspection. During our visit we conversed freely with the President of Haiti, members of his cabinet, the American minister, all the principal officers of the Marine Corps and the gendarmerie, local officials in the country, and parish priests. We heard many complaints, but, on the contrary, heard many reports which indicated that the conditions in Haiti were better than they had been for a very great many years.

"12. From what I have heard I think the original trouble in Haiti was occasioned by the manner in which the corvée system was carried out. It was understood that the corvée system itself, which is in accordance with the law, was not objected to; but the trouble was, so I have heard, that there were on certain occasions required to work under the corvée system of their own districts, which was contrary to law. I have no records of this kind were in circulation. The Secretary of the Navy at one time received reports on this same subject of corvée and we discussed the matter at that time. I never received any official report on this subject. I doubt that the commanding officer in Haiti, both of the gendarmerie and the marines, can give full information on the subject of corvée and its application.

"GEORGE R. RUSSELL.

[First indorsement.]

"HEADQUARTERS MARINE CORPS.

"Washington, D. C., September 15, 1917.

"From: The Major General Commandant.

"To: The Secretary of the Navy.

"1. Forwarded.

"By order of the major general commandant:

"W. C. RUSSELL.

Corps records at headquarters show that of those armed Haitian actively opposed the government of the Republic of Haiti in the ns, and incidents described above, approximately 3,250 were killed rines or the personnel of the gendarmerie d'Haiti. It is imprac- te how many were killed by the marines and how many by the

elved of Haitian bandits, wounded in the operations and incidents, e majority of the cases, of either mere estimates or general state- re not sufficiently complete upon which to even approximate the wounded. One marine officer was killed in action and two officers action with Haitian bandits during this period. Twelve enlisted Marine Corps were killed in action or died of wounds received in were wounded in action with Haitian bandits during this period. a total of 41 battle casualties suffered by the marines during this marine officers and 34 enlisted men of the Marine Corps have died uses, such as disease, accident, etc., in the Republic of Haiti during

be a true copy.

H. C. HAINES,  
*Brigadier General, Adjutant and Inspector.*

HEADQUARTERS MARINE CORPS,  
*Washington, D. C., October 12, 1920.*

arizing the facts recited in the above report I wish to invite the at- e Secretary of the Navy to the fact that from a military point of rations in Haiti may be divided into two periods. The first period 6, when the marines were first landed in Haiti and during which of anarchy existed in that Republic, and the second period, 1918 hich period started by a concerted attack in force by the bandits of Port au Prince. Of the total number killed during the five and s the marines have operated in Haiti considerably more than half, , were killed in the repulse of the attack on Port au Prince and operations immediately following and made necessary by this at- g the two periods mentioned a state of actual war existed, but whole time the bandits were mostly engaged in bushwhacking. tal number killed may seem large, it should be remembered that ns extended over a period of five and a half years, and I believe that operations by the marines a much larger number of natives would lled by the bandits during this time.

GEORGE BARNETT,  
*Brigadier-General, United States Marine Corps.*

[First indorsement.]

HEADQUARTERS MARINE CORPS,  
*Washington, October 25, 1920.*

Major General Commandant.  
urt of Inquiry, Navy Department.  
ror in report of Brigadier General Barnett.  
(a) Report of affairs in the Republic of Haiti, October, 1920.  
d.

JOHN A. LEJEUNE.

EXHIBIT 2.

HEADQUARTERS UNITED STATES MARINE CORPS,  
ADJUTANT AND INSPECTOR'S DEPARTMENT,  
*Washington, October 25, 1920.*

Edwin N. McClellan, United States Marine Corps.  
r Major General Commandant via the adjutant and inspector.  
ror in the report of Brigadier General Barnett (reference (a).)  
(a) Report of affairs in the Republic of Haiti, October, 1920.  
or in addition caused an excess of 1,000 casualties to Haitians in eference. In preparing the above report the following tabulation is made but added up incorrectly to show 3,250 instead of 2,250:

1915	.....	2
1916	.....	2
1917	.....	2
1918	.....	1
1919	.....	1
1920	.....	1
Total	.....	22

2. No explanation, except extreme haste in the preparation of report, can be made of this grave error.

E. N. McVicar  
Major, United States Marine Corps

### EXHIBIT 3.

#### HEADQUARTERS FIRST PROVISIONAL BRIGADE UNITED STATES MARINE CORPS Port Au Prince, Republic of Haiti, August 1919

From: The brigade commander.

To: The Major General Commandant United States Marine Corps, Headquarters, Washington, D. C.

Subject: Report of activities.

1. The undersigned arrived in Haiti on October 1, 1919.

2. On October 5, in company with the brigade adjutant, the brigade major and the chief of the gendarmerie d'Haiti, I started a tour of inspection of the interior of Haiti.

3. My inspection convinced me that conditions in the interior were not good, men being without clothing and supplies and other necessaries.

4. The interior of Haiti swarmed with bandits and little headway was being made to stamp out the insurrection. It was quite evident that more and intensive measures were necessary.

5. After carefully considering reports from all sources I arrived at the following estimate of the situation:

6. In the north the supreme chief, Charlemagne Peralte, had approximately 3,000 men in the field. Charlemagne further had organized a so-called government with a cabinet and ministers and had made many attempts to carry on diplomatic correspondence with foreign Governments.

7. He used well-considered propaganda throughout all Haiti to incite the Haitians against the occupation. He had a well-organized system of espionage and further was assisted by disgruntled politicians and bandits.

8. Charlemagne's object was the overthrowing of the de facto government and driving the whites out of Haiti either by force or discouragement to such an extent that they would withdraw.

9. In the south the bandits, while under control of Charlemagne, were actually under the command of Benoit Batrville, a man of little education but a hero to the Haitians on account of his lack of fear and his aggressive nature.

10. Benoit controlled about 2,500 men in the south.

11. Besides the 5,500 men actually in the field, both Charlemagne and Benoit could from time to time augment their forces by recruiting men from certain districts. From all accounts and from the number of surrenders, the number of men available to Charlemagne and Benoit to draw from was approximately 17,000.

12. Later developments have proved that Charlemagne called to his aid the German element throughout Haiti and was to a great extent supported by money furnished by them.

13. Telephone and telegraph communications were poor and uncertain being the only method of rapid communication available.

14. Roads were very poor and at a certain time of the year—during the rains—were impassable.

15. The system of supply to troops in the field was a supply in kind, particularly in the Hinche district, where men were actually without the necessities of life.

16. The number of men under my command on the 1st of October, 1919, was 1,253, distributed as follows:

Prince-----	510
ais-----	275
district-----	284
haitien-----	184
Total-----	1,253

ision was (1) to reorganize the supply system, provide better us, food, clothing, comforts, and recreation for the men in the place every available man and officer in the field and by a well- intensive campaign to stamp out an organized bandit or revo- e that appeared to be growing stronger as time passed. n decided on was to take up the trail of a group of bandits and f changing patrols follow and pound the bandits until all semblance on was lost, and, further, to make frequent patrols in all parts d district so as not to allow the scattered groups to rest and re-

nda was used to induce the bandits to surrender and all magis- istructed to publish same at the public market places. agne was invited to surrender with the alternative of being ured.

night of October 31–November 1 Captain Hanneken and Lieutenant ed men of the Marine Corps with commissions in the gendarmerie 20 gendarmes, entered a camp of Charlemagne's guarded by about d bandits and in the melee that followed Charlemagne was killed. e exploit Hanneken and Button have been awarded congressional or.

death of Charlemagne I at once redoubled my efforts in the north, ued patrolling the bandit movement in that district suddenly col- e December 1, 1919, only a few scattered bands of thieves have perating in the north, but patrolling has been constantly maintained n in order to refuse it as a rest area where bandit groups could

after the death of Charlemagne, at a meeting of all the important t Batrville was chosen as the supreme chief. The document or gned by all the chiefs putting force to the above selection is now

The selection of Benoit, who came from the Mirebalais district, nsferred the greatest bandit activity to that difficult mountainous

it will be recalled, belonged to the famous Tenth Regiment, which, anded, took an oath never to rest until the whites had been driven

ember 17, 1919, the reorganization of the brigade and the supply g been completed and base camps established, a confidential order ed to all commanding officers in the field outlining a plan for an npaign and placing Lieut. Col. L. McCarty Little in direct com- forces in the theater of operations. This campaign was to begin , 1920.

the months of November and December all D. O. W. men were the United States. The campaign opened therefore on January green men, recruits, and with a loss of over 200 men made in the he total of 1,019 officers and men was distributed as follows:

u Prince-----	355
lais-----	230
-----	260
Haitien-----	174

igade had been reorganized in accordance with the tables of organi- April 20, 1919, and with a brigade staff, G-1, G-2, and G-3. No available for duty as chief of staff, and in consequence much of the ould naturally be performed by such an officer fell on the shoulders e adjutant. The headquarters of the Eighth Regiment was assigned s, and the Second Regiment to Cape Haitien. Excellent results have d by the reorganization of the brigade and most particularly the , G-1, G-2, and G-3 following, in a small way, the methods eme e general staff in France.

erations of the bandits had reduced cultivation to a point where e only cultivated when they were situated in the immediate vicinity

of a garrisoned town, and this reduction in the normal fresh food supply made the rationing of troops in the field more difficult, and it became necessary to increase the service of supply for the troops in the field by nearly 100 per cent.

29. To accomplish this with the limited number of trucks on hand it was necessary to employ a combined supply train consisting of trucks and mules, and to use subchasers for water transportation. The advent of the rainy season made it imperative to again increase the service of supply so that the trails and roads became impassable a sufficient supply would be banked up in reserve at all supply stations to last until communication was again established. It was therefore ordered that a reserve ration for at least one month should be on hand at all supply stations. After a few days a system of supply was developed which is now being employed and which affords a plentiful supply of food, clothing and comfort at all times.

30. It was especially imperative that before any concerted or well-planned operations could be carried on a reliable and rapid system of communication must be established. Additional radio stations were established, telephones were overhauled, and everything possible done to improve the system of communications with the means available. In addition, airplanes were always at the disposal of the commanding officer of troops in the field.

31. In general, the plan of campaign consisted in dividing the theater of operations into blocks of 25 square miles each. One of these blocks was divided into block of one square mile. To accomplish this, an entire map of Haiti was made under the direction of G-2, the intelligence officer, Mr. Sheppard. This work consisted of taking the various old maps of Haiti and making corrections, and adding the different road sketches which had been made under my direction. While this map is far from accurate, it is at present the best map of central Haiti in existence. A better one is now being prepared by the intelligence section.

In addition to the patrolling during the month of all squares in the theater of operations, on the receipt of information, whether reliable or not, of the presence of a group of bandits in any subquarter a patrol was immediately sent to that section, with instructions to obtain contact and to keep it until the band scattered. At the same time other patrols were sent out in order to cut off any possible line of retreat.

33. The success of this plan became immediately apparent and before the middle of April it was almost possible to foretell the date of the collapse of the bandit operations. On two occasions groups of four to five hundred bandits, led by their chiefs, surrendered, their reason for so doing being that they had been so closely pursued that food and rest became impossible.

34. The attack on Port au Prince in January, 1920, was cleverly planned and executed when it is remembered that the attacking force had to approach the city in small and scattered bands to assemble at an exact time at a place having no method of ascertaining time except by the stars, together with the fact that most of the leaders were strangers to Port au Prince, the organization of the bandits seems beyond belief.

35. The attack was promptly met and the bandits easily driven off. At the moment that the repulse of the bandit attack was assured direct fire was given for throwing patrols through their lines and cutting off their retreat. Pursuit was maintained until all semblance of organization among the bandits was lost. This attack, referred to by the bandits as the "defeat," caused them to lose heart, and during the months of January and February 1920, many bandits surrendered.

36. It was essential that these men who surrendered be given some employment, at least until the advent of the rainy season, when they could start their gardens. To this end, with the assistance of the engineer of the train to Haiti and the engineer of Haiti, they were employed in road making. A road was started from San Raphael to London. Work on this road was continued until July, 1920, when it was stopped on account of no money being available for its continuance.

37. In addition the Haytian-American Sugar Co. employed a few of the surrendered bandits for the cultivation of their cane and placed them under the charge of their chief. The officials of this company have stated that these men are doing excellent work.

38. In the San Michel district the United West Indies Corporation employed many ex-bandits and they are working under the command of a former powerful bandit chief of the north, named Papillon (the butterfly). A few

was an important bandit chief in the north. A copy of propaganda by him during the early winter months is attached, marked "A." period the only apparent obstacle to complete the pacification of a chief, Benoit Batrville, who by his leadership and energy still a number of formidable bands in the Mirebalais district. Every ade to induce Benoit to surrender. The conditions of amnesty as laid down by me, were as follows: not be an escaped criminal, and, if so, he would on surrender have nexpired sentence.

t not have been directly implicated in the murder of Privates Lawrence, United States Marine Corps.

be willing to go out with marine patrols and assist the occupying a condition of law and order.

time Benoit stated that he intended giving himself up and all s were made to the end that if he desired to surrender he would ed or interfered with while coming into camp, but at last it was he was only trying to gain time to strengthen his force, and ur activities were again increased.

19, 1920, Captain Perkins leading a small patrol surprised Benoit, 75 immediate followers on the top of a rugged mountain. In at followed Benoit was killed and his band dispersed.

immediately all the lesser chiefs made overtures to surrender, rst 15 days of June 35 chiefs surrendered to the occupation.

present time the north is almost entirely clear of bandits and only bands of thieves are known to be in the south.

v-class native is greatly averse to working. He much prefers lead- indolence and watching his woman work; or, if necessary for nce, he will rob and steal, but avoids work. They despise being ork; it is revolting to their indolent natures. The life of a ban- offers to the low-class native of the hills the life of vagabondage, ot, a wandering, nomadic life.

ears to come therefore roving bands of thieves, occasionally led aped criminal, must be expected, and for that reason the major aiti must be garrisoned by marines as a foundation for the who will police the outer districts. These marines are further a precaution against a revolutionary movement

anda in the nature of proclamations was freely used to assure of the good will and protection of the occupation, and such procla- always read by the magistrate at the market place on market r that they might reach the greatest number of people.

interesting to note that from October 1, 1919, until July 1, 1920, over able rifles have been taken, together with many revolvers, swords, s. There is no question but that more rifles are in the hands of the these are being rapidly brought in, and it is considered to be tion of time and energy in getting after hidden arms before the ry will be disarmed.

generally acknowledged in Haiti, and I feel perfect confidence in t at the present time the country is entirely pacified.

resident of Haiti was kind enough to express his appreciation of f the occupation, in connection with the pacification of Haiti, by he medaille militaire to the following officers:

H. Russell, brigade commander; Maj. T. C. Turner, acting chief brigade adjutant; Maj. R. L. Shepard, operations and intelligence f of the brigade commander; Lieut. Col. L. McC. Little, in direct f troops in the field; Lieut. Col. F. M. Wise, commanding gendar- ti; Lieut. Col. R. S. Hooker, assistant chief of gendarmerie.

entire work performed by the brigade during the intensive winter as most excellent, culminating in the death of Benoit Batrville cification of Haiti.

ire to take this occasion to bring to the attention of the major gen- ndant the extremely arduous and brilliant work that has been per- the officers and men of this brigade during the past year. These- een almost constantly on patrol duty—duty of the hardest nature h all the attributes of a good soldier.

ve that their work, quietly performed here with the full knowledge would be none of the glamor or glory usually incident to such work. them in the highest ranks of a soldier.

53. The work of certain officers and men had been of such a merit, in my opinion, special rewards other than could be given; consequently made the following recommendations:

Lieut. Col. L. McC. Little recommended for a Navy distinguished service medal; Maj. R. L. Shepard, a member of my staff, recommended for a distinguished service medal; Capt. Thomas L. Edwards recommended for a commendatory letter from the major general commandant; Capt. J. L. recommended for a Navy distinguished service medal; Sergt. Williams, more, Sergt. Albert E. Taubert, and Pvt. Emery L. Entekin recommended for a Navy distinguished service medal; Second Lieut. Edgar C. K. recommended for a commendatory letter from the major general commandant.

#### MAPS.

54. (a) Previous to October 1, 1919, various maps which were available by different marine and gendarmerie stations were in use.

(b) For field work a hastily drawn map was printed of central Haiti, was divided into approximate 10-mile squares for reference as to location. This map was in December slightly improved and redivided into 25 squares for temporary use during the period while a more satisfactory accurate map could be completed.

(c) On January 5, 1920, a map compiled from some of the best maps of Haiti, scale R. F. 1:200000, showing northern, central, and southern Haiti, omitting the north and south peninsulas and including as many localities as could be approximately verified, was issued to all the gendarmerie stations. This map was divided into squares of 25 miles, subdivided into 25 smaller squares, and the ordinate system was designating approximate localities. A copy of this map, marked, was attached.

(d) This map was later slightly improved and reduced to R. F. 1:200000 for field use. It is far from accurate and is uncontroled, but by its use and supplemented by knowledge of terrain served the purpose for which issued. A copy attached, marked "C."

(e) It was originally intended to gradually add to and correct the sketches from the various stations, but due to the shortage of officers in the brigade and the intensive combat patrolling necessary to take a few sketches could be made. Those submitted were the work of personnel and of little value except to roughly indicate several sectional names.

(f) The reconnaissance section of brigade intelligence has planned an accurate military map of Haiti. Work on the control sheet is now being though slowly progressing, due to the absence of sufficiently trained numerous personnel, funds, and opportunity. It was hoped that could be obtained from the present survey of Haiti now in progress in the geological department, but to date none has been acquired except a few graphs, which will soon be available, of certain sections, such as the line, the Artibonite River, and two principal roads.

(g) The future of an improved military map of Haiti depends on the location of cities, towns, and critical points, from which bases by the field there can be developed a fairly accurate map, which can be used for military needs until the accurate survey of Haiti is completed three or four years hence.

(h) As previously stated, the progress of the above work is dependent on personnel, materials, equipment, and funds.

#### COMMUNICATIONS.

55. (a) *Radio*.—On October 1, 1919, radio communication consisted of stations located at Port au Prince (5 k. w.), Cape Haitien (2 k. w.), (2 k. w.), Lascahobas (1 k. w.), and Mirebalais (1 k. w.). The stations were limited in communication to Port au Prince alone. Since October 1, 1919, additional stations have been established at San Michel (Atalapha) (1 k. w.), Maissade (1 k. w.), and Thomonde (1 k. w.). The stations now occupied by marines are thus connected by wireless communication. All stations are now able to communicate with either Port au Prince, Mirebalais, and Hinche, which facilitates the operations of these stations. All of the stations are in constant operation and have given results and assistance, but severe handicap is felt through absence of

ators. It has been necessary to train operators from men not trained for wireless education. No extension or special improvement contemplated except the establishment of a remote control for the Port au Prince to enable simultaneous receipt and transmittal of

*hone.*—No purely military telephone lines of any distance were prior or subsequent to October 1, 1919. Public or Government lines existed between Port au Prince, Ennery, Cape Haitien and Cape Haitien and Ouanaminthe, Port au Prince and Lascahobas via Boquet, and Mirebalais, Port au Prince and Thomazeau, Port au Petionville, Port au Prince and Jeremie via Miragoane and Anse au Prince and Jacmel, St. Marc to Petite Riviere. The line between Ennery and Lascahobas is run through the marine brigade exchange at Port au Prince, and includes stations at the several outguards between Port au Prince and Mirebalais, viz, Hasco, Bon Repos, Pont Beudet, Calabassier, and Rouge. In Port au Prince and Cape Haitien extensive field phone lines exist, connecting offices and quarters of the brigade. During ordinary or bandit activity, telephone lines once in existence from Port au Prince to Cerca la Source via Carice, and from Cerca la Source to Thomonde via Thomassique, were destroyed by bandits and have since been repaired, it being impracticable to sufficiently patrol the line. In January, 1920, the line from Cerca la Source to Lamie, and the line to Ouanaminthe has been repaired and now is in order. In April, 1920, the headquarters made recommendations to the engineer of Haiti for the establishment of telephone lines to connect the principal gendarmerie posts in Haiti. Such an installment meant an outlay of approximately \$100,000, which amount is not available. The connection, as recommended, is of no value for military reasons, and also of commercial value. A recommendation was made for the installation of telephone lines, as necessary for the military, and which called for an expenditure of approximately \$6,000. It is quite possible that the latter amount may be secured, if so, work on the installation will begin as soon as practicable. The accompanying map, marked "D," shows telephonic communications lines recommended:

*graph.*—No change in telegraph lines that existed prior to October 1, 1919, has been made. The present lines then installed connect Port au Prince with practically all towns in the south, Cape Haitien with Ennery, and Ennery from Cape Haitien to Bahon and from St. Marc to Grande Riviere. The telegraph is entirely by native labor and, therefore, rather inaccurate for the purpose of the English language.

*er.*—Since October 1, 1919, the use of the three subchasers of the United States Navy have been available to the brigade, and are directly under the command of the brigade commander. These vessels are used mainly for the Cape Haitien and troops in the field of the north central section of the brigade. These means mail and occasional troops are also transported between Port au Prince and Cape Haitien. Regular scheduled trips are made once a week to Gonaives and biweekly to Cape Haitien. The class of boats have been exceedingly useful, but they are not fitted for the heavy demands made on them. A seagoing navy tug would be much more efficient for brigade duty as well as being on hand for emergency work.

*ial.*—The land and water flights of squadron E, marine aviation have been employed for urgent communications to the interior and to Ennery, and have rendered most efficient service in connection thereto. The field posts throughout Haiti have, since October 1, 1919, been prepared, and a variety of stations, increasing facilities of rapid communication to the effect of bringing all principal posts of the gendarmerie and marine brigade into communication within the hour of one another.

*mala.*—Before and subsequent to October 1, 1919, horses and mules have been extensively used for courier service between outlying posts, sub-outposts, and for the supply of troops operating in the field where trails are not practicable for motor vehicles. Since October 1, 1919, the number of field troops has required numerous animals for their present supply by pack train exists from Ennery to San Michel (plantation), to Malssade to Hinche when road conditions demand, and from Hinche to Thomonde. Also from Terra Rouge to Mirebalais, Lascahobas and outguards of the later two stations. In the north from Grande Riviere to San Michel via Dondon and San Raphael.

(g) *Motor*.—Since October 1, 1919, the improvement in roads and conditions have afforded development of motor vehicle communication. It is expected that in the near future further development can be made. Motor vehicle equipment has recently been augmented and now allows a ready supply of troops in the field, but sufficient reserve motorized vehicles are lacking. This method of communication is used principally from Port au Prince to Terra Rouge and frequently through to Mirebalais and Las Caobas from San Michel to Maissade and Hinche.

(h) *Rail*.—Railroad lines exist from Port au Prince to Les Cayes, Port au Prince to St. Marc, Gonaïves to Ennery. Also from Port au Prince to Thomazeau and from Cape Haitien to Grande Riviere. The lines from Port au Prince to Ennery and from Cape Haitien to Grande Riviere are the most extensively used by the brigade for the purpose of supply to the north central Haiti. The proposed and surveyed line from Grande Riviere to Hinche would be of great value to brigade ends and do much to supply to the interior.

(i) Map marked "D" accompanies this report and shows graphic communication lines in Haiti in use by the military.

#### AVIATION ACTIVITIES.

56. (a) *Organization*.—The squadron consists of two flights. A flight operating six HS boats and a land flight operating six land planes. The authorized strength is 12 officers and 150 enlisted men. During the period covered by this report the average has been 10½ officers and 100½ enlisted men.

(b) *Equipment*.—At the sea-plane base, Bizotom, about 3 miles from Port au Prince, there is a very well equipped machine shop, blacksmith shop, a storeroom, a well-equipped sick bay, and a steel banger for repair of sea-planes. All major repairs on both land and sea planes are done here. The squadron is equipped with four trucks, two Ford touring cars, two motor cycles. Another truck is en route. It also has a 35-foot motor launch, a motor sailer, and two motor dories. Two Bessonneau hangars are here and when received will be erected on the land field, Port au Prince, for the storage of land planes.

(c) *Land planes*.—At the beginning of the period covered by this report the squadron was equipped with five JN-6 HG airplanes. During the period covered by this report three of these planes have crashed and have been surveyed. Two crashes were due to the fault of personnel and one to material failure. In March, 1920, six DH-4B airplanes were received. Four of them have been erected and flown. Two have been held in reserve awaiting the arrival of spares. On July 1, 1920, there are on hand, serviceable, six DH-4B airplanes.

(d) *Sea planes*.—On October 1, 1919, the squadron had six HS-1 boats. One of these was wrecked and surveyed as the result of a forced landing in the sea, due to a rain storm. Two others have been surveyed, due to wear in the service, and using parts of them to keep other planes in commission. Three new HS-2 boats have been ordered for the squadron. None of them have been received.

(e) *Landing fields*.—Landing fields have been operated at the following places (see map marked "E"): Port au Prince, Mirebalais, Thomonde, Henrieville, Plignon, St. Michel, Gonaïves, Port de Paix, and Cape Haitien. Planes have landed at Cerca la Source and Jacmel. Fields are being prepared at Belledere, Las Caobas, Cerca la Source, and Aux Cayes.

(f) *Sea planes* have made flights to the following ports: L'Archipel, Gonaïves, Coridon, Le Mole, Le Borgne, Cape Haitien, Jeremie, and Port de Paix, to points on Lake Saumatre, and to points on Gonaïves Bay. It is practicable to make flights to nearly all points on the coast, to Cienfuegos Bay, Cuba, and to Santo Domingo city if occasion should arrive.

(g) *Operations*.—During this period 1,271 flights have been made, with a flying time of 849 hours and 20 minutes, with three serious crashes and no fatalities to personnel. The purpose of these flights are shown below:

Reconnaissance flights	34
Raids	10
Photographic	100
Transporting passengers	27
Transporting mail	10
Testing planes, checking up pilots, and other flights	24

reconnaissance flights were made over mountainous country inhabited with the object of locating bands of outlaws and keeping in hand ground patrols. For this purpose two planes have been stationed in the interior under the command of the regimental commander there. On reconnaissance flights line officers very often go as observers and by this obtain valuable information of the ground. The raids were made upon outlaws located in places which could not be reached by troops before they would have time to note their approach and escape. The raids were in conjunction with infantry.

Officers transported have been regimental commanders on inspection duty of these flights have been made, however, for the department of the interior for the purpose of making a photograph map of the coast line and of its interior waterways. Pictures have been completed from Port de Paix on the coast line, from Port au Prince to Las Cahobas, from Artibonite to its entrance, and from Gonaives to Ennery, St. Michel, and to Hinche. This makes a total of about 420 miles.

Officers transported have been regimental commanders on inspection duty, officers of the brigade, personnel of the signal company to interior to pair radios, sick men from interior points to the hospital at Port au Prince, officers of the gendarmerie of Haiti.

*Remarks.*—Since the DH-4B planes have been received and since the flights at Port au Prince and Cape Haitien have been established, flights of these important points are made in about 50 minutes. Before this it took three hours to make the flight in an HS boat. During the period before the land plane flight has been moved from Gonaives to Port au Prince this has proved to be very advantageous, in that all shop work can be done and in that it does away with an initial flight to Gonaives in a seaplane flight from there in a land plane in order to reach an interior point at Port au Prince. It will be noted in the first paragraph that the squadron has had only about one-third of its authorized enlisted strength during this period. It has been through the cheerful, capable, and hard work of the enlisted men that the squadron has been able to care for its equipment of service to the brigade.

*Recommendations.*—Originally this squadron consisted of one flight, with six seaplanes. The strength as noted in paragraph 1 was based on that basis. Subsequently a land flight of six airplanes was authorized without additional personnel allowed. The strength in the different grades authorized is insufficient and can not logically be divided into two flights. Therefore, recommended that the strength of this squadron be authorized flight squadron, consisting of headquarters, first flight and second flight, as shown on page 11 of Marine Corps Tables of Organization, Technical Manual, Advanced Base Force (Provisional), May, 1920, and that sufficient enlisted men be transferred to it to complete its complement.

During the entire period covering this report the work of the officers and the aviation unit has been most praiseworthy and the success that has been achieved in the intensive winter campaign of the brigade against bandits resulting in the pacification of Haiti has been in a large measure due to the complete devotion, untiring zeal, and efficiency of this unit.

Capt. Roy S. Geiger, the commanding officer, has shown in a marked ability to overcome obstacles, maintain a high state of efficiency in command, and to imbue it with a spirit of cheerfulness and energy that has been a factor in promoting its efficiency.

#### WORK OF MORALE.

*Equipment.*—In the matter of equipment considerable has been received from various sources and other purchased from funds granted and allotted to the department. The bureau of navigation, sixth division, made an allotment of \$1,500 to the northern district about September or October, 1919, and in time in December, another allotment of \$4,400 for all Haiti, making a total of \$5,900 for the entire brigade for the fiscal year. In addition to this prior to its granting the Y. M. C. A., through its district secretary, obtained the expenditure of Y. M. C. A. funds by Chaplain Truitt in the northern district and the morale officer (acting) in the southern district up to \$100 in each district. This fund was for the "health and comfort of enlisted men" and "the greater portion for the men in the outposts." This was granted in May, 1919, and continued until April 1, 1920. With

these funds considerable equipment has been purchased and installed in places. A new motion-picture booth has been built at the marine barracks. Enlisted men's clubs have been built and equipped at Mirebalais, Les Cayes, marine aviation camp, Hinche, and the clubs at Cape Haitien and Port-au-Prince improved and equipment added. In the northern district \$2,000 have been expended of the morale funds and in the southern district \$3,000. In the latter district 23 Victrolas and Graphonolas have been received at the various posts. Two of these were purchased from morale funds, the remainder from the Y. M. C. A. funds and received as gifts from officers. About 12 are gifts. Due to the extreme difficulty in securing parts, only 1 of from 6 to 10 are not in use. Of the larger items we have on hand in the southern district 4 motion-picture machines, 6 pianos, 4 pool tables, 10 talking machines in working order, about 50 sets smaller games, and 5,000 books in fair condition. Many of the books are duplicate. In some instances there are as high as six copies of some books. Each company detachment has its own baseball equipment, furnished by the quartermaster. Vaulting buck, a trapeze, and some traveling rings are on hand and are stored and put into use as soon as a suitable place for them can be found.

(b) *Athletics*.—Athletics have held an important place in the morale of the post. Baseball, though not conducted on a regular schedule, has been quite popular. Since October 1, 1919, over 50 games have been played. Teams from other posts have gone to other posts for games and excited keen competition. Evenings have been devoted to boxing and wrestling. In connection with these events an entertainment was given by some of the men in the form of musical stunts and comedies, and was greatly enjoyed by all. The same have been held in the same interval with a total of 32 events, and many men participating. Considerable interest was taken in these events. Baseball was thoroughly enjoyed as long as our equipment lasted. Football and other such games have not been urged so much because of the conditions.

(c) *Music*.—Music has grown to occupy one of our chief forms of recreation. A post band has been organized and gives concerts during the week before the movies at the marine barracks. A few men play other instruments so that at times we have a "jazz orchestra" and furnish music for all occasions. The pianos are in use daily at each post, and afford opportunity for all who desire to keep up their talents along that line. Men form groups around the pianos and sing. At one post (Mirebalais) it was necessary to issue an order regarding the hours during which the piano might be used. It has become the custom in that place for many to set their watches by the sound of the piano—11 a. m.—when permission to use it was given. In the northern district five pianos in the northern district.

(d) *Singing*.—Little was done to promote singing in this district the last two months. Duty was rather hard, due to the shortage of pianos, so it was difficult to stir up sufficient interest to get everybody singing. A few months ago a piano was received at the marine barracks and since that time singing has been most successful at that place. These "sings" began with divine services held Sunday evenings at 6 o'clock, and at that time singing came to hold a prominent place. The spirit of singing has been so high until it is not at all uncommon to hear spasmodic quartets singing. A group of men might gather. At the marine barracks it is quite unusual to hear men on special duty singing at their work, keeping time to the music. Regular "sings" are held there on Sunday, Tuesday, and Thursday nights before the movies. "Sings" are held at other places as well. Officers and the song leader can be present. A large percentage of those who usually go out on liberty—now stay at home for these "sings." Songs, whenever we can secure them, are taken up and learned with the men come as early as one hour before the singing begins in order to be present.

(e) *Motion pictures*.—Motion pictures, it is fair to state, form one of the chief forms of recreation. We have seven motion-picture machines in the operation. Three graphoscopes are out of working order at present. In some instances this is offset by the use of Standard machines, which, before we were able to purchase from morale funds, we were able to purchase from the Y. M. C. A. funds and loan for use until such a time as the graphoscopes can be repaired. Our films are furnished by the United States Navy Motion Picture Service and are of good quality. The average attendance per exhibition is about 200 at the marine barracks and less at the other posts, with the post.

pe Haitien. The plan followed at the marine barracks is to repeat in order to permit those on guard one night to see the pictures light. This has met with the approval of all and seems most satisfactory. All films for Haiti are received at Port au Prince and distributed to six places in this district having motion-picture machines, and then as soon as they are transferred to the northern district.

*er entertainments.*—At various times the ladies of the post at Port have arranged for and held dances at the Enlisted Men's Club.

*raries.*—Libraries are maintained at six different points in the southern and two in the northern district. From these points books are all other outposts requesting them. About 5,000 volumes are available in the northern district and 4,000 volumes in the southern district. Reading rooms are maintained at six different posts in the southern district. Pens, ink, and blotters are available at all times. A list of 75 were subscribed for last year for the marine barracks library. The navigation has furnished several sets of 10 periodicals each for other fund has just been received with which to buy more magazines in those already being received, and these will be sent to the outposts. s of books and magazines have been received and are all appreciated who receive them. No outpost, no matter how small it may have been, neglected in reading matter.

*ucational.*—From January 1, 1920, to April 22, 1920, Maj. C. S. Mc was in charge of the brigade morale work. During that time plans e for several educational classes, including a school of shorthand and hy. No typewriters have been available, and hence that part of the ill held in abeyance. The shorthand course offered by the Internarespondence Schools, and furnished by the sixth division, has been and is being followed by several men. Classes in French are organized icted by Sergt. A. Levesque, of the Sixty-third Company.

general, the morale work of this brigade is rapidly finding its place of usefulness. Our aim has been to stir up a spirit of unity, confidence in command, and to keep everybody busy at something really worth hrough the hearty cooperation of the commanding officers and their n the welfare of the men of their commands, the general morale of s of this brigade has increased quite noticeably during the last few Much has been accomplished; yet progress is never made by resting ses already attained, but rather in an increasing effort to do more been done and in a better way, using each success only as a stepping t better standard. And with this thought in mind the morale departthis brigade, with the continued cooperation of the officers in comill continue its work, striving to make each month an improvement previous one.

report on the morale work in this brigade would be complete withbute to the zeal and efficiency that has been displayed by Chaplain . Peterson. During the past few months he has been in entire charge ork, and the obvious strides that have been made during that time are is unremitting and well-directed work.

#### SANITARY.

As a result of constance and systematic effort there has been great ent in the general sanitary feature of all posts. In many instances to supply lumber and screening has left changes which are very desir- mpleted, but it is hoped that these difficulties will soon be removed.

#### SECOND REGIMENT.

ll men have been furnished cots and mattresses as well as mosquito l water is being boiled and filtered. The preparation of food is under uction of a competent cook.

St. Michel latrines have been made sanitary. The mess hall and ill soon be screened.

t Maissade the camp has been moved from the market place, where lived in very close proximity to natives, even sleeping in their huts, e outside of town, where it has been possible to institute proper arnts of quarters, mess hall, galley, etc. This is considered a vast im- nt and the camp is now a model.

t Hinche a camp outside the town has been developed into a model up.

(f) The camp at Thomonde has been moved outside of town under conditions very similar to those at Maïssade.

#### EIGHTH REGIMENT.

(g) At Mirebalais very encouraging improvement is noted in the camp from a place in town, where it was impossible to maintain regulations, to an ideal camp site just outside of town. Here there is drainage, and conditions are such that it is possible to eliminate all breeding places, dispose of refuse by burning every day, etc. Latrines have been made fly proof and galleys and mess halls screened. This is indeed a model camp.

(h) All outposts have been issued filters, cots, and mosquito nets. Water at camp is boiled and filtered. All men have been carefully vaccinated in all matters pertaining to venereal diseases.

(i) All these changes have also been instituted at Las Caobas. As the new camp site will not be completed until two or three weeks.

#### SUBCHASER ACTIVITIES.

59. (a) *Subchaser No. 214*.—Below is given a list of the trips the vessel has made since date of arrival here up to July 12:

Cape Haitien, via Gonaives (6 trips)	-----
Cape Haitien, direct (2 trips)	-----
Gonaives and return (5 trips)	-----
Port de Paix (1 trip)	-----
Jeremie (1 trip)	-----
Aux Cayes (1 trip)	-----
Aquin (1 trip)	-----
Gonave Island (4 trips)	-----
Santiago de Cuba (1 trip)	-----
Guantanamo Bay, Cuba (2 trips)	-----
<b>Total (24 trips)</b>	-----

(b) *Subchaser No. 253*.—Below is tabulated a complete list of the trips made by this vessel from the date of its arrival in Port au Prince July 8, 1920:

14 trips to Gonaives	-----
4 trips to Cape Haitien, via Gonaives	-----
1 trip to Santiago de Cuba and return	-----
1 trip to Guantanamo Bay, Cuba, and return	-----
1 trip to Cape Haitien to La Borgne and return (while on the way Cape Haitien received radio when between Arcadin Light and St. Marc to return)	-----
<b>Total</b>	-----

With the exception of the grounding of this vessel in Cuba the vessel has always been able to make the above trips without delay of any kind.

(c) *Subchaser No. 223*.—Below is a list of trips to sea made by this vessel since its arrival in Port au Prince:

Nov. 20, 1919, Gonaives, Cape Haitien, and return	-----
Dec. 3, 1919, Gonaives and return	-----
Dec. 13, 1919, St. Marc and return	-----
Dec. 23, 1919, Gonaives and return	-----
Dec. 30, 1919, Gonaives and return	-----
Jan. 10, 1920, Santiago de Cuba and return	-----
Jan. 22, 1920, Gonaives and return	-----
June 1, 1920, Gonaives, Cape Haitien, and return	-----
June 8, 1920, Gonaives and return	-----
June 15, 1920, Gonaives, Cape Haitien, and return	-----
June 22, 1920, Gonaives and return	-----
<b>Total</b>	-----

el was delayed 24 hours on January 10, 1920, due to engine trouble, ordered to sea, and has never failed to complete a trip within a length of time.

#### TRANSPORTATION ACTIVITIES.

On my arrival in Haiti my inspection convinced me that the service was not properly handled, and on my return to Port au Prince Lienwerin was appointed as G-1, relieving the officer then in charge of it.

At that time the system of supply was as follows:

*Prince and Mirebalais district.*—This transportation was under the control of the depot quartermaster, who, because of his other duties, gave the attention to the transportation that was required. Supplies at Mirebalais were maintained by a daily truck from Port au Prince, averaging one truck a week. The outposts from Mirebalais were rationed by pack there were only trails from that point. The strength of the troops at Mirebalais was about 400.

*Cape Haitien and Hinche district.*—Supplies to Hinche were shipped by train from Port au Prince and from there by pack over very bad trails, including a river crossing. Occasionally a truck was sent from Cape Haitien through to Hinche via the train, but this was very difficult on account of the road conditions. At this time a new system of supply had just been inaugurated, viz, the shipment of supplies by subchaser to Gonaives, from there by train to Ennery, then by pack to the various camps at St. Michel, Maissade, and Hinche. At this time the transportation from Ennery had not been properly organized, so that much delay was getting the supplies through. This method relieved the packing at Port au Prince, a very hard trail, making it necessary to send only public property to the outposts.

Since that time the following changes and improvements have been made:

*Prince and Mirebalais district.*—On February 24, 1920, the transportation to Mirebalais was increased from five to nine trucks a week. This was accomplished by assigning six Quad trucks to this line of supply and sending out three trucks a time three times a week. Besides increasing the supply this permitted one truck helping another when accidents occurred. This maintained the supply until May 4, 1920, when, because of a large increase in the demand for supplies in the field, it became necessary to increase the supply by sending out a reserve supply at Mirebalais. As the number of trucks on duty at Mirebalais had not been increased since December, 1919, this increase of supply had to be carried through without increase in material. As the distance of the road to Mirebalais is the last 8 miles, a road ration dump was established first at Terra Rouge (11 miles from Mirebalais), then at Calabassier (from Mirebalais), and two Quads a day were sent to this dump, from there the supplies were packed to Mirebalais. In addition one Quad truck was sent through to Mirebalais three times a week to take care of supplies that could not be packed. This increased the truckage from 22,500 pounds, to 15 trucks, or 37,500 pounds, per week. On June 1, 1920, a White 1-ton truck was stationed at Mirebalais and because of the improvement of the roads between Mirebalais and Las Cahobas, the main line of this truck now handled the supplies to that station, and in addition effected the reduction of packing from the dump to Mirebalais as, being a truck and equipped with pneumatic tires, it can negotiate this part of the road better than the Quad. On June 19, 1920, two additional Quad trucks were received, they having been requested on May 1, 1920, in order to permit of laying up the older trucks for overhaul. Because of the poor condition of these trucks when received not much was gained by the increase in the number of trucks. Until February, 1920, there was no garage at Port au Prince and all motor transportation was kept on the Hasco lot of it not under cover. All repair work was done there. In February 1920, repairs were made with the United West Indies Corporation to construct a garage in accordance with our specification and lease this garage to the Corps at a certain percentage of cost of construction, as authority was granted for the renting of such a building. This garage was constructed and has a capacity of 20 machines, and contains a stock room and quarters for the mechanic force. It has greatly facilitated the repair of the trucks. Two White 1-ton trucks are now operating in Port au Prince and have taken the Quads in handling the local hauling.

(e) *Cape Haitien and Hinche district.*—The ration supply route to the Hinche district has been consolidated and is under the immediate supervision of Quartermaster Sergt. James C. Welsh, whose work in this connection has been excellent. A subchaser from Port au Prince delivers about 700 rations at Gonaives weekly. This is taken by train to Ennery, a distance of 22 miles. From that point the supplies are sent either by truck or pack train, according to road conditions, to St. Michel (23 miles), Maissade (45 miles), and Hinche (57 miles). On December 27, 1919, a White 1-ton truck was used in this district and on June 5, 1920, another truck of the same kind was used there. When the weather is fair, and during the entire dry season, motor trucks handle the supplies beyond the railhead at Ennery. When the weather is rainy the roads beyond St. Michel are impassable for motor transport and pack trains are used. The line of public property supplied was extended in June, 1920, by moving the pack train base from Bahon to Grand-Pré. This was due to the fact that the road from St. Michel to Grand-Pré had been greatly improved. This did away with the hard pack trail from Bahon and Maissade, where for about 15 miles the trail was along a road which was nearly impassable in the rainy season. Because of the condition of the road beyond St. Michel it is practically impossible to operate 2-ton trucks beyond that point.

## GENDARMERIE D'HAÏTI.

61. (a) On June 30, 1920, the constabulary detachment had a strength as follows: Marine Corps, commissioned, 21; enlisted, 77. United States Marine Corps, commissioned, 5; enlisted, 10. Total commissioned, 26; enlisted, 87.

(b) The enlisted strength of this detachment on the above date was 200.

(c) During the year a rigid system of inspection and supervision of military exercises, clothing, food, housing etc., has been put into effect which has met with excellent results.

(d) Several changes in the details of administration were found necessary and were accordingly made. These changes include the detail of officers to the command of divisions, thus placing them on active military duty, the rearrangement of department district and subdistrict boundaries to conform with the Haitian political boundaries of departments, arrondissements, and communes.

(e) The constabulary detachment has the direct charge of all the prisoners in Haiti.

(f) During the past year the number of prisoners has materially increased due to captures made in the field.

(g) At each district headquarters there is a main prison while each subdistrict and post have lockups.

(h) At the larger prisons, Port au Prince and Cape Haitien, the prisoners are taught a trade, and when their product is marketable they are allowed a percentage in their work. The money derived in this manner is used to pay them on release, or may be allotted by them to their families if the period of confinement is for a long period. All the gendarme uniforms and the food for prisoners are manufactured by prison labor. A garden is maintained at each prison for the betterment of the gendarme and prison rations. At Chabert, near Cape Haitien, a prison farm is in operation, giving the prisoners air work to over 300 prisoners. The idea of this farm is, in addition to the saving in cost, to experiment as to the methods of cultivation of native products, and to give the benefit of better methods to the general public, letting them graphically see the results.

(i) In the districts of Jeremie, Jacmel, and Port de Paix, the gendarmes are looking after the repair of streets and the telegraph, as well as the rural districts away from the main roads. With the exception of the larger sea coast cities, the gendarmerie assumes supervision of the police service at every place where there is a gendarme post, especially in the interior at such places as Hinche, Mirebalais, Lascahobas, and Quanaimitte.

(j) The gendarmerie has as its prime duty the guarding of all towns throughout Haiti. The country is divided accordingly into departments, districts, etc. Troops are allocated to each district and stationed at the district headquarters, the small villages, etc., the largest body being at the district headquarters.

(k) This arrangement, while absolutely necessary, requires that the troops be split up into small units. With the present strength of the gendarmerie there are practically no troops left over to engage in field operations.

seriousness of the banditism that has existed in Haiti during the years necessitated the employment of marines in its suppression, and the larger part of the country overrun by bandits was taken over by units. Gendarmerie troops stationed in this section were placed in command of the marine officer in command of troops in the field, and gendarmes then worked in conjunction with the marines. This method was most satisfactory and the gendarmes were of invaluable assistance in suppressing the bandits and pacifying the country.

The police of Port au Prince is under the direction of the chief of the police, and consists of 3 officers of the gendarmerie and 150 men. These police are detectives in plain clothes.

The medical department of the gendarmerie d'Haiti is organized along the following lines: One medical director as chief surgeon; 2 medical inspectors as district surgeons; 3 first lieutenants (medical) as district surgeons; 3 lieutenants (medical) as district surgeons; contract surgeons, among the civilian medical officers as the exigencies of service require, 61 hospital corps men, enlisted from the native division into hospital corps ratings as follows: 5 first sergeants; 20 corporals; 15 privates, first class; 13 privates; a total of 61.

The division of the personnel follows the organization of the gendarmerie medical director, as chief surgeon and medical advisor to the chief of the gendarmerie, having headquarters in Port au Prince. The medical inspectors are situated with their respective department commanders, and serve in full capacity to them as the medical director does to the chief of the gendarmerie. In the districts the medical lieutenants follow out the same plan as their respective district commanders. The native hospital corps men are distributed that every post of the gendarmerie has a competent medical officer within immediate call.

The purpose of the medical department of the gendarmerie is similar to any medicomilitary organization. From a medical point of view, the part of Haiti comes under the direct supervision of the gendarmerie. Exceptions are few, and only in those places where the Public Health Service has their representatives stationed. These places are chiefly in the city, and in several of these places a gendarmerie medical officer is stationed who does no other professional work outside of his regular medicomilitary duties. This scheme of cooperation with the Public Health Service has been arranged during the past year, which works very well.

From a personal observation of the gendarmerie d'Haiti covering the past year, it is my opinion that a decided increase in its efficiency and effectiveness has been effected in this organization during the past year.

It is further my opinion that this increase in efficiency is due to the zeal, energy, and personal characteristics of the officer in charge of this department, Col. F. M. Wise, and I take great pleasure in taking this opportunity to call the attention of the major general commandant to the marked improvement in this organization.

#### CIVIL.

After a careful study of the situation I determined that the people of Haiti should be assured that the "corvée" was absolutely abolished, never to be put in effect, and that the military forces would reestablish a condition of order, and further that all peaceful and law-abiding citizens should receive the fullest protection that I could give them.

To this end I issued the attached proclamation, marked "F," and later, in 1920, the one marked "G."

It had always been my belief and was generally well recognized that certain persons residing in Haiti were assisting the revolutionary element. I discussed this question with the President of Haiti and obtained from him a promise to deport those that I considered necessary. The deportation of many Germans had been obstructing the work of the occupation and was therefore soon

during the past eight months the important if not vital subjects of the "corvée" and "education" have received my most careful study, and I have turned over to the department recommendations for the solving of these problems. After much thought over the pros and cons I decided that it would be of great benefit and assistance to the military occupation in its work of pacification if the President of Haiti visited the towns in northern and central Haiti and discussed the officials and market people. Few, if any, had ever seen the

President, as for a President to tour Haiti has heretofore been a dream of. In fact, for a President who came from the south to northern Haiti unaccompanied by his army was considered suicidal.

(f) All the prominent towns in northern and central Haiti were visited by the President, in company with me. Speeches were made at favorable and lasting impression created.

(g) It has been my endeavor to impress upon the Haitian people that at all times the law-abiding citizens would receive every protection from the forces of the occupation, and to this end almost immediately upon the command of the brigade I issued the most stringent orders regarding the treatment of natives by members of the occupation, gendarmerie, and Coast Guard. Cases of maltreatment brought to my knowledge have received prompt attention.

(h) It is my belief that at the present time, the forces of the occupation have obtained the respect and admiration of those natives who have sufficient education to appreciate the work we are doing here and that the precept they have done much to civilize the natives living in the state of savagery in the mountain districts. Furthermore the firmness of the occupation has taken against the abhorrent practice of voodooism, unquestionably do much to stamp out the human sacrifices.

(i) Practically all the newspapers of Port au Prince have, on my initiative, stated that pacification in Haiti is complete.

(j) Under recent date I received a letter from the director of the official newspaper who states as follows:

"I wish to call to your attention that I am one of the Haitians who believe the American occupation was very necessary for the maintenance of order, curbing governmental ambition, and putting an end to the disorderly state that certain of my fellow countrymen had brought about by their shameful and dishonorable conduct. M. le Colonel, you should ever bear in mind that under your administration that Cacoism was vanquished and peace assured."

(k) In addition to the above, small problems have been almost daily brought to me relating to the civil administration of Haiti, the smoothing over of spots for either business people or occupation officials, and the giving of aid.

(l) These problems together with numerous conferences and my duties require much time and thought, and consequently my day is usually a busy one.

63. I can not conclude this report without first paying tribute to the skill and efficiency of the officers composing the brigade commander's staff.

64. Keen in ever upholding my policies and unremitting in their assistance have been of invaluable assistance to me in directing the operations of the brigade.

65. Especially must I mention Maj. T. C. Turner, who, in addition to performing his duty as brigade adjutant, has acted most efficiently as chief of staff. Maj. R. L. Shepard, who as G-3 and G-2, has directed the operations of the intelligence sections; and Lieutenant Schwerin, who as G-1, has placed the supply on an efficient basis.

JOHN H. BARNES

Certified to be a true copy.

H. C. HAINES

Brigadier General, Adjutant and Inspector

#### EXHIBIT 4.

OFFICE OF THE POST COMMANDER  
MARINE BARRACKS  
Paris Island, S. C., September 1, 1917.

MY DEAR MR. SECRETARY: In compliance with your wishes, as expressed in your letter of the 18th instant, I have prepared a report on conditions during the period in which I was in command of the marine brigade.

I have also had a copy made of a report I made to Admiral Knapp on May 17, 1917, and in some ways this latter report has gone more into detail than does the one I have just prepared.

I had thought of inserting paragraph 14 of the report to Admiral Knapp the next to last paragraph of the new report.

numerous things in the report to Admiral Knapp which are of a nature, or at least touch very closely State Department policy or

bring to your attention the fact that new report has been prepared collection of events, supplemented by comparatively few papers other of the diary, the original of which was forwarded to Admiral Knapp at the time, copies being furnished the Navy and State departments, and also of the Marine Corps.

A number of personal letters which were sent to me just before I left Haiti at the end of November, 1917, the contents of which would seem that up to that time at least the American occupation had the respect of the many Haitians, even of the political classes. Of course, being Haitians, they must be taken with a grain of salt.

If further information is desired, I will be very glad to do what I can to

cordially,

ELI K. COLE.

EPHUS DANIELS,  
*Secretary of the Navy,*  
*Navy Department, Washington, D. C.*

OFFICE OF THE POST COMMANDER,  
MARINE BARRACKS,  
*Parris Island, S. C., September 23, 1920.*

Gen. Eli K. Cole, United States Marine Corps.

Secretary of the Navy.

Conditions in Haiti during period my command of First Brigade United States Marine Corps, Haiti, November 22, 1916, to November 27, 1917.

(a) Letter Secretary of the Navy, September 18, 1920, to Brig. Gen. Cole; (b) diary as brigade commander, January 30 to November 27, 1917, sent to headquarters United States Marine Corps.

Compliance with the directions contained in reference (a) the following is submitted: Owing to the fact that the official records of the occupation are on file in Haiti, this report has been made up from my diary and from copies of a limited number of papers kept by me in Haiti; it is, however, believed to be accurate.

In order to understand the work performed in Haiti it is necessary to know the conditions existing in that country when we landed, though the conditions were such that only a vague idea can be given in a written report. To realize those conditions required actual personal seeing.

Haiti occupies the western end of the island of Santo Domingo, or Haiti, 12,000 square miles, and from two to two and one-half millions of inhabitants, mostly of negro blood, though the educated and ruling classes of Haiti generally have a considerable mixture of white blood, mostly French. There is a lack of proper schools, probably 95 per cent of the population is illiterate, the vast majority of the peasants being pure black; the country people are generally hard working, though many are naturally lazy, very hospitable, but not led for good or bad. The ruling classes are generally of mixed blood, the educated apparently pure-blooded negroes occupy prominent positions of power and are leaders in public and political life, though generally not high in the Haitian social world. The negroes of mixed type have the characteristics of such people the world over—vain, loving praise, exchangeable beyond measure, illogical, and double-faced; many of them are educated and polished, but their sincerity must always be doubted. In the galleries, to attitudinize as true patriots, but without absolute and self-seeking. There are exceptions, but among the political leaders are rare and only serve to accentuate the true type. As these are leaders in Haitian political life, it was with this type that we had most entirely. They are all proud of their black, white, or mixed blood, above all, no matter what the mixture of race, are proud of being Haitians. Under strain, however, they are almost sure to revert to the black characteristics.

Haiti has given Haiti every advantage from an economic point of view—ample rain, and free water for irrigation; high hills with valleys, wide diversity of crops, as the climate ranges from tropical in the south to temperate in the hills.

6. During the time of the French, Haiti was the richest colony in the world with good paved roads throughout the island, irrigating systems where large, well-equipped country estates, but after the expulsion of the French everything was allowed to go to rack and ruin; roads and irrigation disappeared, and the country steadily relapsed into a state of barbarism.

7. Outside of Port au Prince and a few of the larger towns there were absolutely no attempts made to enforce sanitary measures or laws; at all places the attempts really amounted to little, the usual practice being to refuse into the street or the nearest vacant lot, leaving it there to rot and decay until washed away by the rains. Every place had its own stench.

8. A few of the cities had so-called waterworks, but these were in a state of dilapidation that the supply of water was intermittent and unreliable.

9. While a few roads existed when we landed, they were absolutely impassable, filled with mud holes where animals were drowned, lacking bridges, impassable for wheeled vehicles.

10. Some telephone and telegraph lines had been established but were utterly unfit for use, much of the wire being gone and many poles gone.

11. In the larger towns the French sisters conducted hospitals, but the allowances were seldom paid they lacked nearly everything in the way of medical appliances. In the country districts there was no provision for the care of the sick, the doctors almost invariably living in the larger towns.

12. With the exception of a comparatively few schools in the larger towns or cities maintained by the Catholic Church, with the aid of small and unpaid subsidies from the Haitian Government, the school system was almost completely demoralized. While on paper there were many schools, the schools, if they existed at all, were generally unfit for human occupancy. As an example, on one occasion while on an inspection trip through the interior of Haiti I asked to see the schoolhouse. It was pointed out to me, and on entering I found it occupied by a sow with a litter of pigs and the place filthy; the place showed no signs of ever having been used as a school. The so-called teachers were the political friends of the appointing power, almost invariably unfit for the position, and generally did not perform more than draw such part of their salaries as graft and the Government would allow them.

13. Constant revolutions had nearly destroyed agricultural interests. In August, 1915, when we landed people were dying of starvation in Port au Prince and Cape Haitien. Planting in the interior had largely ceased on account of the absence of men with the contending forces, difficulty of getting to markets over muddy trails, and through the robbing of those women who had to get their produce to a market town.

14. Land laws were bad, and as no one except an official who desired to own land or one who controlled the courts dared to buy land, there were no improvements, and one could see in Haiti the same condition of mill (man or ox power) as was in use in ancient Egypt.

15. Under the Haitian constitution every male Haitian was an embryo soldier in order to have soldiers to combat the revolutionary forces, or to keep the Government in power. Male peasants were subject to seizure and to forced enlistments, and the only way to escape this fate was to belong to the ruling classes or to go into hiding. Consequently, most of the inhabitants lived in the hills, distant from the main traveled trails, and men were seldom seen on the so-called roads or in the towns, the only traffic being such as it was, being brought in by the women. One result of these conditions is that there are probably two women to every man in Haiti, as the women have done most of the business (trade) they are, as a rule, of a higher mentality than the male.

16. The army was really a disorganized mob, enlisted by force, kept in order by fear, equipped in the worst conceivable way, living by robbery of the people, their chiefs appropriating to their own uses most of their pay, and commanded by hordes of generals. Everything bought for the military was apparently a means for graft from the President and ministers of the way down the line.

17. The prisons were indescribably filthy and generally filled with the bodies of those who happened to be in power. No provision was made by the Government to feed prisoners, each prisoner having to depend upon friends or relatives to keep from starvation.

Haiti had been living under what was practically a feudal system, "perpetrated by assassination" and numerous other forms of outrage. There were the feudal masters, and when some member became prominent he became a leader with a large personal following; he had authority through lesser chiefs with smaller followings, who in turn had authority through petty chiefs who did not hesitate to torture those of their followers who disobeyed them or refused to pay.

If the disobedient one escaped, the vengeance was then taken; hence their power was practically unlimited, and upon promises of reward their forces were employed to overthrow the then existing ruler.

It should be said, however, that they remained loyal to the one in power until the work was done and he in power; this accomplished, money becoming scarce, they were at the disposal of the next candidate.

When the French there were beautiful country estates with hands, but these have nearly all disappeared, either through deliberate neglect. As the result of this and of the various other conditions of the country has gravitated to Port au Prince and to some towns. Port au Prince was the place where graft was done out of the most luxuries could be obtained, and if the politician left that place to accept an appointment on the outside where the graft was less division with others required. Money gained through political means was generally put into houses and land in Port au Prince, though the cities were large and dangerous, the person frequently went abroad to acquire foreign citizenship.

There were adequate salaries paid to Government officials or embezzlers in Port au Prince or in the country, the general understanding was that outside pickings were to be depended upon, nor were the salaries paid in full; months would pass with no payments, the undertaker would go to money lenders to get funds at a discount of from 20 to 50 percent and it was said that the money lenders had to divide with the "boss" in the governmental department concerned; in any event, the boss protected the money lenders. The judges and other employees of the government if justice were in the same fix, their salaries never having been paid, were inadequate for their living expenses; their numbers were excessive and they had to depend upon bribes or spoils for their support. Some of the judges and higher court were men of great ability, but in the rural districts most invariably unversed in the law and in some cases unable to read and had no copies of the code they were supposed to enforce.

The same conditions applied to every department of the Government and to various ramifications. With few exceptions the affairs of the communes (townships) were administered in a still worse manner, the receipts going into the pockets of a favored few. Internal security was generally not standardized, or, if they were, were generally collected on the basis of all the taxpayer could stand, by far the largest amount of the market women.

A number of years prior to the American occupation the conditions were worse and worse, President following President in rapid succession of a sudden death or revolution:

President December, 1908; overthrown August, 1911.

President August, 1911; blown up in palace January, 1912.

President August, 1912; poisoned May, 1913.

President May, 1913; overthrown January, 1914.

President February, 1914; overthrown October, 1914 (killed in prison).

President November, 1914; overthrown February, 1915.

President May, 1915; killed July 29, 1915.

The president and his followers looted the public treasury and borrowed as much money as possible at large discounts and at high rates of interest, sold the land on liens on customs receipts, raised or increased import and export duties and got forced contributions from Haitian business men, and exploited the country for the benefit of himself and of his political friends. In turn lived on graft, blackmail, forced contributions, loans, and as the money began to give out, some one with more money, or with false promises of future graft or payments, started a revolution, using mercenaries from the north of Haiti.

23. The demoralization of the country reached the climax in 1917. President Guillaume Sam, having been inaugurated in May of that year, had all of his political enemies he could get hold of put in the prison at Port au Prince; on the night of July 27-28, fearing a revolution in Port au Prince, he issued orders to the general in command to kill all political prisoners in that jail; so far as possible his orders were executed to the letter, some 240 Haitians (including an ex-President) were butchered.

24. An outbreak against President Sam followed and he took refuge at the French Legation, but the temper of the people was such that Sam was driven from the legation by a mob, cut partly to pieces, and his body dragged down the street. The general who carried out President Sam's order to kill the Santo Dominican Legation, but he likewise was seized and killed by a man whose three male children had been done to death in the same manner.

25. As soon as our naval forces could reach Port au Prince troops were sent there and at Cape Haitien, and the so-called American occupation of the country was begun.

26. When the undersigned relieved Maj. Gen. (then Brig. Gen.) Waller as brigade commander on November 22, 1916, conditions in the Republic of Haiti were generally peaceful, there being no armed forces to the United States forces or to the Gendarmerie d'Haiti, though from time to time, but at increasingly rare intervals, reports would be received of lifting or of robbing of market women by armed robbers, almost always along or in the vicinity of the border between Haiti and Santo Domingo.

27. These robberies were almost always committed by Haitian Dominican outlaws, who for many years had lived by violence and of one kind or another; they were utterly indifferent to human life, their own, and finding it unsafe to live and to operate in Haiti, had taken refuge in the extremely rough and mountainous country some miles beyond the border into Santo Domingo, whence they would make rapid though infrequent trips across the border into Haiti. For many years each country had been a refuge for outlaws from across the border, the cattle stolen in one country being disposed of in the other country, probably with the connivance of the officials of each country.

28. Owing to the former Haitian custom for all factions to seize service any and all countrymen they encountered or could get hold of, not only all business or trade in rural Haiti has been carried on for many years by the women, and it was against these women and small farmers or countrymen that the forays were generally directed. When we landed in Haiti, the country along the northern and north central boundary was a desolate wilderness, the very few people remaining being close to the towns, though some years before it had been well cultivated and well populated. As we suppressed brigandage and highway robbery and gave protection and property the natives began to return to their former homes, and we visited that section of the country in November of 1917 its reputation was well under way and a section where murder, rapine, and robbery had been the rule had become one of the safest parts of Haiti.

29. Except as noted below, the same order and public safety prevailed throughout all of Haiti during the period when I was in command of the brigade. There were occasional robberies, cattle were stolen from time to time, and the brigades took place, but generally the breaches of the peace were in the form of misdemeanors or petty thievery, and I will venture to say that during that period life and property in Haiti were as secure as in the United States and not more secure.

30. The actual work of preserving law and order was placed in the hands of the Gendarmerie d'Haiti, though for some months marine organizations were sent throughout the island as to permit their being able to back up the Gendarmerie without delay in case of necessity. Early in 1917 a considerable number of marines were transferred from Haiti and as the Gendarmerie became more efficient and as conditions appeared so stable in Haiti, our troops were drawn from Gonaives and St. Marc on February 16, from Le Trou on February 18, and from Port de Paix on March 15, leaving our troops only at Port au Prince, Cape Haitien, and Ouanaminth; for a short time we had only a small Marine Corps companies in Haiti, but generally we had from 10 to 20 companies.

31. To the best of my recollection, during the period concerned we were not engaged in any active operations against the Haitians, but we used as forces available to back up the Gendarmerie in case of necessity.

the commanding officer at Ouanaminth, on the Santo Dominican patrols along the border as warnings that our troops were still ever any report was received that indicated a possibility of serious mys sent a detachment of marines to the vicinity concerned, and on occasions troops were so used, though on none of the occasions aged with hostile forces:

on Gros Roches, May 26, 1917; a detachment was sent to that Ouanaminth. (b) Attack on Hinche, night October 11-12, 1917; from Ouanaminth was sent along the border to vicinity of Hinche. n Archahale, night October 22, 1917; a detachment from Port au nt to Archahale and St. Marc to keep open the line of railroad and : gendarmes if necessary.

ndarmerie d'Haiti was officered by officers and men of the Marine n being native Haitians. Its upbuilding was a difficult piece of had been brought up under Haitian relation between law officers and citizens into law-abiding officers nd while, as was to be expected, there were numerous slip ups, the n of these men under the guidance of our officers was a remark-work. The greatest difficulty was to prevent them from exceeding ty; and as there was only 1 gendarme to every 5 square miles and to each 900 inhabitants, much of their work had to be done mmediate ken of their white officers. Complaints were received time, but were always carefully investigated and corrective meas- hen the circumstances warranted.

ie rural officeholders and former chiefs did not take at all kindly ice of the white officers in their localities, as these officers served ainst their peculations and abuses of authority, and from time to nts would be received against white officers of the gendarmerie. s were investigated with particular care by the chief of the gen- by a department or a district commander. Generally these reports o be malicious, but when well founded disciplinary action was taken. ion was frequently bad, and officers in outlying districts frequently ickly and on their own best judgment; but to the best of my recol- g the period of my command there were absolutely no reports made officers of the gendarmerie which involved cruelty or unlawful atians, nor did I ever hear during all my service in Haiti of any ny American—marine or gendarme—was guilty of any punishment n of the body of any enemy captured or killed. There were abso- thorized executions during the period of my command, nor have I f any execution being ordered or carried out.

ing are the only reports I have of Haitians killed in action during ncered:

917, Gros Roches, by gendarmes, killed 1, captured 2; October 11, : at about 2.30 a. m. a band of outlaws or cattle thieves, estimated o 60, surrounded the house of the white officer of the gendarmerie the district of Hinche; they were discovered by a sentry, who and Captain Doxle, the commanding officer, was believed to have them, as they were seen to fall, but their bodies were carried away, rally the custom in such attacks. Upon the appearance of other he band took to flight. A gendarme patrol under a white officer it at once, overtook the band, killed the leader, and captured the r; the leader who was killed was recognized as a notoriously bad On the 22d of October it was reported that nine prisoners who ed to be implicated had been arrested and were being taken to . It is not at all unlikely that others were killed on the night of

There seemed to be little question but what one or two prominent (ex-senator) in that locality had previous knowledge of the contem-

2, 1917, Archahale, this was probably an attempt to rob a railroad had some 2,000,000 gourds on board, as my investigation developed it some of the employees of the bank knew of the shipment; there one half dozen shots fired, the would be robbers having run as soon opened on them. Patrols brought in five prisoners, all of whom were notoriously had characters.

be noted that in all these cases the attacks were made by outlaws e casualties they suffered were due to their being unlawfully armed d in an unlawful occupation.

33. Referring to that part of your letter which calls for specific numbers of Haitians killed, it is impossible for me to give numbers, but while I can only speak for my own period of service in Haiti that the number killed was small, indeed, compared to the good will and when one considers the facts that we were operating in a country of anarchy, disregard of human life, and armed robbery all reigned where the operations were conducted against outlaws in a heavily mountainous country; where our enemies were true bushwhackers, every trail and hiding place, and where the first intimation of their presence was usually a shot.

34. Our constant aim was to protect the peaceful citizens and the country safe for those who desired to cultivate the soil, attend to their business, and to live orderly lives. To attain these ends it was absolutely necessary to take notice of every armed breach of the peace and to make arrests, to suppress bushwhacking, and similar disorders so dangerous that those who followed such means of livelihood either reformed and went to work or left the country; incidentally a large number reformed and became decent, law-abiding citizens.

35. It was only through the hardest kind of work, marching miles an hour after hour, day in and day out, over mountain trails and through dense jungles, in mud and rain and heat, that a country given to anarchy and property had formerly been absolutely at the mercy of armed bushwhackers, was made orderly and safe for its inhabitants. We did this by the good will of the vast majority of the inhabitants, particularly of the peaceful people, and those who feared and resented our presence were almost entirely those who had lived off the country, either by spoils or force of arms.

36. Generally the conduct of the individual marines was very good, a number committed serious offenses and were tried by court-martial.

There were two trials for murder or manslaughter, one at Port-au-Prince and one at Cape Haitien.

One of our men was killed in cold blood by a native of Santo Domingo. An officer of the gendarmerie was also killed in cold blood as he was on his way to his house at Le Borgne, where he was in command, to make either an inspection or an arrest.

37. In taking up the civil conditions during my command in Haiti it is necessary to bear in mind the conditions we found when we landed, as set forth in the first 24 paragraphs of this report.

38. Within a few days after landing, as soon as it was learned that the people of Port au Prince were dying of starvation, application was made for funds to relieve the immediate situation and every possible aid was given in providing foodstuffs.

39. As soon as conditions would permit, funds were allotted by the commanding general and later by the then brigade commander for purposes of construction, road repair, etc., not only to help correct conditions but to provide means whereby those who desired to work could earn necessities for themselves and their families. As our control over the country extended and became available, they were allotted for such public works, sanitation, etc., as needed immediate attention for their preservation and the good of the country, and in order to provide work until land could be cleared and crops planted and gathered. From the start all Haitian employees on public projects were paid weekly, and, much to their astonishment, the full salary promised for the labor; before that time they were seldom paid at all, only a small part of the amounts due them.

40. Many of the works for the betterment of the conditions in Haiti were started by my predecessor, and in many cases it is impossible to distinguish between the work accomplished during his administration and during my command.

In order to have these works properly done and the funds allotted in an honest manner it was necessary that the supervision and final execution be placed in the hands of American officers; at first in the hands of the marine or naval medical officers of the marine brigade; the gendarmerie was built up and its officers, both line and staff, became familiar with the work and with the conditions in the country. Our troops were concentrated, the execution and accounting for all works were carried on by American officers of the gendarmerie, the commander making the allotments both as to amounts and as to location, and the works were to be carried on.

financial causes no money was available to start new public works. In addition, practically all the money expended being used to rehabilitate what had gone to rack and ruin under Haitian maladministration. I regret large sums were expended in these improvements, and, it is true, all sums were properly and honestly expended for the purposes allotted.

General statement of work accomplished follows:

#### SANITATION.

This work was in the larger towns, though before I was relieved practically every small village had been cleaned up and was being kept in a sanitary

condition and vacant lots were cleaned up and kept clean.

Streets were drained and, where required, paved, repaved, or built up so as to prevent stagnation in the wet season.

Drainage was installed where necessary and mosquito-breeding places eradicated or materially reduced.

Toilets were built to eliminate the prevailing practice, among the natives, of using the streets or vacant lots for that purpose.

Water works were overhauled, distributing systems repaired and increased use could be made of the available supplies of water; in some cases conditions before we took charge were so bad that sufficient water for drinking and cooking purposes was not available.

Public places or markets were cleaned up and kept clean, and when market stalls existed these were repaired.

A number of cases field incinerators were built to dispose of garbage.

#### ROADS.

Work was first started from the larger towns, each town working on its own neighbor. The policy adopted was to build good country roads between the principal towns so as to be able eventually to connect Port au Prince with the north of Haiti, to be followed by connecting roads to the south. Roads were properly drained and crowned, and where possible, topography was such a manner as to stand the probable traffic, of such width and such lines as would enable it to be converted into a well-metalled highway when funds for such work became available.

Connections to the main highways from towns off the main routes were constructed as funds and men were available.

Materials were available for bridges, but a few existing ones were repaired, cleaned out and made passable in safety, except in cases of floods, which were by no means rare.

Dikes were built across marshes which for many years had been inundating much of the wet season, and in a few cases dikes built years before deep rivers within their beds were repaired and extended.

Five weeks after I left Haiti the main road from Leogane to Port au Prince, to Gonaïves, to Plaisance, to Limbe, to Cape Haitien, to Le Trou, to Fort de la Vallée, to Ouanaminth on the Santo Dominican border was finished, and the end of Haiti made the trip to the border in automobile, a distance of nearly 225 miles, a trip which ordinarily had taken four to five days' time to accomplish. In all, we had constructed approximately 350 miles of good roads and had repaired many miles of minor roads and trails. Formerly at many times during the year animals could not pass, or, if they could, with only a small load, market produce could be brought into the country without delay.

As has been stated before, when we arrived at Port au Prince many of its people were actually suffering for lack of food, but before I left the normal number of animals entering Port au Prince from the plain—i. e., over one road—on the principal market day, was between seven and eight thousand.

Combined with the vast increase in cultivation of the land meant an increase in prosperity to the people of the country districts, enabled lack of foodstuffs due to the war to be overcome, and allowed what had never before—a considerable export trade in foodstuffs to be built up with the Isthmian Canal Zone.

The country people, and particularly the country women, were almost invincibly friendly and thoroughly contented with our presence and administration.

tion of affairs. On a number of occasions I was told by priests and others who had lived many years in Haiti that it was no uncommon thing for the women in their prayers to thank God for the presence of the Americans.

#### TELEGRAPH AND TELEPHONE LINES.

The old lines were repaired and new lines built, first for military and later to aid in improving communications between all parts of the country. While in many cases our work was of a primitive nature (we frequently used beer bottles for insulators), and at first there were numerous destructions or cutting of lines; eventually we could communicate by wire with practically every town and gendarmerie post in Haiti.

#### POST OFFICES.

The postal system when we arrived was such that not even a Haitian could be trusted with anything of intrusting valuable or confidential matter to the mail. As the system remained in Haitian hands, we were able to do little to improve it, although through the gendarmerie taking over the transportation of the postal department, the mails were safe while en route between posts and were delivered without the former delays.

Upon my recommendation the President of Haiti asked for a postal expert from the United States to reorganize the system. This expert arrived before I left, and was having considerable difficulty in getting any respect from the Haitian postal authorities resented his presence.

#### SCHOOLS.

A very careful investigation was made of school conditions. No teachers were found who did not attend the classes they were supposed to teach. The payment of these was stopped. The pay for teachers was so small as to enable even a Haitian to live in decency, and consequently the teachers were frankly incompetent or held the place as a sinecure, doing no duty for the pay they received. In other cases it was found that buildings were rented for school purposes but that school was never held, these cases the payment of the rent was stopped.

We gave such assistance and support as we could to those schools where actual instruction was being carried on, and their conditions were materially improved.

After the investigations were completed recommendations were made to the President of Haiti, who asked me to endeavor to obtain a skilled educator from the United States to take charge, under the minister of public instruction, building up a school system in Haiti. A man of the type required, a Frenchman, French and Creole and used to dealing with the colored race, was obtained from Louisiana, and prior to my leaving Haiti he had entered upon the duties of his office. His presence was also resented by the Haitian officials of the department, and it was only through personal representations to the President that the minister for public instruction would aid him in his work.

Another result of our investigations was to find that there was real interest in schools and that many of the country people would be glad to have their children attend schools. The schools run by the priests and others were well attended, the children usually alert and quick to learn. The schools were few and beyond the reach of the vast majority of the country people.

In order to stimulate interest in schools I had four model schools constructed in the four sections of Haiti, their actual sites being carefully selected on main traveled roads where the largest possible number of people could see the work going on. After those were started applications came to build others, but as funds were scarce I started the plan of providing communities where a schoolhouse was desired with such material as could be produced locally, with the understanding that the communities would furnish all local material and labor involved in its construction. I remember it, about 20 schools had been started under this plan before I left Haiti.

A former manual-training school in Port au Prince was rehabilitated when I left it had between two and three hundred students, either the children of the very poor, and they were turning out really good work, the children living in the school building itself.

#### AGRICULTURE.

start we did everything we could to stimulate interest in agriculture country was cleared of bandits people returned to their previous started planting; men who had had enough of life in the hills and promised to obey the law were given work to enable them to earn their clearing and planting.

1917 it became apparent that Haiti would not be able to import as formerly, so a systematic campaign was started and carried out; large acreage of foodstuffs as possible, and the increase was. In this we had material aid from the President and from many

agricultural school was started near Port au Prince in connection with experimental farm that had been started by my predecessor, and later, the gendarmerie, a number of experimental farms were started in the hills.

In accordance with the President it was decided to ask for agricultural experts of the United States Department of Agriculture to make a comprehensive survey of the agricultural possibilities of Haiti. Our Government received the experts as requested.

As a result of the increase in planting increased enormously the amount of foodstuffs which enabled considerable amounts to be exported after the needs of the country were filled.

The country people generally enjoyed a prosperity which, I venture to say, they never enjoyed before, notwithstanding the fact that it had been impossible to make any improvements in the land or other laws.

#### THE GENDARMERIE.

For a comparison between the old and the new Haiti could be made side by side by side a company of gendarmes and a company of the Haitian Army. Mistakes were made, as was natural, and untrustworthy men were enlisted. Their improvement at times appeared slow, and occasional detachments without their white leaders to steady them fell away, but all the same their progress and improvement were steady. Finally they made more efficient and loyal officers of the law than could have been expected when the material at hand was considered.

As to the generally corrupt practices in vogue in all the communes, particularly in the rural townships, I recommended to the President that the officers of the gendarmerie be charged by means of a presidential decree with the supervision of the affairs of the communes. This was done, and while the fines were reduced to what the laws allowed and always standardized, the collections were increased anywhere from 500 to 1,000 per cent, the result that the communes not only became self-supporting, but were greatly improved in their sanitary and physical conditions. This change was a great benefit to the American occupation, but as it stopped an enormous graft on the part of the Haitian communal officials, it also increased the resentment of the small Haitian politician against us.

#### PRISONS.

Prisons, which had been almost the worst institutions in Haiti, were either rebuilt or abandoned, sanitary methods applied, prisoners provided with shower baths installed when water was available, medical treatment provided where requiring it, and generally turned from pest holes into reformatory institutions. Prison practices were reformed, system was introduced, reduction of term of confinement and sometimes paroles granted for good behavior, separate sections for female prisoners provided, manual training introduced in the larger prisons so that when prisoners were discharged they were useful members of their communities.

#### HOSPITALS.

Existing hospitals were thoroughly overhauled, new construction erected, many modern appliances installed, patients properly cared for and it was in the larger cities of Haiti there were really well-equipped places for medical and surgical treatment. This was done by American naval medi-

cal officers and should be a lasting monument to their devotion to the smaller communities, wherever we had a Hospital Corps man, dispensaries were established so that simple medical treatment and first aid were given. Whenever possible the serious cases were sent to one of the hospitals.

#### IRRIGATION.

The irrigating system in the plain of the cul de sac, outside of Prince, was overhauled, old ditches were opened and banked, and a considerable amount of repair work was done to the dam and spillway of the reservoir (Bassin Général), as these were in danger of complete failure in the event of an unusually heavy or long-continued rain. Through this work some thousands of acres of land which for years had been without irrigating water were redeemed for productive purposes. Incidentally the ditches were patrolled, so that a few large landowners could not divert more than their share of the water to the detriment of the smaller landowners.

42. My understanding of our mission in Haiti was that we were to preserve order, to aid in rehabilitating the country, to help the Haitians establish and maintain an honest and efficient government of Haiti, and through our fair dealings with all classes of Haitians to create a strong feeling of friendship toward the United States.

43. It was felt that the best results could be obtained by doing everything possible to inspire confidence in us and in the motives of our government through developing, first, a willingness and later a desire on the part of the Haitians to work with us toward the desired ends.

44. This policy certainly gained us the friendship and good will of the majority of the Haitians, but our success with the educated classes was marked and with the higher political classes comparatively small. We did gain their personal esteem to a considerable extent, but their confidence was generally lacking; they desired to aid or use us so far as we would serve their own ends, but all the time our presence was resented as it meant a constant check against dishonest use or administration of public funds.

45. Our difficulties in gaining the good will of the educated classes were largely due to the following:

(a) Failure to provide funds (negotiate a loan) to meet interest on the existing public debts and to enable these debts to be liquidated or redeemed. Considerable parts of certain Haitian loans were held by Haitian families were dependent to a considerable extent on the payment of interest on bonds held by them, and there is no question but that our failure of interest caused considerable hardship and resulted in resentment toward our intervention in Haitian affairs.

(b) All the educated classes mixed more or less in politics, and many individuals did not hold office, members of their families or near relatives, and when these were in power the whole family usually benefited in one or another through concessions, special privileges, etc., and consequently, too, looked with disfavor upon our influence in maintaining a stable government.

(c) There was a fear that the Americans desired to exploit the country and its resources, and this was heightened by constant rumors that the Americans desired to gain control of the rich islands of La Tortue, Navas and that our Government desired to gain control of Môle St. N.

(d) Educated Haitians were very proud of being citizens of an independent negro republic; they were constantly haunted by the fear that we would take away their independence, and do what we would to disabuse them of this idea the fear remained.

(e) Generally the business classes were in our favor, though as the war became more and more difficult to import and to export goods through the blockade incident to the Great War, their business suffered and their good will correspondingly.

(f) The policy of making prompt monthly payments in full to the Government employees gave us to a considerable extent their good will, though as a whole they were indifferent in their attitude toward their duties and resented being made to do the work for which they were paid.

46. My relations with the higher Haitian officials were generally cordial. I found many men of considerable ability and some who were honest, but generally they were self-seeking and were constantly

to provide Government employment for their friends, no matter how or unfit or how unnecessary such employment was, and to devise getting control of Government funds for their own benefit. material and moral improvement in Haiti during the first 28 months erican occupation was beyond belief, but it will take at least a gen- education and of constant effort, with careful supervision and guid- hange the attitude of the Haitian ruling classes and to build up in is a proper sense of responsibility toward their own country and to an honest and efficient Government of Haiti by the Haitians.

ELI K. COLE.

EXHIBIT 5.

OCTOBER 12, 1920.

Major General Commandant John A. Lejeune, United States Marine and Brig. Gen. Smedley D. Butler, United States Marine Corps. Secretary of the Navy.

Investigation of offenses alleged to have been committed by certain of the gendarmerie of Haiti at Hinche and Massade, Haiti, during the of 1918-19.

During the month of August last it came to the attention of the Major Commandant that the report of an investigation into the alleged mis- of certain officers of the gendarmerie of Haiti, which the brigade com- ad been directed to make by the former Major General Commandant or approved by the Secretary of the Navy under date of January 12, ld not be found at headquarters United States Marine Corps. A inquiry was made, and no information in regard to the report could ed from anyone on duty at headquarters Marine Corps or in any he Navy Department. The Major General Commandant also com- l by radio with the brigade commander in Haiti in regard to the nd learned from him that the report in question had been transmitted om Haiti on March 20, 1920. Apparently it had been lost in transit. t 31, 1920, just prior to our leaving Washington for Haiti, you gave us tructions to make a careful supplementary investigation of the whole d to report in full to you on our return to the United States.

In compliance with your instructions, every effort was made to obtain full ple information on the subject. We examined all officers of the Ma- s and of the gendarmerie of Haiti now serving there who had any e of the affair; also a number of enlisted gendarmes, Haitian officials, merie officers, and the French priest at Hinche, as well as two ex- rie officers now living in Santo Domingo. Some of the witnesses had land and are now in the United States. An effort is now being made touch with them.

In our opinion, the evidence obtained by us and by the board of investiga- blishes the following facts, viz:

The abolition of *corvée* or enforced labor on the roads by the people of ich had been in effect under the supervision of the gendarmerie of accordance with the rural code of that country since 1916, was directed ler issued by the commandant of the gendarmerie, to take effect on ., 1918.

The order was not obeyed at Hinche and Maissade.

The unauthorized *corvée* continued until March, 1919, when it was by Brig. Gen. A. W. Catlin, United States Marine Corps, and then ommander, who made a personal investigation of conditions at Hinche sade at that time.

During the winter of 1918 and 1919 there was a serious increase in the of bandit bands, conditions finally becoming so grave that the gen- of Haiti was unable to handle the situation single handed, and in 1919, the marines were brought into the district of Hinche to take e the situation.

Early all the witnesses examined stated it to be their opinion that us bandit situation in the vicinity of Hinche was badly handled by the ho commanded the gendarmerie in the department of north Haiti. A of these witnesses also stated that the above-mentioned officer gave his ate officers orders to report "everything quiet," in spite of the fact that with the bandits were frequently taking place. These witnesses also

stated that, in their opinion, this officer desired to conceal the true state of affairs from his superiors so as to prevent the gendarmes being suspected the marines, who, at that time, were concentrated at Port au Prince, Haiti. Some evidence indicates that his orders to officers were responsible for illegal executions and continuance of corvée.

(f) During the months of November and December, 1918, and January, 1919, several bandit prisoners (names unknown) were illegally executed at Hinche by gendarmes acting under orders of gendarmerie officers. It is strong evidence that Garnier Jean, the notary at Maissade, was the gendarme officer on duty at that place.

(g) During the investigation in March, 1919, by the then brigadier of the conditions existing at Hinche and Maissade, the ill-treatment of prisoners mentioned in the preceding paragraph became known. He transferred the officers of the gendarmerie against whom charges were made, but took no further disciplinary action in the matter.

(h) We recommend that the brigade commander be directed to general court-martial proceedings against all persons implicated who were brought within the jurisdiction of the court.

4. We deem it appropriate to state at this time that the misdeeds outlined is not indicative of the general state of affairs in the gendarmerie of Haiti, but that it constitutes an exception of the general rule of good conduct on the part of its officers and men. The officers and enlisted men of the Marine Corps assigned to duty with the gendarmerie have performed excellent work of the highest value; they have overcome almost insuperable difficulties in organizing and training the gendarmerie, and have made it a military unit which reflects great credit on Haiti and the United States. The officers and enlisted men of the Marine Corps serving with the gendarmerie have shown the loyal support of the enlisted gendarmes by means of their justice, honesty, and unselfish devotion to duty. The gendarmerie officers, on the other hand, with one accord stated that they had perfect confidence in the honesty and loyalty of the gendarmes.

5. We found the military situation and general conditions in Haiti at the time of our visit there to be excellent from the Marine Corps point of view. The Marine Corps organizations exhibited every evidence of efficiency, discipline, and high morale. Our investigation showed that the present commander has brought to trial all persons reported for committing crimes against the inhabitants. All papers are transmitted herewith.

JOHN A. LEE  
S. D. BUTLER

Certified to be a true copy.

*Brigadier General, Adjutant and Inspector*

RÉSUMÉ OF TESTIMONY TAKEN BY THE MAJOR GENERAL COMMANDANT, UNITED STATES MARINE CORPS, AND BRIG. GEN. SMEDLEY D. BUTLER, UNITED STATES MARINE CORPS, DURING AN INVESTIGATION OF CERTAIN ALLEGED IRREGULARITIES RUMORED TO HAVE BEEN COMMITTED BY OFFICERS AND ENLISTED MEN OF THE UNITED STATES MARINE CORPS IN THE REPUBLIC OF HAITI.

These irregularities were:

First. Illegal execution of Haitians.

Second. Imposition of forced labor upon citizens of Haiti in the vicinity of Hinche.

In explanation it should be stated that forced labor, or "corvée," is legal under the provisions of the code rural of the Republic of Haiti in connection with the maintenance of a road system, had been stopped by the Marine Corps on October 1, 1918. It has been alleged that prisoners have been executed by marines without trial and that the Haitians had been required to work on roads in the vicinity of Hinche between October 1, 1918, and March 15, 1919.

There is included herewith a "Report of proceedings of a board of inquiry convened at Port au Prince, Haiti, by order of the Major General Commandant, to inquire into certain irregularities alleged to have been committed by officers and enlisted men in the Republic of Haiti March 13, 1919."

The following marines and ex-marines were interrogated by the Major General Commandant and General Butler, and gave, in substance, the following testimony:

**Ed C. Baker:** Formerly a sergeant of marines and captain in the gendarmerie d'Haiti, stationed at Gonaives, Haiti, in the department of the north, and by Maj. Clarke B. Welles, United States Marine Corps, at that time as a colonel of gendarmerie d'Haiti. Mr. Baker stated that at no time did he hear Major Wells give an order to continue "corvée" work, but did not know of "corvée" was in existence contrary to general orders. Mr. Baker is now employed as superintendent of a cotton plantation at St. Michel, Haiti.

**John Lang:** Formerly an enlisted man in the Marine Corps and lieutenant in the gendarmerie d'Haiti, at present employed on a cotton plantation conducted by Ed C. Baker, at St. Michel, Haiti, stated that he was in Hinche prior to November 1, 1918, and that he left Hinche about November 25, 1918. That by the order of Ernest Lavoie, a former enlisted man in the Marine Corps, and formerly of the gendarmerie d'Haiti, he worked corvée until about November 1, 1918.

He heard Major Wells tell Lavoie to confiscate all newspapers that were news relative to the stopping of corvée so that the people in the district of Hinche would not know that corvée had been stopped. Lavoie told him the official newspaper *Le Moniteur*, containing the news of the stopping of corvée. This paper was addressed to the magistrates of Massade and Hinche. Major Wells tell Lavoie "we are out in the hills and can get away with this." Later Lavoie told him (Lang) the same thing in connection with the corvée work. All this was prior to November 5, 1918, and after the order of corvée had been received by the officers at Hinche. Stated that he did not hear anyone accuse Lavoie of shooting prisoners; that he considered Lavoie very erratic. He further stated that every time Major Wells came to Hinche he drank rum with Lavoie, and about once a month would drink heavily, doing the same. Stated that on one occasion he (Lang) wrote a type-report, at Lavoie's dictation, to Major Wells, reporting a fight; that he put the envelope "personal," and sent it by special messenger. Stated that at that time he reported by radio all quiet. On one occasion Captain Stallard of the gendarmerie d'Haiti, reported a fight by radio and was censured by Major Wells and detached to another district.

**Osman:** Formerly an enlisted man in the Marine Corps, and lieutenant in the gendarmerie d'Haiti, at present employed on Mr. Baker's cotton plantation in substance that he was on duty at the headquarters of the gendarmerie d'Haiti, at Port au Prince, Haiti; that an enlisted man of the Marine Corps and a lieutenant of the gendarmerie d'Haiti, Dorcas L. Williams, sergeant of the Marine Corps confined at Quantico, Va., told him (Osman) that Lavoie and he (Williams) had crucified people in Hinche, had nailed them to the cross. That they had killed 14 one afternoon. Osman further stated that he told him that he (Lavoie) started Cacos in Hinche by his working of the

**Emile Bolte:** Formerly an enlisted man in the Marine Corps, and lieutenant in the gendarmerie d'Haiti, and now employed by Baker at St. Michel, Haiti, stated that he was stationed at Fort Libert, Haiti, from some time prior to November 1, 1918, until December 31, 1918; that he heard no one give an order to stop corvée work after the order stopping it had come out. Knew nothing of shooting of prisoners or corvée, but that he forwarded messages during that time from Hinche, signed "Lavoie," and reporting everything quiet.

**Edward J. Sieger:** Formerly an enlisted man in the Marine Corps, and a lieutenant in the gendarmerie d'Haiti, stated, in substance, that he arrived at Hinche about November 10, 1918, and left in two or three days for Thomassique. He was being worked at that time, and continued until Lieutenant Colonel Sieger inspected some time about the 1st of February, 1919. Corvée was being worked under Lieutenant Williams. Stated that on November 1, 1918, he heard Colonel A. S. Williams, United States Marine Corps, at that time chief of the gendarmerie d'Haiti, tell Lavoie "to go out to Hinche and clean it up." That Lieutenant Colonel Williams did not want any provost court prisoners. Lavoie (Lavoie) found any of them that were Cacos, and actually had arms in their possession, to do away with them; that they (the Cacos) had raised a rebellion. Lavoie was away, and that it was time to quiet them down, and to that effect. He further stated that he was in Hinche some time in January, 1919, and heard shots one afternoon; that he asked Pharmacist's Assistant, United States Navy, what they were, and was told it was some men "bumping off," (shooting) prisoners out toward the cemetery on the side of the road near Hinche; that there were six or seven scattered shots. He stated that while he was stationed at Thomassique, near Hinche, that

Major Wells told him to report "everything quiet" and not to make any of the Caco troubles.

Pere Bellot, the Roman Catholic priest at Hinche, stated, in substance, while he had never seen any prisoners shot by marines or gendarmes, he had been told that they were being shot and had heard rifle shots. That Lavole had come to him and had told him that he had boiled and eaten a Haitian named Ciceron Lacroix, and had his skeleton hanging up in (Lavole's) house. Father Beloit further stated that he had gone with him and had seen a skeleton, supposed to be Lacroix. That there had been no rest among the Haitians until Charlemagne Peralte had escaped from Cape Haitien some time in August, 1918; that he (Peralte) had sworn an oath to drive all the whites from the island because the whites had oppressed him by making him sweep the streets of Cape Haitien while a prisoner. Peralte was the leader in the revolt; had gathered the Haitians together, and the discontent among the natives which caused them to join Peralte, and the illegal enforcement of the corvée law after the 1st of October, 1918, prior to that time they had been quiet. He (Father Beloit) was incensed that the articles had appeared in American newspapers attacking the administration of the marines in Haiti, and that he wished to write an article in defense of the marines; that he had lived in Hinche 13 years, and was an exception of the brutalities alleged to have been committed or practiced by Lavole and his subordinates, he had nothing but words of praise for the conduct of affairs under the Americans. He stated that General Catlin had visited him in March, 1919, and that he had told him of these stories of atrocities as he told us.

Patrick F. Kelly: At present an enlisted man in the Marine Corps, stationed as captain in the Gendarmerie d'Haiti, stationed at Grande Riviere, stated: was in Hinche during the first attack on that place made by the Cacos on November 16, 1918; that he was relieved by Lavole about the 1st of November, 1918, and knew nothing about the shooting of prisoners nor working of corvée.

Pliny Daggett: Formerly an enlisted man in the Marine Corps and a sergeant in the Gendarmerie d'Haiti, and now employed on a sugar plantation at Barahona, San Domingo, stated, in substance, that he left Hinche some time in February, 1919; had been stationed there but a few months. He stated some time in January, 1919, six or seven Caco prisoners were taken to a cemetery and shot by Lieutenant Andre, a Haitian officer in the Gendarmerie d'Haiti. States that he knows one Caco was shot by order of Lavole some other time in January, 1919; that all of these men were shot without his knowledge as far as he knew. He saw Freeman Lang some time in November, 1918, at that time Lang was a lieutenant in the gendarmerie, shoot with a machine gun a Haitian prisoner running across the Champ de Mars in Hinche near the tent. Saw a human skeleton hanging over a clothesline back of a house occupied by a medical lieutenant in the gendarmerie named Neuland. Never saw anyone give any orders to shoot prisoners, but did hear Major Wells tell him to report everything quiet some time in November, 1918. He saw corvée working in the Hinche district in January, 1919. Stated that he saw William Williams, an enlisted man in the Marine Corps, and at that time a lieutenant in the Gendarmerie d'Haiti, and now a sergeant of marines confined at Cape Haitien, told him that a man had been wounded in his house in Maitland during a raid by Cacos (this in reference to the alleged murder of a Haitian named Williams). He thinks that no member of the gendarmerie in the district of Hinche would have dared to act on his own responsibility in the matter of shooting prisoners in Hinche. Heard Lavole say that they did not want any prisoners at the department headquarters in Cape Haitien.

Frank Verdler: Now an enlisted man in the Marine Corps and a captain in the Gendarmerie d'Haiti, states that he went through Hinche, stopping some days during the period October 1, 1918, to March 1, 1919; that Major Wells told him to report "everything quiet." Stated that he knew nothing of the shooting of prisoners or working corvée. Verdler further stated that a gunner named "Nick" Carter was stationed at Hinche in November, 1918, with a machine gun. Private Wilhelm, of the Marine Corps, and a Hospital Stewardman of the Navy named Neuland were both stationed at Hinche at that time, and they, together with Carter, if found, should, if possible, have their names taken.

Lieut. Col. Richard S. Hooker, United States Marine Corps, assistant chief of the Gendarmerie d'Haiti, states that he was ordered by General

the conditions at Hinche in February, 1919; that he did so; that he worked on the road to Malssalde, district of Hinche; that he heard of the shooting of prisoners and the fighting taking place between the Marines and the Cacos, notwithstanding the reports from Major Wells that all was quiet; that he wrote a note on a Corona typewriter to General Wells setting forth the result of his investigation; that he kept no copy of his report, but that no record of it could be found in the files of the brigade headquarters at Port au Prince, Haiti. Colonel Hooker further states that General Wells, on leaving Haiti, said to him (Hooker) in substance as follows: "I wonder why I never did anything about the Hinche matter." He stated that "he did," whereupon General Catlin further stated in substance that he did not do anything because it was during the period of the conference at the Versailles treaty, and that he did not wish to embarrass our Government by having stories of cruelty appear about our own soldiers when we were in a position on the side of "humanity," or words to that effect. He stated that he had questioned other marines, but could find out nothing and they all displayed no knowledge of "corvée," or shooting. He stated that if we could find out, there were no rumors of any illegal shooting prior to October, 1918, nor subsequent to March, 1919, except those which are a matter of record in the Judge Advocate General's report of the Navy, in view of the trial of the offenders by general court-martial.

He stated that the instance which occurred at Croix de Boquet, near Port au Prince, involving a marine named Brokaw, he (Brokaw) was adjudged insane by a medical survey and sent back to the United States. He appended hereto eight statements of gendarmes who served in the period October 1, 1918, to March, 1919, relative to the treatment of the prisoners. These statements involve Freeman Lang.

He also appended hereto four statements from gendarmes relative to the treatment of Mr. Garnier Jean by Sergt. Dorcas L. Williams, United States Marine Corps.

He also appended an extract from a letter written by Capt. George D. Williams, United States Marine Corps, to Lieut. Col. R. S. Hooker, United States Marine Corps, relative to orders issued by Major Wells to him (Williams) to shoot the Cacos.

to be a true copy.

H. C. HAINES,  
*Brigadier General, Adjutant and Inspector.*

DECLARATION DU GENDARME MERATUS TOUSSAINT, G. D'H.

CAP-HAITIEN, HAITI, 12 Septembre, 1920.

Je déclare que pendant la première part du mois de Novembre, 1918, quand j'étais au service de la Gendarmerie d'Haiti, servant dans le District de Hinche, j'ai vu le Lieutenant Freeman Lang, G. d'H. prendre deux prisonniers et les tuer mort. Aussi il a attaché un prisonnier dans la machine à écrire sans fil (radio) à Hinche et l'a électrisé pour le forcer de parler.

MERATUS TOUSSAINT,  
*Pvt. G. d'H.*

LIAM R. BUTTON,  
*First Lieutenant Gendarmerie d'Haiti,*  
*Corporal United States Marine Corps.*  
N. BERTOL,  
*Second Lieutenant Gendarmerie d'Haiti,*  
*Corporal United States Marine Corps.*

[Translation.]

STATEMENT OF PVT. MERATUS TOUSSAINT, GENDARMERIE D'HAITI.

During the first part of the month of November, 1918, while I was in the Gendarmerie d'Haiti, serving at Hinche, Haiti, I saw Lieut. Freeman Lang, Gendarmerie d'Haiti, take two Haitian prisoners out of prison

and shoot them dead. Also he attached one prisoner to the radio  
Hinche and electrocuted him to force him to talk.

MERATUS TOUSSAINT  
Private

Certified a true translation.

LOUIS N. BERTOL  
Second Lieutenant Gendarmerie d'Haiti  
Corporal United States Marine Corps

Certified to be a true copy.

H. C. HARRIS  
Brigadier General, Adjutant and Inspector

DECLARATION DE CARMELUS MONFISTON, PRIVATE, GENDARMERIE D'HAÏTI

Durant le mois de Novembre 1918, pendant que j'étais simple soldat  
Gendarmerie d'Haïti, attache au District de Hinche, Haïti. Je vis le  
Lieutenant Freeman Lang de la Gendarmerie d'Haïti permettre a un prisonnier  
du nom de Descarte de sortir de la prison. Il lui dit qu'il pouvait aller  
qu'il était relaxe, quand le dit prisonnier était a une certaine distance  
Lieutenant Freeman Lang commença a tirer sur le dit Descarte avec une  
mitrailleuse. Le prisonnier tomba et mourut et alors le fit enterrer avec  
autres prisonniers.

CARMELUS MONFISTON  
Carmelus Monfiston

Temoins:

WILLIAM R. BUTTON,  
First Lieutenant, Gendarmerie d'Haïti,  
Corporal, United States Marine Corps.

LOUIS N. BERTOL,  
Second Lieutenant, Gendarmerie d'Haïti,  
Corporal, United States Marine Corps.

[Translation.]

STATEMENT OF CARMELUS MONFISTON, PRIVATE, GENDARMERIE D'HAÏTI

During the month of November, 1918, while I was a private in the  
Gendarmerie d'Haïti, serving at Hinche, Haïti, I saw Lieut. Freeman Lang of the  
Gendarmerie d'Haïti, allow a prisoner named Descart to come out of the prison.  
then he told the prisoner that he could go, that he was released. When the  
prisoner has reached a certain distance Lieut. Freeman Lang began  
firing at him with a machine gun. The prisoner fell and died. I  
had two other prisoners bury him.

CARMELUS MONFISTON  
Private, Gendarmerie d'Haïti

Certified a true translation.

LOUIS N. BERTOL,  
Second Lieutenant, Gendarmerie d'Haïti,  
Corporal, United States Marine Corps.

Certified to be a true copy.

H. C. HARRIS  
Brigadier General, Adjutant and Inspector

DECLARATION DE MARC LORQUET, PRIVATE, GENDARMERIE D'HAÏTI

Durant les premiers jours du mois de Novembre 1918, pendant que j'étais  
dans la Gendarmerie d'Haïti et attache au district de Hinche, Haïti,  
Lieutenant Lang de la Gendarmerie d'Haïti prendre un prisonnier du  
nom de Ademar de la prison de Hinche avec intention de l'exécuter.

ut place devant le bureau de la Gendarmerie ou il fut execute par Lang a l'aide d'une mitrailleuse.

MARC LORQUET, *Pvt. G. d'H.*

AM R. BUTTON,  
*First Lieutenant Gendarmerie d'Haiti,*  
*Corporal United States Marine Corps.*

N. BERTOL,  
*Second Lieutenant Gendarmerie d'Haiti,*  
*Corporal United States Marine Corps.*

[Translation.]

STATEMENT OF MARC LORQUET, PRIVATE, GENDARMERIE D'HAITI.

In the first part of the month of November, 1918, while a private in the Gendarmerie d'Haiti, serving in the district of Hinche, Haiti, I saw Lieutenant Freeman Lang, Gendarmerie d'Haiti, take a Haitian prisoner named Adecar out of confinement from the prison at Hinche and purposely execute him on the grounds of the barracks with an automatic machine gun.

MARC LORQUET,  
*Private, Gendarmerie d'Haiti.*

is a true translation.

LOUIS N. BERTOL,  
*Second Lieutenant, Gendarmerie d'Haiti,*  
*Corporal, United States Marine Corps.*

to be a true copy.

H. C. HAINES,  
*Brigadier General, Adjutant and Inspector.*

DECLARATION DU GENDARME PETIT DO BRAVE, G. D'H.

CAP HAITIEN, HAITI, 12 Setembre, 1920.

Les derniers jours du Mois d'Octobre et premiere part du mois de 1918, quand je servais comme soldat de la Gendarmerie d'Haiti dans le district de Hinche, Haiti, J'ai vu Lieutenant Freeman Lang, g. d'h., prendre cinq prisonniers qui ont ete emprisonnes dans la prison de Hinche et execute devant la caserne a Hinche avec un fusil automatique. Ces prisonniers etaient pas tous tues d'un seul coup mais comme ils etaient des captifs, ils ne pouvaient pas parler.

———— (his x mark) ————  
*Private G. d'H.*

AM R. BUTTON,  
*First Lieutenant Gendarmerie d'Haiti,*  
*Corporal, United States Marine Corps.*

N. BERTOL,  
*Second Lieutenant, Gendarmerie d'Haiti,*  
*Corporal, United States Marine Corps.*

[Translation.]

STATEMENT OF PVT. PETIT DO BRAVE, GENDARMERIE D'HAITI.

In the last part of October and the first part of November, 1918, while I was a private in the Gendarmerie d'Haiti in the district of Hinche, Haiti, I saw Lieutenant Freeman Lang, Gendarmerie d'Haiti, take five prisoners who were confined in the prison at Hinche and execute them on the ground in the barracks at Hinche with an automatic rifle. These men were not all killed at one time, but as they were captured, and were shot because they would not talk.

PETIT DO BRAVE,  
*Private Gendarmerie d'Haiti.*

is a true translation.

LOUIS N. BERTOL,  
*Second Lieutenant Gendarmerie d'Haiti,*  
*Corporal United States Marine Corps.*

to be a true copy.

H. C. HAINES,  
*Brigadier General, Adjutant and Inspector.*

## DECLARATION DU SOLDAT ST. MARTIN PIERRE, GENDARMERIE D'HAÏTI.

CAPE HAITIEN, HAÏTI, 12 Septembre 1918.

Dans le premier part du mois de Novembre, 1918, quand j'étais soldat dans le District de Hinche, Haïti, j'ai vu personnellement le Lieutenant man Lang, Gendarmerie d'Haïti, prendre un prisonnier Haïtien de la Hinche et l'amener sur la place appelée "Lot," justement hors du Hinche, et le tuer avec un fusil.

— (his x mark) —  
Private Gendarmerie d'Haïti.

Temoins:

WILLIAM R. BUTTON,  
First Lieutenant, Gendarmerie d'Haïti,  
Corporal, United States Marine Corps.

LOUIS N. BERTOL,  
Second Lieutenant, Gendarmerie d'Haïti,  
Corporal, United States Marine Corps.

[Translation.]

## STATEMENT OF PRIVATE ST. MARTIN PIERRE, GENDARMERIE D'HAÏTI.

In the first part of the month of November, 1918, while I was a soldier serving in the district of Hinche, Haïti, I personally saw Lieut. Freeman Lang, Gendarmerie d'Haïti, take a Haïtien prisoner out of the prison at Hinche and lead him to a place called "Lot," just outside of the town of Hinche, and shoot him dead with a rifle.

ST. MARTIN PIERRE,  
Private Gendarmerie d'Haïti.

Certified a true translation.

LOUIS N. BERTOL,  
Second Lieutenant, Gendarmerie d'Haïti,  
Corporal, United States Marine Corps.

Certified to be a true copy.

H. C. HAINES,  
Brigadier General, Adjutant and Inspector.

## DECLARATION DE SIMEON GABEAU, PRIVATE, GENDARMERIE D'HAÏTI.

Durant le mois de Fevrier ou Mars, 1919, j'ai vu Mr. Gagnier Jeune appelé par le Lieutenant Doras S. Williams au bureau de la Gendarmerie. Après une courte discussion, Lieutenant Williams commença par le battre. Mr. Gagnier tomba par terre et mourut quelque peu de temps apres. Il fut enterreé à la Caserne.

SIMEON GABEAU,  
Private, Gendarmerie d'Haïti.

Temoins:

WILLIAM R. BUTTON,  
First Lieutenant Gendarmerie d'Haïti,  
Corporal United States Marine Corps.

LOUIS N. BERTOL,  
Second Lieutenant Gendarmerie d'Haïti,  
Corporal United States Marine Corps.

[Translation.]

## STATEMENT OF SIMEON GABEAU, PRIVATE, GENDARMERIE D'HAÏTI.

During the month of February or March, 1919, I saw Mr. Gagnier Jeune called before Lieut. Doras S. Williams at the gendarmerie barracks. After a short discussion Lieutenant Williams began beating Mr. Gagnier.

ground and died shortly afterwards and was buried near the

SIMEON GABEAU,  
Private, Gendarmerie d'Haiti.  
true translation.

LOUIS N. BERTOL,  
Second Lieutenant Gendarmerie d'Haiti,  
Corporal, United States Marine Corps.

to be a true copy.

H. C. HAINES,  
Brigadier General, Adjutant and Inspector.

DECLARATION DU SERGENT EUCHER JEAN, G. D'H.

CAP-HAITIEN, HAITI, 12 Septembre, 1920.

Quelques jours durant la première part du mois de Novembre, 1918, quand  
lieutenant Sergeant de la Gendarmerie d'Haiti servant dans le district de  
Hinche, J'ai vu le Lieutenant Freeman Lang, G. d'H., pendre un haïtien  
sonnant nommé Teka hors de la prison dans le bourg de Hinche,  
et l'exécuter avec une mitrailleuse.

EUCHER JEAN,  
Sgt. G. d'H.

AM R. BUTTON,  
First Lieutenant, Gendarmerie d'Haiti,  
Corporal, United States Marine Corps.

D. BERTOL,  
Second Lieutenant, Gendarmerie d'Haiti,  
Corporal, United States Marine Corps.

[Translation.]

STATEMENT OF SERGT. EUCHER JEAN, GENDARMERIE D'HAITI.

During the first part of the month of November, 1918, while I  
was lieutenant in the gendarmerie d'Haiti, serving in the district of Hinche,  
the Lieut. Freeman Lang, Gendarmerie d'Haiti, take a Haitian who  
was named Teka, out of the prison in the town of Hinche, and pur-  
sue him with a machine-gun rifle.

ST. EUCHER JEAN,  
Sergeant, Gendarmerie d'Haiti.

to be a true translation.

LOUIS D. BERTHOL,  
Second Lieutenant, Gendarmerie d'Haiti,  
Corporal, United States Marine Corps.

to be a true copy.

H. C. HAINES,  
Brigadier General, Adjutant, and Inspector.

DECLARATION DE CLEOMENE ROUCHON, PRIVATE, GENDARMERIE D'HAITI.

Quelques jours durant le mois de Novembre 1918 pendant que j'étais simple soldat dans la  
Gendarmerie d'Haiti, j'étais emprisonné dans la prison de Hinche pour six  
mois. Le Lieutenant Freeman Lang de la Gendarmerie d'Haiti avait un prison-  
nier nommé Descarte dans la prison. Il le relâcha et lui dit qu'il pouvait  
aller chez lui, quand il était à une courte distance de lui, Lieutenant Free-  
man Lang de la Gendarmerie d'Haiti, tira sur lui à l'aide d'une mitrailleuse et  
il fut enterré le même jour.

CLEOMENE ROUCHON, Pvt. G. d'H.

AM R. BUTTON,  
First Lieutenant, Gendarmerie d'Haiti,  
Corporal, United States Marine Corps.

D. BERTOL,  
Second Lieutenant, Gendarmerie d'Haiti,  
Corporal, United States Marine Corps.

[Translation.]

## STATEMENT OF CLEOMENE BOUCHON, PRIVATE GENDARMERIE D'HAÏTI.

During the month of November, 1918, while a private in the Gendarmerie d'Haïti, I was confined in the prison at Hinche for six days. Lieutenant Freeman Lang, Gendarmerie d'Haïti, had a prisoner named Descarte released from prison and told him that he could go home. When the prisoner arrived at a distance away Lieutenant Freeman Lang, Gendarmerie d'Haïti, fired with a gun and killed Descarte, who was buried the same day.

CLEOMENE BOUCHON  
Private, Gendarmerie d'Haïti.

Certified a true translation.

LOUIS D. BERTON  
Second Lieutenant, Gendarmerie d'Haïti  
Corporal, United States Marine Corps.

Certified to be a true copy.

H. C. HARRIS  
Brigadier General, Adjutant, and Inspector General.

## DECLARATION DU CAPORAL JOSEPH PETIT FRERE, G. D'H.

CAPE HAITIEN, le 12 Septembre 1919.

Durant le Mois de Fevrier ou Mars 1919 quant j'etais soldat dans la Gendarmerie d'Haïti a Maïssade, Haïti, Lieutenant Doras L. Williams a fait venir Mr. Garnier Jean aupres de lui dans le Bureau de la Gendarmerie. Il y a eu une tres courte discussion avec Mr. Garnier, Lieutenant Williams bat Mr. Jean qui mourut une demi heure apeu pres apres, et l'a fait enterrer dans la cour du Bureau de la Gendarmerie.

JOSEPH PETIT FRERE  
Caporal.

Temoins:

WILLIAM R. BUTTON  
First Lieutenant Gendarmerie d'Haïti  
Corporal United States Marine Corps.  
LOUIS N. BERTON  
Second Lieutenant Gendarmerie d'Haïti  
Corporal United States Marine Corps.

[Translation:]

## STATEMENT OF CORPL. JOSEPH PETIT FRERE, GENDARMERIE D'HAÏTI.

CAPE HAITIEN, HAÏTI, September 12, 1919.

During the month of March or February, 1919, while a private in the Gendarmerie d'Haïti at Maïssade, Haïti, Lieut. Doras L. Williams had Mr. Jean brought before him to the gendarmerie office, and after a short discussion with Mr. Garnier, Lieutenant Williams beat Mr. Garnier Jean, who died one-half an hour afterwards, and had him buried very close to the gendarmerie barracks.

JOSEPH PETIT FRERE  
Corporal Gendarmerie d'Haïti.

Certified a true translation.

LOUIS N. BERTON  
Second Lieutenant Gendarmerie d'Haïti  
Corporal United States Marine Corps.

Certified to be a true copy.

H. C. HARRIS  
Brigadier General, Adjutant and Inspector General.

## DECLARATION DU SERGENT SANDOVIDILUS FRANCISCO, G. D'H.

CAPE HAITIEN le 12, Septembre 1919.

Dans le mois de Mars, 1919 le Lieutenant Williams a envoyé le Notaire Ganier par le Sergent Carlus Absolu afin que le dit Notaire Jean viennert aupres de lui dans son Bureau. Quand Mr. Garnier Jean est venu, le Juge de Paix de Maïssade, Ludovic Bretoux etait present et a fait

it. Le Lieutenant Williams maintenant demande a Mr. Garnier Juge de Paix qu'il n'avait nul droit de condamner deux habitants s gourdes d' amende, an que lui, le Notaire Garnier, doit ecrire a ice pour protester contre tel etat de choses. Mr. Garnier a re- a jamais dit cela. Le Juge de Pax qui etait present declare Garnier l'a dit. Le Lieutenant Williams a donne une plume et une pler a Mr. Garnier et lui dit d'ecrire a Port au Prince, et en meme tenant prit un baton et commence a battre Mr. Garnier, apres qu'il tre Mr. Garnier, Mr. Garnier tomba et rendit l'ame apres une demi du Bureau. Ce temps la j'etais Sergent de la Gendarmerie d'Haiti. Williams s'appelle Doras L. Williams.

FRANCISCO SANDOVILUS, *Sgt. G. d'H.*

AM R. BUTTON,  
*First Lieutenant, Gendarmerie d'Haiti,*  
*Corporal, United States Marine Corps.*

N. BERTOL,  
*Second Lieutenant, Gendarmerie d'Haiti,*  
*Corporal, United States Marine Corps.*

[Translation.]

of Sergeant Sandovillus Francisco, Gendarmerie d'Haiti.  
month of March, 1919, Lieutenant Williams sent Sgt. Carius li the notary, Mr. Garnier Jean, to come to the lieutenant's office. arnier arrived, the judge de paix of Malssade, Ludovic Bretoux, was had made a report to the lieutenant. Lieutenant Williams then arnier if he had told the juge de paix that he had no right to sen- habitants to 400 gourdes fine, and that he would write to Port au protest against this. Mr. Garnier answered that he did not. The , who was present, then said that Mr. Garnier had said those things. nant Williams gave Mr. Garnier a pen and a sheet of paper and write to Port au Prince, he also took a stick and commenced to rnier; after he got through beating him, Mr. Garnier fell down and hour later in the office. At that time I was Sergeant in the gendar- ti. Lieutenant Williams's name is Doras L. Williams.  
a true translation.

LOUIS N. BERTOL,  
*Second Lieutenant, Gendarmerie d'Haiti.*

to be a true copy.

H. C. HAINES,  
*Brigadier General, Adjutant and Inspector.*

DECLARATION DU SERGENT CARIUS ABSOLU, G. D'H.

CAP HAITIEN, HAITI, le 12 Septembre, 1920.

e mois de Mars, 1919, Lieutenant Williams envoient deux habitants e de Paix pour etre juge, et il donne ordres au Juge de Paix de ces deux habitants a Quatre cents gourdes d'amende chacun. Un ps apres, le meme jour, le Juge de Paix vient aupres du Lieutenant que Mr. Garnier Jean a proteste contre l'amende de Quatre cents ononce contre ces gens, et que Mr. Garnier a dit qu'il doit ecrire a ince pour protester contre cette action. Lieutenant Williams main- avoit appeler Mr. Garnier Jean qui se rendit immediatement aupres ant. Le Lieutenant Williams demanda a Mr. Garnier que si lui, r, a dit ces sortes de choses au Juge de Paix. Mr. Garnier repondit e Juge de Paix, Mr. Ludovic Bretoux qui etait present dit que Mr. it ces mots. Le Lieutenant Williams maintenant commence a battre er avec un baton et il tomba par terre et mourut a peu pres une e de temps apres. Ce temps la j'etais Sergent de la Gendarmerie eutenant Williams s'appelle Doras L. Williams.

CARIUS ABSOLU, *Sgt. G. d'H.*

LIAM R. BUTTON,  
*First Lieutenant Gendarmerie d'Haiti,*  
*Corporal, United States Marine Corps.*

is N. BERTOL,  
*Second Lieutenant Gendarmerie d'Haiti,*  
*Corporal, United States Marine Corps.*

"1. Question. State your name and rank.

"Answer. Harold Roy Wood, corporal, United States Marine Corps, Gendarmerie d'Haiti.

"2. Question. During the month of January, while at Hinche did any one shoot or attempt to shoot any native prisoners?

"Answer. No.

"3. Question. At any time in Hinche did you see any one shoot or attempt to shoot any native prisoners?

"Answer. No."

2. A radio has been sent informing you of this matter.

T. C. TAYLOR

Certified to be a true copy.

H. C. HAINES

*Brigadier General, Adjutant, and Inspector*

# EXHIBIT No. 5.

## BRIGADE GENERAL COURT-MARTIAL ORDER NO. 2.

### HEADQUARTERS FIRST PROVISIONAL BRIGADE

UNITED STATES MARINE CORPS

*Port au Prince, Haiti, March 5, 1917.*

1. Anthony Rogoski, private, United States Marine Corps, was tried by a general court-martial on March 19, 1917, at Les Cayes, Haiti, by order of the brigade commander, upon the charge of "manslaughter."

### FINDING.

"The court found the specification on the charge not proved, and the accused, Anthony Rogoski, private, United States Marine Corps, is charged not guilty, and the court does therefore honorably acquit Anthony Rogoski, private, United States Marine Corps, of the charge."

### ACTION OF THE CONVENING AUTHORITY.

"The proceedings, finding, and acquittal of the general court-martial in the foregoing case of Anthony Rogoski, private, United States Marine Corps, is approved, and he will be released from confinement and restored to duty."

ELI K. COLE

*Brigadier General, United States Marine Corps*

*Commanding First Provisional Brigade, United States Marine Corps*

A true copy.

[SEAL.]

R. S. HOOKER

*Assistant Chief, Gendarmerie d'Haiti*

*Lieutenant Colonel, United States Marine Corps*

# EXHIBIT 6.

## HEADQUARTERS UNITED STATES MARINE CORPS

*Washington, October 21.*

From: The Major General Commandant.

To: Judge Advocate, court of inquiry, Navy Department.

Subject: Data and papers for court.

Reference: (a) M. G. C. letter of October 19, 1920.

1. In accordance with reference (a) there are inclosed herewith the following named papers for the use of the court inquiry of which you are advocate:

Brig. Gen. E. K. Cole's report of May 17, 1917, copy.

Col. John H. Russell's report of investigation held under the major commandant's order of September 27, 1919, copy.

Maj. Gen. L. W. T. Waller's report, received September 24, 1920, copy.

Brig. Gen. Albertus W. Catlin's report of September 20, 1920, copy.

2. There are no other papers bearing on the subject matter of the inquiry in the files of this office so far as now known.

H. C. HAINES

(By direction)

OFFICE OF THE SECRETARY OF THE NAVY,  
October 2, 1920.

in for General LEJEUNE:

etary requested that I refer to you the attached correspondence  
d Catlin in regard to conditions in Haiti during the period of his

JOHN R. MAY,  
Confidential Clerk.

ndence attached.)  
to be a true copy:

H. C. HAINES,  
ier General, Adjutant, and Inspector, United States Marine Corps.

NAVY DEPARTMENT,  
Washington, September 28, 1920.

GENERAL: I wish to acknowledge receipt of your letter of September  
g conditions in Haiti from December 1, 1918, to July 15, 1919.  
rely yours,

JOSEPHUS DANIELS.

L. A. W. CATLIN,  
d States Marine Corps (Retired), Washington, D. C.

to be a true copy:

H. C. HAINES,  
idier General, Adjutant and Inspector, United States Marine Corps.

NAVY DEPARTMENT,  
Washington, September 18, 1920.

GENERAL: A number of statements have appeared to the effect that  
s in Haiti have been guilty of cruelty and barbarity in their dealings  
aitians and that 3,000 Haitians have been killed and some of them  
a way that is dishonorable to the American occupation. I have  
eneral Barnett and General Lejeune, who is now in Haiti, to prepare  
t of the true conditions in Haiti and of the true work of the marines,  
y incident of any actions by them against the bandits and attacks  
ilts; of the capture and execution of Haitians and for what purpose.  
to have a statement which I can make public, giving the true facts  
d when you were in command of the marines in Haiti from December  
September 28, 1919. I wish you to give specific instances and to give  
as they were. If any marine was guilty of conduct unbecoming the  
sh you to state it and the specific method used, and I wish you to  
ic details of the number of Haitians killed while you were in com-  
whether in action or for what reasons they met their death; if there  
punishments touching their bodies which were imposed. In a word,  
i to write me a statement giving the real situation with the whole  
facts while you were in command of the marines in Haiti. There is  
ad criticism of the actions of the marines in Haiti and the only  
an make to it is to let the people have the truth and the whole truth.  
et me have this statement at as early a date as possible. General  
ill be back from Haiti in the course of 10 days, and I wish to give  
ments to the public as soon as possible.  
rely yours,

JOSEPHUS DANIELS.

n. A. W. CATLIN (Retired),  
Washington.

I to be a true copy:

H. C. HAINES,  
jadier General, Adjutant and Inspector, United States Marine Corps.

WASHINGTON, D. C., September 1, 1920.

From: Brig. Gen. A. W. Catlin, United States Marine Corps (Ret.).

To: The Secretary of the Navy.

Subject: Conditions in Haiti from December 1, 1918, to July 15, 1919.

Reference: (a) Letter from the Secretary of the Navy dated September 1, 1920.

1. In compliance with reference (a), I respectfully submit the following report in regard to conditions in Haiti during the period I was in command of the First Brigade of marines stationed there, from December 1, 1918, to July 15, 1919.

"I relieved Col. John H. Russell, United States Marine Corps, in command of the First Brigade of marines on December 1, 1918. At that time the country was quiet, except in the mountainous district around Hinche, where a band of bandits were operating under the leadership of Charlemagne, a former Caco leader. Peralte had escaped from the prison at Cap-Haïtien in September. This band had attacked the gendarme post at Hinche and when I took command gendarmes were in the field trying to run the band down. At this time the marines were stationed at but three places: two companies at Port au Prince, three companies at Cape Haïtien, and one at Ouanaminthe. The bandits increased in numbers and new bands were formed. A number of attacks were made on small gendarme posts, several being killed, a number captured, and a number of rifles and ammunition captured.

"The gendarmes continued operations against the bandits until the middle of March, 1919, when the chief of gendarmes reported to me that the limited number of gendarmes he could keep in the field he was unable to make any headway against the increasing number of bandits. I then moved the marines into the field with Lieut. Col. R. S. Hooker in command.

"Before commencing operations an attempt was made to induce as many of the bandits to come in and give themselves up; notice was given to the camps by means of market women, by the priests, and spread among the natives; during the next 10 days several hundred came in and were given certificates of protection.

"Orders were issued to all officers and marines to attempt to gain the confidence of the natives, to treat them kindly, and to protect as far as possible peaceful inhabitants, and to the best of my knowledge these orders were carried out.

"The bandits operated only in the mountains, where there are many trails and the trails are very difficult and at times almost impassable. The band remained in its own district, where all the trails and hiding places were known to them, and it was found that the only way that they could be driven out was by means of small patrols from the different towns converging on the reported camp and jumping it at daylight; this required night marches in many cases patrols were required to remain out a week at a time, hungry, footsore, and thoroughly exhausted.

"The duty performed by these marines was the hardest, most arduous that I have ever known troops to be called upon to perform, and it was invariably performed with the pluck, good nature, and thoroughness that have always shown.

"It is impossible for me to state the exact number of natives killed by marines, as all data and daily reports are in the office of the brigade commander at Port au Prince, but approximately 300 were reported killed from December 1, 1918, to July 15, 1919, when I left Haiti. These were all killed in action with armed bands, except in the following cases:

"(1) A native was arrested at Croix de Bouquet by gendarmes, taken out and executed the same night by orders of Lieutenant Brokaw, a gendarme. Two marines who were on duty as telephone guards were members of the firing squad; these men were tried by court-martial. Lieutenant Brokaw was placed under arrest, but was not tried, as he pronounced him insane after having him under observation for several days.

"(2) Lieutenant Ryan was reported to have killed two natives near Riviere. He was undergoing trial by general court-martial when I left but I have been informed that he was acquitted.

"When I took command I was informed by Colonel Russell that corvée had been abolished the previous October. In January, 1919, rumors came to me that corvée labor was still being employed in the Hinche district.

lieutenant Colonel Hooker to go to Hinche and investigate. He reported he found corvée labor at Malssade and Hinche, the road gangs under gendarme guards. The chief of gendarmes and Maj. Clark who was northern district commander, both denied this. I then proposed to get a personal knowledge of conditions, being accompanied by two gendarmes.

At Malssade I found a road gang of about 45 men working under guard. I met each member of them, and all but one stated that they were working of their will but were being paid one gourd per day; they were not taken by force, but had been directed to report for work by either the chief of section. I found similar methods had been used at

I reviewed the local priests, native officials, and other natives in the towns; I found the priests were very bitter against the gendarmes; and that many natives had been driven to join the bandits through fear of the gendarmes. They also stated that a number of prisoners had been shot at Hinche. Captain Lavoie, of the gendarmes, admitted that bandit prisoners who had made several attempts to escape had been and shot by gendarmes.

I am satisfied that the gendarmes in that district had lost the confidence of the natives, and I directed that the officers and gendarmes be transferred to another place and replaced by others from a quiet section.

In discussing the case for several hours with the chief of the gendarmes against a court-martial in the case of Captain Lavoie, but directed the gendarmes to take steps to get rid of both Captain Lavoie and Lt. Williams, who was on duty at Malssade, as they were unfitted to continue as gendarme officers.

A number of cases were reported where individual marines were accused of crimes; each case reported was investigated; and, if found guilty, the marines were punished by court-martial.

I found that the peaceful population throughout the country placed great confidence in the marines and felt that they would always get square treatment. This was shown by the requests from different towns to have marines stationed there. Only political opponents of the Government and law-abiding persons objected to their presence."

A. W. CATLIN.

Is to be a true copy:

H. C. HAINES,  
*Brigadier General, Adjutant and Inspector,  
United States Marine Corps.*

OFFICE OF THE SECRETARY OF THE NAVY,  
October 2, 1920.

Memorandum for General LEJEUNE:

The Secretary asks that I refer to you the attached correspondence with General Waller concerning the work of the marines in Haiti while he was in Haiti.

JOHN R. MAY,  
*Confidential Clerk.*

The correspondence attached.

NAVY DEPARTMENT,  
Washington, September 28, 1920.

DEAR GENERAL: I wish to acknowledge receipt of your letter of recent date regarding the work of the marines in Haiti. Very sincerely yours,

JOSEPHUS DANIELS.

Gen. L. W. T. WALLER,  
*United States Marine Corps (retired), Philadelphia, Pa.*

Is to be a true copy.

H. C. HAINES,  
*Brigadier General, Adjutant and Inspector  
United States Marine Corps.*

From: Maj. Gen. L. W. T. Waller, United States Marine Corps, retired.  
To: The Secretary of the Navy.

Subject: Treatment of Haitians by marines, August 15, 1915, to November 10, 1916.

Reference: (a) Letter of the Secretary of the Navy, September 18, 1916.

Replying to reference (a) I have the honor to state that there is no fact or fancy for the charge of cruelty to the Haitians by marines. I was in command between the dates mentioned above, i. e., August 15 to November 10, 1916, or to be more specific, January 10, 1917, when I was removed from the command formally, although I had been away from Haiti on November 10, 1916.

The first incident of armed hostility occurred about the first part of the month at Gonaïves, where a force of rebels cut the water mains supply to the town and menaced the city. I went in person to the place, saw the representative of the commanding general, Rameau, who styled himself the "President of war" of President Bobo, and placed the situation carefully before him. I effected this was that Sudre Dartiguenave had been properly elected President of Haiti and we, the Americans, would support him in maintaining the island in establishing a firm government. As fear had been expressed that the Americans would seize land and hold it, I explained that not an inch of Haitian soil would be taken by American troops except under exigencies of war, and under these circumstances proper remuneration would be made. At the time it was so occupied. I warned them that I was on my way to the chiefs of the revolution near Cape Haïtien, but would return within a few days and if the water mains were interfered with again I would send a column of aggressors and punish them severely. The talk impressed them and I left Cape Haïtien.

I found that we held Cape Haïtien itself, but the rebels held all the territories outside in the north of Haiti. Communicating with the chiefs I arranged a meeting at a point 8 miles from Cape Haïtien. The rebels proposed that only three persons should come out, one an interpreter. My officers proposed this, but I replied that I would meet them, bringing two persons with me. I went out, taking Colonel Cole and an interpreter, and met the President Bobo, Antoine Morancy, and Petion Jean Baptiste and 35 other generals. They explained our presence in Haiti, our plans and purposes, and stated that I was authorized by the President of Haiti to conclude an honorable peace with them. I explained most earnestly that our efforts were for the benefit of the people and that peace and prosperity must return to the island. They agreed and observed their agreements. My statements were received with shouts of "We want Bobo." Bobo had been forced into the presidency by the Cacos after the murder of the President and the violation of the French constitution.

I explained that Doctor Bobo had left the island at his own request, as far as we were concerned, could return when he chose. They claimed that Bobo was held a prisoner. I explained that he had left Port au Prince, Jamaica and subsequently went to Cuba and was at that time perfectly free in Santiago de Cuba.

I asked them to think over the proposition and let me know in the meantime what they proposed doing. In the meantime I told them I would build a railroad to Grande Rivière, which had not been operated for many years. The road was the property of the National City Bank of New York. The rebels protested that we held Cape Haïtien but they held the surrounding territory and would not permit the road to be operated. I explained that I would run at 8 o'clock the next morning and I would be glad to take all of them on the trip. In the morning taking two squads (16 men each), officers, a representative of the railroad, two flat cars ahead with material, sandbags, etc., the locomotive and a combination baggage and passenger coach, the train left. One machine gun was on the second flat car, followed by sandbags and another in the baggage section of the combination coach.

The rebels were very menacing but did not fire. Our men were cool and laughing. Large numbers of mounted rebels gathered following the train, which was obliged to proceed very slowly by a parallel road. When the cross road to Quatier Morin, Petion Jean Baptiste appeared and demanded that we return immediately. I declined and repeated my invitation to accompany us. A little later they derailed the first two cars, having cut the two rails. The track was so overgrown with grass that it was impossible

ne only damage done was to spread all the marine officers over the I alone remaining on the first car. The rebels were very menacing about 50 yards from us with about 200 men. I took one squad to natives, the machine guns moving around over different groups, cov- n. The other squad replaced the rails and put the cars back on the the meantime the rebels disappeared. I returned to Cape Haitien, e out of water; renewed our supply, took two more squads of men and gain at 2 p. m. for Grande Riviere. On the way I received a message on Jean Baptiste had sent word to the general at Grande Riviere to is. We reached Grande Riviere at 10 o'clock at night, the mountains sounding with the notes of the conch shells signals assembling the there was no overt act on the part of the rebels. In the morning I the general and explained that the train would run twice a week to coffee and to get food supply for Cape Haitien, the people there being t of food. I simply and firmly assumed that there would be no oppo-

ing to Cape Haitien I received a message that the rebels wished to come again. After much difficulty they consented to come into Cape They then agreed to the terms of the peace which had been approved resident of Haiti and the commander in chief of the cruiser squadron.

CAPE HAITIEN, HAITI,  
September 29, 1915.

ment between Col. L. W. T. Waller, United States Marine Corps, com- United States expeditionary forces on shore, representing the United id the Haitian Government, and Gens. Antoine Morency and Jn. Bap- ion, representing the Cacos of Haiti.

#### PART 1.

s hereby agreed on the parts of the Caco chiefs, as follows:  
o disarm immediately, turning in all arms and ammunition at Quartier

aco chiefs and men to go to their homes, not to oppose in arms the pres- ernment of Haiti, not to interfere with the railroads, commerce, agri- and industries of the country.  
aco chiefs agree to send delegation to Port au Prince to consult and ith the Dartiguenave government concerning participation in the civil ent of Haiti and to abide by such terms as may be agreed upon.  
acos found in arms against present Government after signing of this nt to be treated as bandits.

#### PART 2.

is hereby agreed, on the part of the United States and Haitian Gov- s—  
hat the general amnesty granted by the Haitian Government to those s now in arms be guaranteed by the United States forces to all Cacos in their arms and observing the requirements laid down in part 1.  
The United States expeditionary forces agree to guarantee the terms ith the Dartiguenave government as may be agreed upon, as indicated part 1, such terms being consistent with the mission of the United and any treaty made between the United States and Haiti.  
That when practicable, Cacos who have observed part 1 may have rep- ion in such constabulary of police as may be organized in Haiti.

LITTLETON W. T. WALLER.

ESS:  
LI COLE.

ANT. MORENCY.  
P. JN. BAPTISTE.

ESS:  
J. ZAMOR.  
ie copy:

CHAS. G. LONG,  
Lieutenant Colonel, Marine Corps, Chief of Staff.

Arrangements were made for the surrendering of arms, ammunition, and the payments to the chiefs of the money due to them and to the indemnity for their arms, etc.

Taking Major Butler, now Brigadier General Butler, I returned to Port au Prince.

Before leaving Cape Haitien, I received the following telegram from President of Haiti:

PORT AU PRINCE  
October 1, 1916

Colonel WALLER: Confirme Sans fils hier Soir approuvant comme vous l'arrangement Sultant notre conversation.

DARTIGUENAVE  
President of Haiti

I also left orders that patrols be sent out daily, covering a radius of ten miles around Cape Haitien to continue the good effect of the opening of the road and the execution of the terms of the treaty.

I have gone into this detail to show the situation at this time and to throw light upon subsequent happenings.

I placed a garrison at Fort Liberte, marched to, and relieved the garrison at Ouanaminthe, which had continued for more than a year, relieved the garrison by a company of marines, and after clothing and feeding them brought them to Fort Liberte for transportation by Government train to their homes. Arriving at Gonaives, I found the rebels still aggressive. Major Butler, telling him to open the short railroad there, and then came to Port au Prince. I gave him three days to clear up the situation at Gonaives. The rebels attacked, but were driven off with the loss of some and some wounded, who escaped.

The Secretary of War Rameau surrendered, and was paroled by the Government for a period of one year.

Not receiving reports from Cape Haitien as I had directed, I sent a patrol to find out the cause. There appeared to be some question of jurisdiction, which was quickly disposed of by the commander of the cruiser squadron. On September 25, 1916, I received a radio to the effect that my instructions would be carried out. On September 26, a radio announced that two of my patrols in different directions had been ambushed and 10 men wounded. I proceeded immediately to Cape Haitien, summoned the Caco generals and was informed that they had had no hand in the attempt. The estimated casualties of the Haitians were 40, but only four bodies were found. The peace agreement was formally signed September 29.

A little later word came into Gonaives that a convent of the Sacred Heart in a town to the north and east had been violated by a band of rebels. The self-styled Secretary of War Rameau, who had surrendered and been paroled by me.

I sent Major Underwood and a mounted column to the place. The rebels in force attacked but were driven off. We lost a first sergeant killed in the first fire, and one man slightly wounded. The Haitian casualties were 10 killed; no wounded were found.

I captured the Secretary of War Rameau in Port au Prince. Although the Haitian Government wished him executed I refused. He was tried and sentenced to 20 years imprisonment at hard labor. He was recaptured and 5 years added to his term. I have heard recently that he is one of the trustees in the prison.

I brought Major Butler to Port au Prince for the purpose of nature. I had in mind locating the rebels in the mountains of the north. I sent with a mounted column on a reconnoissance through the mountains of the north to locate, if possible, the Cacos or bad men of the rebels. The new force was very aggressive. The reconnoissance covered a distance of about 100 miles and was most successful. At one point, just at nightfall, they were attacked by a large force of Cacos and would probably have suffered greatly from an accident of ground. The Cacos attacked just as the column had crossed a stream and was working up a worn, deep trail. The fight lasted through the night, the small column surrounded by a large number of Cacos. The trail gave cover and in the dark the Cacos on the sides undoubtedly fought each other. At about the break of day the column was divided into four parts and rushed the enemy, defeating them completely. The Cacos lost 100

being the new leader, and 20 dead. We had two men slightly and five horses killed. The deep trail was the salvation of the column. Dismissance completed, I made my plans to crush the rebellion.

to Cape Haitien and established a water base 10 miles from there;

Le Trou and established headquarters there. A base was established at Grande Riviere and three more in the mountains, all communicating with me at Le Trou. This plan was to attack from different points during of November 6, while the garrisons at Ouanaminthe and Fort de la Plaine made demonstrations from their posts. On the 5th of November I went to Le Trou with a small detachment, being met by Major Butler and a small detachment. He had been sniped at on the way, as we had no casualties. I imagine the rebels were under the impression that 100 men was the entire strength at Le Trou.

The evening three companies destined for work in the mountains

We had three full companies and my headquarters detachment composed of sailors from the *Connecticut* then at Cape Haitien, with four companies.

At the break of day the rebels attacked on all sides. The attack was repulsed, the enemy driven off, and chased. We had two men wounded. A number went through the roof over my head, so they evidently knew where I was. The Cacos lost 20 dead. The whole engagement did not last more than 15 minutes. The plan of action was delayed on account of the chase of the rebels. In the afternoon Major Butler moved off to take his position in the mountains and was again attacked. This time we had no casualties, and the Cacos lost 100 men and 10 men. The general would have been killed by his own men as they claimed he had betrayed them at Le Trou, telling them there were a few men there and each American soldier had money and a gold chain. Our plans worked out admirably, and in three weeks the rebellion was over, the rebels surrendered, the officers paroled, and given positions, the men employed at work on the roads and railroad.

Not the records at hand but the total number of Haitians dead seen reported to me were about 160. Our casualties in all the island were 1 officer (my aid), and 35 men wounded. All the forts defending Santo Domingo were destroyed. The last, Fort Riviere, a massive brick fort was captured in an assault under Major Butler. The Haitians gave or received quarter. My report shows, as I remember, 60 killed, 100 prisoners that day. The fort was blown up, as was the case of other forts. This was done because they were the gathering places of rebels.

Several months of hard work in reconstruction and in the organization of the gendarmerie were marred twice. Once by the revolution under Pierre Paul au Prince.

I was rather well informed of the revolutionary plans, I persistently refused to make arrests when requested by the President to do so. I desired to know more fully just how far the German colony were concerned in it. Strong written evidence that they were financing the plan to upset the government and drive the Americans out. They held all the most valuable communications, ice plant, and one railroad. (See my letter to the Secretary of War, June 9, 1916; also concluding paragraph of my letter to operation 1 Benson) August 16, 1916.) The revolution started at the appointed time with an attack on the headquarters of the gendarmerie. There were 2 companies and 40 gendarmes present, the latter unarmed except with clubs; their arms had not yet arrived. Although the attacking force was well armed and outnumbered the gendarmes and the two marines, the latter with their pistols and one rifle and the gendarmes with clubs drove off the rebels. Two gendarmes and one marine wounded and five Haitians killed. A surprise attack was made on the barracks occupied by marines, but no success. In spite of the fact that the house occupied by Pierre Paul was besieged, he escaped with the assistance and through the house of a German. The revolution was over in a short while, the main body going toward the Bouquets, where they remained for an hour or two, doing much and killing a civil official. Codio, the general commanding the revolutionary forces, was captured later and imprisoned. Just before his trial many other prisoners escaped through the carelessness of one of our soldiers. They proceeded to shoot up Port au Prince and did wound one corporal, who was unarmed at the time. They were chased out of the city and again went, via Croix de Bouquets, killing two and wounding two

gendarmes. Lieutenant Dixon was in charge of the gendarmes. The gendarmierie officer deserted him, leaving him to fight alone. He killed one of the Cacos, but was forced to get away to avoid being surrounded.

These men leaving Croix de Bouquets made their way toward San Juan and feeling well assured that they would attempt to get over at that point I sent a mounted column to get them if possible. When they arrived at the point named, they found that the natives had practised treachery on them, at this time 11 men. On the march back the next day prisoners were sent to wash and get water at a stream. They marched across the stream and were shot by the guards. Among them were the most desperate bandits in Haiti, one being the revolutionary Codio, who evidently planned the whole scheme of escape; another, a tallus, who had betrayed the former president and had been arrested for the horrible murder of a man near Fort Liberte. There were also others who had murdered the captain of a sloop, seizing the vessel. They were political prisoners, probably stampeded by the leaders. The people of the countryside were overjoyed when they learned the fate of these men.

I never knew of any execution of any kind. I have not only seen no mutilation or desecration of bodies by our men, but there is nothing on earth to make me believe that the splendid men I have seen are known so well for 40 years could be made to mutilate or punish the living or dead.

I give you herewith copies of letters sent me by the Haitian President, an address made to me when I brought the Caco generals to bay before him.

If you knew Haiti you would understand the enormous amount of propaganda going on all the time. In this case, this recent agitation, I will find German influence back of it all, but aided by individuals for selfish motives. In giving you my accounts of casualties, I am obliged to take the reports of my subordinates where I was not present. I have no reason to believe that their reports were not correct except in respect: There is in the exhilaration and heat of battle a slight exaggeration of the damage done to the enemy. The Haitians, on account of voodoo influences, would hide their wounded, although they were afterwards care for them. We had much difficulty in getting them out; but once in, there was much more difficulty in getting them out.

I should mention that Pierre Paul upon receiving messages rendered to me, was pardoned by me, and through my efforts by the Government.

**PERSONAL CABINET  
CABINET PARTICULIER OF THE PRESIDENT OF  
Port au Prince, 1892**

The President of the Republic of Haiti takes pleasure in covering to Colonel Walker the words of felicitation and of thanks on this occasion to offer him at the reception yesterday afternoon of the Cacos from the north.

He embraces this opportunity to renew with his best wishes and assurances of his most distinguished consideration.

Inclosure:

COLONEL: At the moment of receiving the delegation from the north to personally confirm the engagement that has been made by arms, to establish peace, and to subject themselves to the Government, I fulfill an agreeable duty in presenting you with the warmest and most sincere thanks on the part of the Government for the assistance that you have displayed in bringing to a successful issue the restoration of national peace to this land.

You have stated, Colonel, that the assistance which was rendered you, whether by specific action or by the request for assistance (promise), had proved of the greatest service to you.

I now thank them in your presence, but I also intend to thank them in your presence how highly I value and how much all the Government appreciate with me the all-important mission which you have just happily concluded. I offer you, Colonel, the expression of the thanks on the part of the country and its Government.

PRIVATE OFFICE OF THE PRESIDENT OF HAITI,  
*Port au Prince, October 26, 1915.*

LLER,  
*En Ville.*

COLONEL: I reply to your note which has been received and which is the object of my most serious attention.

As you have given me relative to the military and civil nominations in the north, northeast, west, and the Artibonite and highly appreciated and in your serious consideration.

I beg to inform you that the Generals Alfred August and Preval, appointed commandants of the departments of Cape Haitien and of Fort Liberte, who are not here, to receive your instructions before installing themselves. I have already sent commissions signed in the civil order.

Knowing the pleasure of your good visit announced for to-morrow, I am happy to renew to you, my dear Colonel, my assurance of full confidence in the management of the work confided to your greatness of soul (mind) and the object of high consideration.

DARTIGUENAVE.

PRIVATE OFFICE OF THE PRESIDENT OF HAITI,  
*Port au Prince, May 25, 1916.*

STON W. WALLER, *City.*

COLONEL: I hasten to acknowledge receipt of your letter, bearing in mind that, by which you have been kind enough to acquaint me with the fact that the president of the corps of lawyers has given you relative information of the members of said corps who belong to the council of

the Government had all the more reason not to remain indifferent to that fact, since it had met with a certain hostility on the part of several members of the corporation, than whom it (the Government) did not think it better to perform the task marked for the council of state.

I am therefore pleased to learn that these gentlemen are not moved by a disposition to the necessary reforms undertaken by the Government. Now that, on the contrary, they stand ready to give their help under all circumstances. I have made a note of the same.

As I have the satisfaction of realizing, my dear Colonel, the efficacy of your interventions in the difficulties that I encounter in the discharge of my delicate mission.

My thanks and gratitude can never be equal to that which my country will owe you.

I accept, my dear Colonel, the renewed assurances of my esteem and consideration.

DARTIGUENAVE.

PRIVATE OFFICE OF THE PRESIDENT OF HAITI,  
*Port au Prince, November 22, 1915.*

STON W. T. WALLER, *En Ville.*

DEAR COLONEL: After the report that you have personally made to me of the information transmitted to me on your part through the Secretariat for Foreign Affairs, your military operations in the north have brought about a complete pacification of the regions desolated by the Cacos.

I wish to express to you anew my lively satisfaction and that of the Government for the very valuable service that you have rendered the Republic. I have a right to the recognition of all, and especially to that of the population of the north, whom you have delivered from a reign of brigandage under which they have lived for a long time.

I accept, my dear Colonel, the renewed assurances of my cordial

DARTIGUENAVE.

[Extract from *Le Nouvelliste*, November 13, 1916.]

## ADRESSE DU GENERAL WALLER AU PEUPLE D'HAÏTI.

QUARTIER-GENERAL DES FORCES EXPEDITIONNAIRES  
DES ETATS UNIS OPERANT EN HAÏTI  
*Port au Prince (Haïti), 10 Novembre.*

L'incertitude au sujet de mes plans et, en fin de compte, la soudaineté de partir, en congé pour les Etats Unis, m'obligent à quitter sans préavis mes amis.

Pendant mon tour de service en Haïti, j'ai fait beaucoup d'amis. La charmante hospitalité m'a beaucoup plu. D'autre part, j'ai été obligé, dans certaines circonstances, d'avoir recours à des mesures désagréables. Dans ces cas, j'ai été absolument impuissant, et je n'ai été guidé que par la conception de mon devoir envers mon pays et du bien-être qui devra résulter pour Haïti.

Quand je suis arrivé en Haïti, le pays était déchiré par la guerre civile, par le pillage et l'anarchie. Au jourd'hui, la paix et la protection sont assurées.

Toute la liberté d'action et de parole compatible avec un gouvernement sérieux, vous a été accordée avec l'acquiescement du gouvernement. L'emprisonnement sur simple dénonciation n'est plus à craindre.

Le Gouvernement haïtien promet et l'Occupation garantit des honnêtes et libres.

Toutes ces mesures sont très importantes à l'œuvre de la reconstruction d'Haïti; mais la plus importante de toutes a été l'établissement, l'entraînement d'un corps de gendarmerie compétente, tenue en dehors de toute influence politique.

Ce corps sera la véritable force dont vous dépendrez pour votre sécurité et pour l'exécution des lois.

Sans ce corps bien entraîné, les capitaux et les industries étrangères ne pourraient pas vous aider à développer votre beau pays si merveilleux.

Le Bon Dieu vous a donné ce beau pays, et il vous incombe de lui donner le talent qui vous a été confié, de l'administrer sagement de façon à en tirer sa valeur.

Que votre devise soit: Progres materiel, moral et intellectuel. Fondez sur une base solide la protection et l'avancement de la classe laborieuse, les agriculteurs de votre pays. Enseignez aux jeunes gens la dignité et le travail soit intellectuel soit manuel.

Aidez les épouses et les mères à conserver la santé de la maison afin que les enfants des générations futures, les futurs remparts de la patrie, puissent vous bénir parce que vous les aurez, par votre exemple, qui est le coup plus effectif que la parole, conduits hors des ténèbres dans la lumière, de vérité et d'une vie pure et honnête.

Bien que j'aie l'espoir de revenir bientôt, les exigences de mon devoir ne peuvent m'appeler ailleurs; c'est pourquoi je saisis cette occasion pour dire adieu, et vous faire à tous, individuellement et collectivement, mes plus sincères vœux pour le progrès de votre pays vers la prospérité et la stabilité gouvernementale.

LITTLETON W. T. WALLER  
*Général de Brigade United States Marine Corps*

PRIVATE OFFICE OF THE PRESIDENT OF THE UNITED STATES  
*Port au Prince, 24th November 1916.*

Col. LITTLETON WALLER,  
*En Ville.*

MY DEAR COLONEL: I have received your letter of November 23 and in reply to mine of the 22d, same month, relative to the final success of the campaign of the north.

On this subject you wish well to express to me your sentiments of appreciation for the performance of the officers and men placed under your orders.

It pleases me to see in this circumstance an evidence of your true heart, and in taking note that Maj. S. D. Butler is particularly signi-

## INTO OCCUPATION OF HAITI AND SANTO DOMINGO. 1777

ned) in the campaign, I send you, my dear Colonel, my best thanks  
munication and the new assurance of my cordial consideration.

DARTIGUENAVE.

LITTLETON W. T. WALLER.

be a true copy:

H. C. HAINES.

*er General, Adjutant and Inspector, United States Marine Corps.*

### NAVY DEPARTMENT,

*Washington, September 18, 1920.*

GENERAL: A number of statements have appeared to the effect that  
in Haiti have been guilty of cruelty and barbarity in their dealings  
itians and that 3,000 Haitians have been killed and some of them  
way that is dishonorable to the American occupation. I have  
eral Barnett and General Lejeune, who is now in Haiti, to prepare  
of the true conditions in Haiti and of the true work of the ma-  
every incident of any actions by them against the bandits and at-  
bandits; of the capture and execution of Haitians, and for what  
at I wish to have a statement which I can make public giving the  
at existed when you were in command of the marines in Haiti from  
1915, to November 10, 1916. I wish you to give specific instances  
the facts as they were. If any marine was guilty of conduct un-  
e corps, I wish you to state it and the specific method used, and I  
give specific details of the number of Haitians killed while you  
mand and whether in action or for what reasons they met their  
here were any punishments touching their bodies which were im-  
word, I wish you to write me a statement giving the real situation  
ole truth and facts while you were in command of the marines in  
re is a widespread criticism of the actions of the marines in Haiti,  
y answer I can make to it is to let the people have the truth and  
uth.

me have this statement at as early a date as possible. General  
I be back from Haiti in the course of 10 days, and I wish to give  
ents to the public as soon as possible.  
rely yours,

JOSEPHUS DANIELS.

L. W. T. WALLER, Retired,  
*uth Twentieth Street, Philadelphia.*

to be a true copy:

H. C. HAINES.

*ier General, Adjutant and Inspector, United States Marine Corps.*

### CONDITIONS IN HAITI, MAY 17, 1917.

HEADQUARTERS FIRST PROVISIONAL BRIGADE,  
UNITED STATES MARINE CORPS,  
*Port au Prince, Haiti, May 17, 1917.*

rade Commander.

y Governor of Santo Domingo and Military Representative of United  
Haiti.

onditions in Haiti.

(a) Diary, January 30 to date.

x of the unsatisfactory political conditions now existing the following  
Haitian affairs is submitted:

number of years prior to the American occupation the conditions of  
y had grown worse and worse, President following President in rapid  
as the result of sudden death or revolution:

lected December, 1908; overthrown August, 1911.

ected August, 1911; blown up in palace January, 1912.

ected August, 1912; poisoned May, 1913.

lected May, 1913; overthrown January, 1914.

lected February, 1914; overthrown October, 1914. (Killed in prison  
18)

Theodore, elected November, 1914; overthrown February, 1915.

Sam, elected May, 1915; killed July, 1915.

Dartiguenave, elected August, 1915.

Each President and his followers looted the public treasury and took such sums as possible at large discounts and at high rates of interest. concessions, giving liens on customs receipts, raising or increasing import and export duties, and generally exploiting the country for the benefit of his followers, who lived on graft, blackmail, forced contributions, loans, and soon as the money began to give out some one with more money, or with promises of future graft or payments, started a revolution. General revolutions were carried through by Caco mercenaries from the north.

3. Haiti has been living under what was practically a feudal system, perpetuated by assassination and numerous other forms of outrage. Certain families were the feudal masters, and when some member became particularly prominent he became a leader with a large personal following; he exercised authority or influence through lesser chiefs with smaller followings, who ruled the mass of the population through petty chiefs, who did not hesitate to kill, rape, burn, or torture those of their followers who disobeyed them to join them. If the disobedient one escaped the vengeance was then taken on his family; hence their power was practically unlimited, and upon promise of future payment their forces were employed to overthrow the then government. It should be said that they remained loyal to the one who employed them until their work was done and he in power. This accomplished, and money becoming scarce, they were at the disposal of the next revolutionary candidate.

4. Haiti naturally has every advantage from an economic point of view. Soil, ample rain, and free water for irrigation; high hills and valleys, from a tropical climate in the valleys to a temperate-zone climate on the hills, allowing wide diversity of crops; directly south of New York and Philadelphia, the principal markets in the United States, and consequently closer to those ports than any other of the West India Islands. During the French régime, Haiti was the richest colony in the world—good paved roads, out of the island, irrigating systems where needed, large, well-equipped estates; but after the expulsion of the French everything was allowed to fall into rack and ruin; roads and irrigation systems disappeared and the country gradually relapsed into a state of barbarism.

5. While on paper there were and are many schools, the schoolhouses, if they existed at all, were and are generally unfit for human occupancy. Teachers, if they can be so called, were and are generally political freebooters, appointing power and entirely unfit for their positions, which ordinarily did and do not pretend to fill at all; while the schools in the cities were generally bad, they were and are much better than those in the country. The result of these defects, outside of the cities there is practically no education at all, and the general illiteracy is probably 95 per cent of the total population. The only bright spots in the educational system were the church schools. If it had not been for them education in the interior would have entirely disappeared and the state of barbarism been complete.

6. Under the Haitian constitution every male Haitian was an embryo soldier. In order to have soldiers to combat the revolutionary forces, or to suppress a revolution to keep the then Government in power, male peasants were seized and to forced enlistment. The only way to escape this was to be in the ruling classes or to go into hiding; consequently most of the soldiers were in the hills, distant from the main traveled trails, and consequently never seen on the roads or in the town, the produce, such as it was, brought in by women. The result of the various conditions is that there are probably two women for every man in Haiti, and as the women do most of the business they are as a general rule of a higher mental caliber than the men and really better fitted to exercise the rights of suffrage than the male. At present there is practically universal male suffrage, and as 95 per cent can neither read nor write, and as fully 75 per cent are of a mental mentality and ignorant beyond description, even the best of electoral frauds. Votes are bought and all sorts of frauds attempted. Under the present régime—and the same conditions would have existed in the recent past—but for our continued intervention—the Government had control of the election machinery, and their candidates always won. A complete change of the requirements for the right of suffrage is necessary, but to determine what changes are desirable considerable study and investigation would be required.

certainly some provisions whereby some illiterates may vote would be as many such are fairly intelligent and successful landowners, artisans, etc. The Haitian laborer (peasant) is a hard worker and easily directed and watched is reasonably efficient; with instructions he is capable of material improvement. There is a large demand for laborers in Santo Domingo and in Cuba, as being the best of the colored nationalities. This class is easily led, for good or evil, and our presence has been of untold benefit to its members, and that and we are here. They lack stability and reasoning power, so are susceptible to "propaganda" of all sorts. The wrong attitude of the subdistrict commander may change very quickly the attitude of his section, and designing politicians through false stories can create a feeling of unrest, which if played upon and allowed to grow will produce serious results. These results might be short lived, but on the other hand might spread to a dangerous degree.

On the days of the French there were beautiful country estates with houses, but these have all disappeared, either through deliberate destruction or neglect. As a result of this and of the various other conditions the wealth of the country has gravitated to Port au Prince, though in other towns, particularly on the seacoast, there are some evidences with attendant comforts. Port au Prince par excellence was the place where the graft was doled out, and if the politician left that place it was to his appointment on the outside, where the graft was quicker and less than others required. Money so gained was generally put in houses in Port au Prince, though where the spoils were large and dangerous frequently went abroad to live or to acquire foreign citizenship. The case where adequate salaries paid, whether in Port au Prince or in the rest of the country the general understanding being that outside pickings were to be made upon, nor were salaries paid regularly, or in full. Months would pass without payments, the underling having to go to money lenders to get funds lent at from 20 to 50 per cent, and it is said the money lenders had to have the "men higher up" in the Government employ. The judges and officers of the department of justice were in the same fix. Their salaries have never been anything like adequate for their living expenses, and they have had to have places for friends the numbers were always excessive, and depended upon spoils or upon bribes for their support. Some of the best judges are men of high attainment, but generally, and all in all, a poor lot, and in the rural districts absolutely unversed in the law in many cases unable to read; many probably have no copies of the codes supposed to enforce. Since we have taken over the payments for the salaries for discounting the salaries and for their division has ceased, as it was paid promptly, but the numbers borne on the rolls are far too large and salaries too small. Most of these people are, I think, glad we are here, the real political leader resents our presence, and hates us as the one which had taken away his graft, and it is from this class that practically all the members of the Government and of the National Assembly (and Chamber of Deputies) are drawn, with the result that we can not expect loyal cooperation and aid from them. In place of having to spend or invest they have only salaries, and consequently they desire nothing that will remedy affairs, but on the contrary are trying and endeavoring to try to do everything in their power to bring back the old regime.

During our stay here we have administered honestly the affairs we have been entrusted with. The money allotted has been used for the benefit of the Haitian people, not through the Haitian politician, and consequently he has had no part in it and detests us and hates our interference and handling of affairs. While we have handled the funds and carried on the work for the benefit of the public, so far as any real government of Haiti is concerned, we have been able to advise, and generally our advice was not only wanted but followed; in place of cooperation obstacles were thrown in our way. Occasionally we have managed to get rid of a dishonest public official, but where practicable every official believes that he is appointed to public office to enable him to get on without working, the average of real honesty has been raised but little, few appointments were generally little better than his predecessor. I am sure, however, that there are some exceptions, but they only serve to the contrast. There is no doubt but what under the stimulus of regular pay many of the lower officials have improved, and if we white Amer-

icans had direct control and supervision over them their improvement would be sure, even if slow; many would have to be eliminated before conditions could even be good.

10. Every department of the Haitian Government needs a complete reorganization, and from the foundation. By putting in a President and giving him power, we started from the top to rehabilitate the Government, and it worked with had been born, bred, and lived under the old conditions no particular good has resulted, nor, so far as I can see, can any more be carried out so long as the Government remains in the hands of those who have spent their lives at the expense of the State. The only way that a better government can be obtained will be through starting at the bottom and building up under American supervision a reasonably efficient Government, using the younger generation or those who have not mixed in public affairs. In my opinion, the control must be absolute, and should properly be in the hands of people of expert knowledge and unquestioned integrity—the latter is the more important qualification—and as the conditions were improved they will pass gradually into Haitian hands, still keeping such supervision as is necessary.

11. These conditions apply to every department of the Government. The various ramifications. With few exceptions the affairs of the communes are administered in a still worse manner, practically all going into the pockets of a favored few. Internal taxes are not standardized, or if they are, are collected on the basis of charging a taxpayer can stand, by far the largest amount coming from the masses.

Land laws are bad, or badly administered. No one dares buy or sell land, or, if they do so, at an exorbitant rate of interest, for no one can collect through the courts, least of all a foreigner. Where security is lacking, the interest charges must be high, and as without money there is no development it results that absolutely nothing is done to really develop the agricultural interests of the country along modern lines. One will find in rural Haiti the same sort of mill (man or ox power) as was in use in Egypt. Many land titles are doubtful. Unwise restrictions on the eviction of undesirable tenants, and land for public utilities can only be obtained through the consent of the various owners.

12. The gendarmerie is far more efficient than could have been expected after less than 18 months of existence, but its condition is far from meeting the standards its officers desire to reach; its standard is being raised, and within a reasonable time it should be a very efficient organization. It is too few in numbers to properly cover the country, and this is aggravated by the lack of proper routes of communication.

Haiti has about 12,000 square miles of territory, or 1 gendarme to every square mile, or 1 gendarme to about every 800 inhabitants. It should be increased to at least 4,000, or one to every 300 inhabitants. The repair of roads is in the hands of American officers of the gendarmerie, while the funds have been limited the improvements have been made. The American officer has made much for the improvement in the condition of the people, and has made the American officer a person of real influence for good in the country. The contrast between the former Haitian soldier and the present American officer is the best object lesson as to what can actually be done with the Haitian people. The lower and middle classes when under the direct supervision of Americans are improved. This influence is growing day by day, but it would be unwise to put too much of a strain on them as yet. If the United States takes over this country as it did in Cuba and as it has recently done in Santo Domingo, there will be plenty of white troops in Haiti to back up the white officers, and to steady the gendarmes. If such a move be tried without adequate backing, the strain might be too much; one detachment might go to the front, its officers, and the disorganization might spread like wildfire. If it would happen, but the danger is there, and provision should be made in hand to meet it.

No matter how much veneer and polish a Haitian may have, beneath the surface under the skin and under strain reverts to type. This was seen in July, 1915, and I have seen European Haitians (part Haitian) standing, European education, and long years of residence in Europe, in a few minutes to the mental state of a savage in the heart of Africa. The people will not make, as a general rule, any reports to the police of crimes that have been committed, for fear that their telling will bring down vengeance wreaked against them, either physically, by poison or

Voodooism is a real danger, and while some of it has been superficially scratched, and if what I have been told is less than 90 per cent of the Haitians can be classed as believers in the Catholicism will attend voodoo rites, and in the country most of the go to voodoo doctors (so called, for they are the rankest kinds of quacks). We are gradually forming small dispensaries in the country to give medical attention to pressing cases, utilizing the medical personnel of the army for this purpose.

There is a quite general feeling among the educated Haitians that we have lived up to the convention; that we have assumed a fiscal control, but have done nothing to get affairs straightened out, debts paid, public order established, proper administration inaugurated, and that we have done it too slowly. Some say if 10 years was not a sufficient length of time for the Americans to be in force we should have known it at the start, and having known it should have refused to compromise on anything less than the time needed; that we accepted the 10-year clause and should have lived out that time now we have been in full control for nearly a year and a half, no loan made, no affairs straightened out, and Haiti piling up debts on the interest charges due and unpaid. It is said there are many Haitian families who ostensibly are fairly well to do, but who now are in want on account of nonpayment of interest on internal debts. This class that does not mix much in politics and the members of which probably be in favor of the American occupation if the debts were paid. Merchants are generally in favor of the occupation, except those who are not reduced rates at the customhouses, but they are complaining that the situation is absolutely stagnant and that the conditions are due to lack of action and incidentally to nothing having been done to get affairs really settled out.

Most of the old political families are in favor of the occupation and of American control. This attitude may be due to a number of causes—loss of property in revolution, appreciation of the fact that stability of the government and protection of property will be for their own good, and some of the belief that some time in the future their having espoused the American side will be to their political advantage. This class generally likes to live with both sides.

The vast majority of Haitian peasants is pure black, though with some admixture, due to mixture with other Haitians with some white blood, and several characteristics have been given. The ruling classes are generally of light blood, though numerous apparently pure-blooded negroes occupy high positions of one kind or another and are leaders in public or political

negroes of mixed type, who constitute the majority of educated people. Politicians, have the general characteristics of such people the world over—in, loving praise, excitable, changeable, beyond belief illogical, and unsteady. Many of them are highly educated and polished, but their sincerity must always be doubted. They will assure you in the most solemn manner of one thing and an hour later may deny the former statements or take a completely different attitude. All love to talk to the galleries, to attitudinize as "patriots," but withal absolutely selfish and self-seeking. There are a few exceptions, but they are rare among the political class and only serve to emphasize the type—and this is the type with which we have to deal, as they are the real political leaders. There is one striking difference to be noted in the mixed Haitian, with very few exceptions, is proud of both his white and his black blood, though above all he is proud of being a Haitian, and there is no question but what they are all deadly in earnest in their desires for Haiti as an independent Republic and are very proud of their country. In this position we may make this must be considered, and the more we are able to get their real cooperation the easier our task will be and the sooner a government can be established by the Haitians for the Haitians. One of the reasons for the opposition to a change in the constitution whereby foreigners can own land is the fear that rich Americans will buy up enormous tracts of land and so gradually oust the population, doing nothing for the country except to let it lie fallow, and gaining their profits from its advance in value. I doubt if any Haitian assembly will accept an article whereby the sale of land to foreigners to acquire and hold land are unrestricted. Many really believe in the necessity of many changes in the Haitian method of conducting

affairs, but they are afraid to advocate the necessary control by which that eventually, they will so lose their independence. Before the elections nearly every candidate announced himself as a friend of the A. but after the elections their ardor and admiration dwindled.

14. It is believed that the foregoing gives a true picture of Haitian conditions as they have been and will be encountered in our contact with the affairs. We have established order and preserved peace; the country has a large mass of people has been greatly improved; we have done everything possible with the funds at our disposal to improve communications, sanitation, public utilities, hospitals, prisons, hydraulic service, in the cities, etc. We have shown what American officers and men can do with the Haitian people under control by binding up an efficient gendarmerie, which in time should be of its kind; we have built up a reasonably efficient customs organization; we have vastly improved the conditions of all the minor Haitian officials; prompt and full payment of the salaries; we have given an object to the form of personal honesty in the administration of public funds; we have served as a check on dishonesty and abuse of power on the part of Haitian officials; we are putting into effect a modern system of accounting of public funds; in very little of this have we had the support of the Haitian officials themselves, but on the contrary it has been done in face of them, sometimes open and sometimes concealed.

On the other hand, we have been able to do nothing to reform the executive departments, with their numerous ramifications, nor to establish them efficient and honest administration of public affairs; the same official remains in office, and the instant the check now imposed by our presence is withdrawn they will revert to the old condition of affairs, where the people of the country were exploited for the benefits of the few. While we have in charge of certain parts of the financial administration, the financial condition of the country are at present in a miserable state—debts and interest on them unpaid, no funds available for the extension of public works essential to the well-being and development of the country, and owing in part to lack of commerce is more or less paralyzed. The engineers appointed under us have been able to do little but make preliminary investigations, nor will we be able to do much if anything until funds are obtained. The law has changed in many particulars and the Haitian courts thoroughly reformed. The school system must be entirely rebuilt. This is literally true, as there are no schoolhouses that are Government owned, and there can be no lasting progress in this country so long as the educational standards are as they are. All these activities will require expert direction and in every case foreign assistance. Efficient government of Haiti by Haitians can not be attained so long as the present generation remains in power. We look at it an enormous amount of good has been done in improving the condition of the people, giving them security, good examples of honest dealing, better routes, etc., but such improvements have only followed where we have had actual control. Generally we have tried to build from the top down. The president who belonged to the old order of things was elected and has no real power; his friends were and are of the old type, and they will not let a matter of fact can not get far away from the former system; our efforts have been to find places for their friends, and I have been unable to find any real attempt on their part to remedy conditions. The members of the recently elected National Assembly belong almost entirely to the same old government and opposition—and consequently are actuated by the same selfish motives; with these tools alone no lasting reforms can be accomplished. We have reached the point where either a change in methods must be made or we must admit failure to accomplish the large good for this country we have in mind. To remain where we are and not to move forward in this direction is to fail, and we can not admit failure.

15. In order to revise the constitution, to have confirmed the various laws, to have present laws changed or new laws enacted to meet changing conditions, and to provide for other necessary legislative action, under date of September 22, 1916, a presidential decree was issued providing for the election of deputies and of Senators and calling the session for the first of April, 1917.

The decree states (art. 36) that the first duty of the National Assembly is to revise the constitution; and after that was done, and then only, the Assembly would take up its legislative duties.

great difficulty in forcing the Government to have a fair election, as conditions permitted, the elections were fair. Practically all gave assurances of American sympathy before the election, but after elected many of them became lukewarm. The results of the elections but, but apparently the Government had control by a small majority. Such men as Dornoval and Vincent (former Cabinet ministers who st the extension of the treaty to 20 years) to the Senate; and Vincent, was elected president of the Senate, apparently because of his an attitude.

nsiderable time it had been impossible to get the Cabinet to agree ntion of the treaty, but after the elections and before the meeting nber of Deputies it was finally signed by the Cabinet. Mr. Vincent, esigned as a protest against the proposed action of the Cabinet. ut and out supporter of the extension was Doctor Heraux, Minister , who had been pro-American throughout and had apparently acted with Mr. Ruan.

of the character of the old Cabinet, it was considered desirable to v one, that had not been mixed up with certain unsavory affairs, willing to cooperate with us, and who could work with the National

In view of the open attacks on Doctor Heraux for his pro-American no one apparently had anything personal against him), it was felt to have him included in the new Cabinet; as soon as this was no one of prominence would join the Cabinet, and a bitter fight el against him; attacks appeared in papers that were known to ed—by the Government and friendly to the President—there was good evidence that some of these attacks were written in the house et minister. Finally a compromise Cabinet of reasonably good men d, and in which Doctor Heraux was included. The delay in making nd the outbreak of war between the United States and Germany mplicated matters, and when, after long and unnecessary delay, the recommended that Haiti also declare war, the recommendation was vn by a unanimous vote of the National Assembly. Upon receipt of ent's message a motion was made to the effect that the Cabinet did the confidence of the National Assembly, but was defeated; this e Government still fairly in control, but immediately afterwards, by it votes, the President's message was referred to a committee thar ly hostile to the declaration of war. After the declaration of war e rejected at a subsequent meeting of the Chamber of Deputies a reso- ling for Doctor Heraux to appear before the chamber was passed. et decided that no member would appear for interpellation until constitution had been revised and the chambers free to enter on their duties. The chamber has apparently acquiesced to this, but the ide the same demand, received the same reply, but is apparently at tempting to bring the issue to a head, though so far as is known the as not as yet been reached. Close personal and political friends of lent state openly they intend to get Doctor Heraux out of the Cabinet, eve the President also desires his elimination. It is reported, but not , that the President is in communication with one of the principal the opposition to Doctor Heraux. From the temper of the Senate ved it intends to force the issue. To show the real strength of the nt party in the Chamber of Deputies they have a system here of ach month a new presiding officer, and to-day a friend of the Presi- been elected to that position. The chamber, however, is apt to follow of the Senate, though the Senators were elected by the deputies.

time and again stated to various leaders and others that the United s no ulterior motive in view, but is simply endeavoring to get established an efficient government of Haitians by Haitians; that when such gov- is established our activities, except under the treaty, will cease, but ill have to remain active in Haitian affairs, until by cooperation with itians form such a government, and that the more they cooperate and aid oner our control will cease; but they simply will not cooperate, and in m of their hearts practically all are equally opposed to us—executive, e, and judiciary. These conditions to me appear well-nigh intolerable, he sake of both countries must be rectified.

e following courses are open to us: (a) To put into full effect, without e full terms of the treaty.

Owing to our financial, police (gendarmerie), and technical (sanitary) control, outward conditions will be better than formerly. The reform will have to be fought for and a large part of the good results will be in spite of the opposition of Haitian officials, and not on account of their support. If this course is followed, every endeavor should be made to precede by an agreement with the Haitian Government whereby it agrees to employ an adequate number of American experts in the departments, and to follow their advice in technical matters. While it would not like this, they are so anxious to regain control that they will do it; they would have to be forced to carry it out, but with the results of another failure in their own government, they might be a fairly good government. The government should also be required to:

(a) the extension of the treaty; (b) the gendarmerie agreement, provision that the strength of the gendarmerie should be at least one gendarme to every 500 inhabitants; (c) the provisions of the law which actually make the changes in the constitution that we finally considered.

(b) To suppress the present Haitian Government and to establish a military government, giving Americans the power, and making full possible use of the best Haitians obtainable, to hold the Americans responsible for instituting the necessary reforms, for building up the country for training Haitians so that eventually they can continue an administration that has been built up for them. The control would pass to Haitian hands, but only as the individuals demonstrated their capacity. It could not completely pass until the acts we had done, the laws we had had been ratified by the representatives of the Haitian nation. I have no doubt in my mind but what, from the standpoint of one who really knows the well-being of this country, this method is decidedly preferable, as it would give the best results in the quickest time. If done, however, our position should be clearly stated at the time. I believe a large number of the thinking people, as well as the mass of the country people (peasants), would welcome this change, but it would be bitterly opposed by most of the others. How much harm they could do is problematical; I doubt if it would do much, but, in view of the character of the Haitian people and of the fact that the gendarmerie has been in existence, it would not be well to know what they might do, and, consequently, it would be necessary to have troops at all the larger places in the Republic, so that the force present would convince them that opposition would be futile; my estimate is that we have approximately 2,000 to 2,500 white troops actually in Haiti and in Haitian waters; the presence of this number would not be required for a considerable period, but the ounce of prevention might save the pound, and, if done peacefully, our final task would be correspondingly lighter.

(c) The suppression of the national assembly and the retention of the president, with a cabinet—all of them to be figureheads—the action to be in the hands of Americans, working through the president, cabinet, in the same manner as for the purely military government. This method would please some of the Haitians, but, on the other hand, by concentrating one power (the executive) and suppressing the other (the legislative), would introduce a prolific source of trouble, and at the same time would have in office a consummate politician, who would be apt to use it to hinder our work.

President Dartiguenave is not popular; he is and always has been identified with the purely political class, and is a consummate politician, who is trying to stand well with both sides; he is weak and can not be relied upon in my opinion, except so far as he believes his own interests are concerned. He has one redeeming feature, and that is he was about the only one in Haiti who was willing to accept office as President and father the demands. From what I can learn, I believe he is at the bottom of the agitation against Doctor Heraux, and that he is trying to force the Assembly into an attitude of opposition to the wishes of the American Government in hopes that we will suppress the assembly; while at present the branches are apparently at loggerheads, there are certain things going on under the surface that indicate an understanding between the president and the National Assembly. If the assembly is suppressed and the president remains, it will cause a very decided sore, though how dangerous it is impossible to say; in any event the same precautions in the way of relationships as given under (b) should be taken.

a government of this type has worked well in Egypt, I do not could get the best results in the quickest time, but it might have to d as a matter of policy, and as an object lesson to show that we did se to allow changes of presidents to be made by other than strictly onal means.

e suppression of the National Assembly and a reversion to the Gov- by President. Cabinet, and council of state.

is been tried and found absolutely wanting, and in my opinion would a still worse condition of affairs, and such a change would be by greater danger of armed opposition than any other step we se short of actual annexation.

ELI K. COLE.

d to be a true copy:

H. C. HAINES,  
*Brigadier General, Adjutant and Inspector, United States Marine Corps.*

DEPARTMENT OF STATE,  
*Washington, September 30, 1920.*

ETARY OF THE NAVY.

have the honor to acknowledge, by reference from the Attorney Gen- receipt of your letter addressed to him on September 17, 1920, in ou request him to cause the apprehension of one Ernest Levoie, with his extradition to Haiti.

ly I beg to state that there is an extradition treaty in force between ed States and Haiti, and that if the Haitian Government shall request idition of Levoie for an offense set forth in that treaty the department prompt consideration to such request. It should be pointed out in this on, however, that the treaty provides that neither of the contracting shall be obliged to deliver up its own citizens, and that under the the United States as interpreted by the courts the Government of the States, in view of this treaty provision, would be without authority to an American citizen to Haiti.

have the honor to be, sir, your obedient servant,

NORMAN H. DAVIS,  
*Undersecretary.*

(For the Secretary of State).

fy this to be a true copy.

H. C. HAINES,  
*Brigadier General, Adjutant and Inspector,  
United States Marine Corps.*

OFFICE OF THE ATTORNEY GENERAL,  
*Washington, D. C., September 24, 1920.*

SEPHUS DANIELS,

*Secretary of the Navy.*

MR. SECRETARY: I beg to acknowledge receipt of your letter of Sep- 17th requesting me to bring about the apprehension of Ernest Levoie, e captain of the Haitian gendarmes, with a view to his extradition to

aiti is a foreign sovereignty a request for the extradition of any person country must come through its minister by way of the State Department. of your letter has therefore been sent to the Secretary of State. Respectfully,

WM. L. FRIERSON,  
*Acting Attorney General.*

ify this to be a true copy.

H. C. HAINES,  
*Brigadier General, Adjutant and Inspector,  
United States Marine Corps.*

RECORD OF PROCEEDINGS OF A BOARD OF INVESTIGATION CONVENED AT PORT-AU-PRINCE, REPUBLIC OF HAITI, BY ORDER OF THE MAJOR GENERAL COMMANDANT TO INQUIRE INTO CERTAIN IRREGULARITIES ALLEGED TO HAVE BEEN COMMITTED BY OFFICERS AND ENLISTED MEN IN THE REPUBLIC OF HAITI.

[March 13, 1920.]

UNITED STATES MARINE CORPS,  
FIRST PROVISIONAL BRIGADE,  
OFFICE OF THE BRIGADE COMMANDANT,  
Port au Prince, Haiti, September 1919.

I certify that the attached report of the board of investigation is a true and correct copy of the original, except letters and testimony from Washington, D. C., headquarters, United States Marine Corps, Washington, D. C., on January 13, 1920.

T. C. TURNER,  
Major, Acting Adjutant and Inspector, United States Marine Corps.

[Third Indorsement.]

HEADQUARTERS FIRST PROVISIONAL BRIGADE,  
UNITED STATES MARINE CORPS,  
Port au Prince, Republic of Haiti, March 13, 1920.

Confidential.

From: The brigade commander.

To: The Major General Commandant.

Subject: Report of investigation of certain irregularities alleged to have been committed by officers and enlisted men in the Republic of Haiti.

1. From a careful reading and study of the attached testimony, statements, and other papers, I am reluctantly forced to the opinion that Major C. Wells, former gendarmerie department commander in northern Haiti, is responsible for the conditions in northern Haiti as found by Brigadier General Catlin on his inspection of the Hinche-Maissade districts in March 1919. Such conditions were not actually due to his orders and instructions.

2. I am further of the opinion that these gendarmerie officers and enlisted men, who were enlisted men in the Marine Corps on duty in the Hinche-Maissade districts, were acting in accordance with what they believed to be the policy of their department commander.

3. It is difficult to believe that Captain Doxey was not fully aware of Major Wells's policy and of the existing orders and conditions in the Hinche-Maissade district.

4. There is a doubt, however, in my mind as to whether or not the evidence as here brought out is sufficient to warrant a trial before a general court-martial on charges of such a serious nature. It is extremely doubtful whether evidence can be procured.

5. The event referred to herein occurred over a year ago. Many changes have taken place in the personnel of the gendarmerie since that time. All the interested parties have either returned to the United States or have been discharged from the service. Mr. Lavoie, former captain, gendarmerie d'Haiti, and private, United States Marine Corps, has left the service. His whereabouts is unknown.

6. It is therefore recommended that these papers be referred to the Judge Advocate General, United States Navy, where the sworn statements and other evidence may be carefully sifted and weighed with a view to determining whether or not it is sufficient to warrant a trial.

7. If the decision is in the affirmative it is requested that specimens of the evidence and specifications be prepared by the Judge Advocate General's office and assigned to a competent officer to be assigned to temporary duty with this brigade as judge advocate of the court. At present there is no officer attached to this brigade who is considered to have sufficient legal knowledge to conduct a trial in the best interest of the Government, where skilled opposing counsel is present.

8. The return to Haiti of all witnesses and interested parties, of course, is necessary.

JOHN H. B. ...

FEBRUARY 28, 1920.

lieut. Col. R. S. Hooker and Maj. T. C. Turner, Marine Corps.  
brigade commander.

Report of investigation of certain irregularities alleged to have been  
ted by officers and enlisted men in the Republic of Haiti.

cc: (a) Confidential indorsement Major General Commandant, dated  
y 12, 1920.

ddition to the testimony already taken by Colonel Haines, Lieutenant  
ay, and Major Turner, and on return of these communications testi-  
ten and the files secured by Lieutenant Colonel Hooker, we are of the  
hat there is no more testimony available in Haiti on this subject. We  
ived at this conclusion from the following reasons:

ut such a long time has elapsed since these events occurred.

at it has become known that an investigation is being held.

ut no further testimony can be obtained from some of those who have  
testified through fear of incriminating themselves.

ut persons outside of the Marine Corps and gendarmerie do not care  
on account of the changed conditions at present and are willing to let  
urrences be forgotten.

hat the testimony, if taken of Fathers Larue, of Maissade, and San  
and of Belliot, of Hinche, would be so biased and prejudiced from  
animosity against officers concerned that it would be impossible to  
truth from the imaginative. This statement is based on many con-  
s with both of these priests.

are of the opinion that Major Wells and Captain Foxey knew that  
xisted, that inhabitants were being maltreated and killed, and to a  
extent we are convinced that some reluctance was shown in keeping  
Prince fully posted as to the true conditions.

ched hereto is a summary made up to facilitate us in arriving at an  
on the subject matter of this investigation, and owing to the bulk that  
stigation has assumed, we decided to make it one of the exhibits to  
e the brigade commander in arriving at a proper understanding of the

R. S. HOOKER.

T. C. TURNER.

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HEADQUARTERS FIRST PROVISIONAL BRIGADE,  
UNITED STATES MARINE CORPS,

*Port au Prince, Republic of Haiti, February 12, 1920.*

The brigade commander.

ut. Col. R. S. Hooker, United States Marine Corps.

ie chief of the gendarmerie d'Haiti.

cc: Investigation by adjutant and inspector's department.

cc: (a) Letter from this office No. 5-18, dated January 11, 1920.

e brigade commander desires that every effort be made by you to  
the investigation mentioned in reference (a).

is investigation will be completed before the end of the present month.  
your present duties are such as to interfere with this work, you will so  
the brigade commander in writing, and the necessary action will be

JOHN H. RUSSELL.

furnished Maj. T. C. Turner, acting adjutant and inspector, United  
Marine Corps.

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JANUARY 11, 1920.

The brigade commander.

ut. Col. Richard S. Hooker, United States Marine Corps.

chief of the gendarmerie d'Haiti.

cc: Investigation by adjutant and inspector's department.

ou are hereby ordered to cooperate in the investigation of certain irregu-  
now being conducted by Maj. T. C. Turner, acting adjutant and inspector,  
States Marine Corps.

our report will be made direct to the brigade commander.

JOHN H. RUSSELL.

## MEMORANDUM.

Referring to Major Doxey's "Notes on situation in Hinche distr." February 28, 1919:

General Catlin handed me a memorandum containing the true account of Captain Ward's actions at Cerca la Source, but written in a biased and taken from a report from Colonel Wells to General Williams. These extracts showed that Ward had willfully disobeyed my orders. On March 8 I directed Captain Price at Hinche to telephone Captain Ward at Cerca la Source and to direct him to notify Captain Ward to make a statement of my intention to bring him before a general court-martial if these facts were true. Captain Ward came to Hinche on March 9 while General Catlin was present. I submitted a statement from himself and all his noncommissioned officers which were in accordance with my orders. These orders, in brief, were: to treat the natives kindly; to pay for supplies; to patrol only to be seen and not to fire or molest the natives unless actually attacked." Captain Ward's statement to General Catlin that he had told Major Doxey that he was going to come with me and see if I would not change his orders to allow him to patrol. Major Doxey stated that that was what he understood also, but that probably been misquoted by Colonel Wells. Colonel Wells did not say so. General Catlin informed Captain Ward that his explanation was entirely satisfactory.

In these same "Notes" is:

"Ward called up at 3 p. m. and wanted to report that there was a band of armed men 7 miles northwest of Cerca la Source. I asked him where he got this information, and he said a marine patrol brought it in. I asked him if he was sure of that, and he said 'yes.' I told him he could send any message he wanted, but if he made any such sensational report without investigation I would be personally over to the place and hold him responsible. Then told him I would be through that place the night before with one gendarme and that they would get the truth in extract from military diary. Lieut. Col. R. S. Hooker, dated April 1, 1919."

(This refers to same locality reported by Ward above.)

Thomassique and Cerca la Source: Captain Ward and Lieutenant Williams jumped bandit camp at Mamantial, locality 2516 (between Cerca la Source and Thomassique) at 6:40 a. m. Camp deserted and provisions rotting. Camp destroyed. Tenant Seward proceeded toward Las Palmas and returned without incident.

Cerca la Source: Captain Ward proceeded toward Source Manon sans. Captured a man, who attempted to run, who said he could lead them to a band of armed men. Captured an outpost of two men who attempted to run; continued on to a shelf on a shelf on the edge of a precipice. Camp attacked, about 75 jumping over cliff; captured 6 prisoners, including Charles M. Meme Michel, leaders; 4 horses, 1 saddle, machetes, knives, black powder, caps, 75 bushels of corn, besides peas, beans, rice, coffee, salt, kerosene, cooking utensils.

This memorandum is made on account of the "Notes" from part of the which are detrimental to Captain Ward if left unexplained.

Upon the subject of killing:

From General Catlin's testimony during his investigation in the district of Hinche, March 8 and 9, 1919: "Lieutenant Williams admitted that he had killed prisoners, but only when they attempted to escape." And at Hinche, when questioned, Capt. Ernest L. Lavoie (private, United States Marine Corps) admitted that six prisoners had been shot. He said they were Cacos who attempted to escape several times; that they were a bad lot and had caused trouble among the other prisoners. They were taken to the cemetery at Hinche and shot by gendarmes. He stated that he had no orders to shoot prisoners, and he had not reported the matter to anyone." Major Wells stated that no report had been made to him, but admitted that he would not report in case of shooting of prisoners. Captain Lavoie, in his testimony, asked if he knew of unlawful killing of Cacos, answered "Yes." He stated that Colonel Wells had given him orders to bump off prisoners. He stated that "It was a conversation at Hinche the first night I was there, in the presence of Captain Verdier." The only way to stop the Cacos was to make it as hard as we could for them, as the gendarmerie had to be in the situation. Such men as Saul Peralte should be bumped off on their return to Ouanaminthe you can tend to that Verdier," and he said "I mind sending any prisoners into Cape Haitien; you can handle them at Hinche." In answer to the question, "Will you state positively

ved any instructions from Colonel Wells to bump off prisoners?" he in substance: "He told me that I shouldn't send any prisoners into that I could handle myself right in Hinche and not to take them to that they could bump off." Captain Verdier stated that he was t this conversation between Colonel Wells and Captain Lavole, and e conversation was on the Caco situation. I don't remember the ersation, but Colonel Wells did say that such men as Saul Peralte gotten rid of." He further stated that "instructions were given to rid for the Cacos" and admitted that he thought "that Colonel Wells convey the idea to get rid of them—to bump them off," and that he n to "Bolte on this subject and had the same opinion as myself." olte had "heard of it being done." In the papers found in the t commander's desk at the cape Lamartine Toussaint made a state-

he had killed Saul Peralte while he was trying to escape. Saul is tried and acquitted in November or December of 1917 on charges uplicated in the attack at Hinche in October, and the reviewing official Russell, at that time ordered him released from confinement, but to the extent that he should remain in Ouanaminthe and keep the s informed of his presence.

ant Andre stated that he had "never witnessed any shooting, as I was ide, but I heard there was some execution at Hinche and at a suburb called Latte (Latte is first outside the gate of Hinche; there is a etery there), and, again, "Yes; at Maissade, one named Garnier." that "the officer acted pretty much as they liked, as they were not ontrolled by their superior officers."

er stated that Wells "further ordered that prisoners, if any were un- useless, and he desired them bump off, by this expression, of course, kill them" and that he (Baker) had "been informed and believed ain Lavole carried out these orders and was acting under the orders

Wells when he executed 19 prisoners at Hinche in January, 1919," close circles among the gendarmerie officers whom I knew best and m I most associated it was understood, I believe, to be popular thing off as nearly as possible all prisoners taken. It was more or less dis- them all, and it was generally understood among them "to the best lief, the whole incentive behind the execution referred to were the d sanction given the act by Major Wells." He further stated that either cared nor wanted to hear of the details of executions." He ed that he did not want to hear of these things.

ant Woods stated in answer to unlawful killing that he had "heard of them being killed" at "Hinche and Maissade" and that he knew of instructions about actual killing of any prisoners but instructions l to have been issued "not to take any prisoners," and that "they l to have been issued by the department commander, Major Wells." Doxey on November 3, 1919, testified that he had heard of rumors of aco prisoners in the Hinche district, that he did not know the dates, ad not investigated them nor spoken to Major Wells about them, and his testimony of January 8, 1920, he remembered very little.

stimony of Lieutenant Colonel Hooker and Mr. Holly were practi- same as General Catlin's testimony relative to his investigation at ey had been present with the exception that a notary named Garnier taken to Lieutenant Williams's house in the evening and later in the s found beaten to death with a club. Colonel Wells stated that General investigation was the "the first instruction I had of anything of this

sts from papers taken from the locked drawer of the department com- desk at Cape Haitien: Capt. H. Hanneken to department commander ent of the Cape, February 15, 1919, from Hinche: "And as Marius was a hindrance I killed him."

ual letter from Wells to Tracy, November 25, 1918. "I have worked i for two years and you know that his methods and mine differ widely . Since I have been temporarily in charge of this department I have my business to be in Hinche, study the situation and take every precau- ch I deemed necessary, at the same time sending in no sensational re- headquarters relative to killing, etc."

tement of Sergt. Larmatine Toussaint, dated October 26, 1918, relative eath of Saul Peralte.

the subject of corvee:

(Definition: Corvée is forced labor or labor against the will of the laborer. Paid labor when the pay is not satisfactory to the laborer also comes under the head of corvée.)

There is no doubt that corvée was practiced subsequent to October 1918 after the order prohibiting corvée went into effect.

From the testimony given General Catlin states that: "Toward January, 1919, rumors reached me that corvée was still being used in the Hinche district, although it had been ordered stopped in October, 1918. I questioned Major Wells as to the manner of obtaining labor and the mode of payment. He did not seem to be sure, although he stated that it was expected within a week." Major Wells was ordered to investigate and later "reported to me, verbally, that he had made the investigation and that he found only 45 men working on the road at Maissade and that the men were all voluntary laborers; that they were paid a half gourd and "Major Wells stated that he felt sure that there was no corvée in force where in his district." General Catlin then decided to investigate and "found conditions as Colonel Hooker had reported, except that the force of workmen had apparently been cut down, as I found only 45 men working on the road near Maissade, under guard of several armed gendarmes. I stopped and questioned these men and they all stated that they were working voluntarily; some claimed to have been brought there by gendarmes, others said that the chief of section had brought them. The general denied this, but on being told that they were at liberty to go to their homes to remain and work at a gourd a day, they all but three left." At Maissade a modified corvée had been in force both on the roads and in the gendarme barracks. All the inhabitants of a certain section of the district had been rounded up and brought into Hinche as suspected bandits. They had been put to work without pay, but had been allowed 30 cents (Haitian gold) per day for food; that they had been released a few days after their arrival."

Lieutenant Colonel Hooker's testimony states: "I stated that I found 150 men actually doing corvée labor." In a discussion before General Catlin and General Williams and Colonel Wells present, "My report was read and the existence of corvée was denied by Major Wells." Later when General Catlin made his inspection about March 8, he, General Catlin, stated "after being told by several that they had been working since February, that in the early part of their work they spent the night in prison and that some of them had received 30 cents Haitian a day for about a week. That Lieutenant Williams had promised them a gourd a day on the Monday. General Catlin told them that those who were not there to step to the other side of the road. All but three did so." And the general took verbal testimony for about three or four hours and the gist of the testimony was that the corvée had been going on. At Hinche the general stated "that corvée had been continually in operation." Williams then stated, "Do you know positively that the corvée continued after February 8, A. Yes; in February, 1919, I myself saw the corvée in operation near Maissade. Two groups of between 50 to 75 men each were working on the road, the third group working in the market place of Maissade."

Mr. Holly, who acted as interpreter for General Catlin, stated that he had made the people were brought together by Lieutenant Williams at Maissade and "When they arrived at this place they were locked up for the night, and the next morning they were put to work on the road. At the time the general was speaking to them the majority of the men were kept at work for two months and more. Every night they were taken to prison to keep them from running away. These people considered it to work and those who refused "were beaten and compelled to go to work. Some who tried to run away were fired at." Mr. Holly also saw the men split up and go home when General Catlin told them that if they did not go to work they could leave.

Lieutenant Sieger stated: "I understand they were running Maissade." And Captain Verdier, when questioned as to whether the order had been disobeyed, answered: "I heard it had been disobeyed, but I was not made by the magistrate."

Lieutenant Andre, a Haitian officer, stated regarding corvée that "it was in December last year and in January and February of this year he did not know by whose orders, but presumed "it was by the order of Major Wells," and when asked if it was generally known replied: "I heard it was."

was in command of that district and the orders came from him." He stated that corvée had "a very bad effect, and I think that it was for the revolution in the North."

Later, a former captain in the gendarmerie, stated that the corvée order obeyed in the districts of Maissade and Hinche from October 1, 1918, to a time in March, 1919," and when asked by whose instruction it had obeyed he stated that he had questioned Lavoie and Williams "in my capacity as inspector of roads in the North as to by whose authority and from what funds were coming to carry on their road work, informed me that Major Wells ordered them to construct roads between St. Michel and Maissade between Maissade and Hinche with corvée labor and that he had induced the Governor at Maissade and Hinche to make certain contributions, from which the corvée would be fed," and that "illegal corvée after October 1, 1918, was the chiefest factor in the dissatisfaction which led to the revolution. It is well known that the first Caco forces were largely recruited from the corvée."

On the 4th of March, after General Williams had notified Major Doxey (telegram No. 50) that General Catlin was coming North, Major Wells notified Major Doxey (telegram No. 53) that "he would like the road gang at Maissade up to about 50 men; there is money enough here," and Doxey notified Captain Lavoie on the 7th (telegram No. 56) that "it was the work in the district."

Everything is all right. You personally look into it again, each one to be questioned. All expect to arrive 10 a. m. Saturday."

In a paper entitled "Notes made by Maj. J. L. Doxey on situation in the district," under date of February 26: "Remember that corvée is a word for work and does not mean forced labor. All that I have asked for is that all corvée had finished in October."

In opinion that corvée was actually performed in the districts of Maissade, Hinche, principally Maissade, and that Colonel Wells, Major Doxey, Captain Lavoie, and Lieutenant Williams, the officers immediately concerned, were all in it, and it had their support and approval.

Keeping information quiet:

Captain Verdier's testimony relative to confidential messages relayed to Ouanaminthe: "Yes; some were and some were not. They were in the form of telegrams to and from Colonel Wells and Lavoie at Hinche, and some to Kelly at Cerca la Source. They referred to operations, movements and detailing of officers. I had verbal instructions not to let them know if you came through." ("You," meaning Colonel Hooker.)

Captain Bolte's testimony concerning instructions to make private "Not private reports, but telegrams received by telephone through the district were to be kept on file at the Third Company office under lock and key." "Who gave this order?" "Colonel Wells."

From Verdier's testimony relative to messages sent by Captain Doxey to Hinche: "He reported all was quiet."

The telegrams on file at Ouanaminthe:

Colonel Williams to Major Wells: "Message regarding Maissade received."

Major Wells to Captain Lavoie: "All of this is the result of the work which Stallworth sent."

From Major Wells: "Major Wells directs that Stallworth will not send messages via radio unless Lavoie first censors that message. That Stallworth will censor all messages before sending. That radio will not be used in sending messages except in case of danger."

Major Wells to Captain Lavoie: "Start on cleaning up wreck at Hinche and Thomonde. Have barracks repaired and remove all evidence of Cacos."

Major Wells to Captain Doxey: "I would like the road gang at Maissade kept up to about 50 men; there is money enough on hand here."

Major Wells to Captain Lavoie: "It was the work at Maissade. Everything is all right. You personally look into it again, each one to be questioned. All expect to arrive at 10 a. m. Saturday."

From personal letter from Doxey to Wells found in locked drawer: "Haitian rumors in Maissade are General Williams is leaving soon. You, the officers in Hinche go also. Lieutenant Williams has an officer there with him, and will go in another month. Lieutenant Perry, a new man, is at Maissade with Williams. He is the one General Williams said he would send."

From the same source, dated March 18: "Since the investigation bonds have split up into small bands, and are catching more men. They are supposed to have heard that men would not be shot unless in large bands; are all good citizens in the daytime and rob and steal at night. That General Williams, Colonel Wells, Doxey, Lavole have one more in the district; the inhabitants will report to the priest (Lareau, of St. Pierre) the conduct of these officers; Sergeant Carius said he heard the priest advise the inhabitants to make the above report to him.

"The priest said Colonel Hooker would be in Hinche for six months. Gendarmerie would stay.

"Williams has secret-service men trying to find out the above data.

"The priest told Sergeant Carius also that he turned things up proper in Hinche.

"I have not had an opportunity to find out any of the above, although the magistrat at Maissade told me the substance of the above. T."

Telegram No. 63, Wells to Doxey, March 20, 1919: "Paragraph 4 send your dope on Haitian propaganda in Maissade to Port au Prince source?"

Telegram No. 65, Doxey to Wells, March 20, 1919: "You may send Haitian propaganda to Port au Prince if you will state that I have personally investigated it; also state that I do not personally know the magistrat there heard of it."

Personal letter, Doxey to Wells, dated March 18, 1919: "The telegrams have been out between Thomasique Thomonde and Hinche every day Saturday."

In addition the circumstantial references in the testimonies:

(1)

OUANAMINTE, HAITI, November 11

Large band of bandits operating between Thomasique and Thomonde 7th. Opinion of the majority of the officers in this district machine gun be left in Hinche for some time further. November 8. Thomasique.

STALLA

Kelly reported Maissade attacked by bandits; no other dope. Under

(2)

Who sent radio No. 11009? Where is Stallworth? Where are the others? Is the radio working? Lieutenant McCann, with eight mounted gendarmes due to arrive at Pignon to-night; he will take his orders from Captain

(3)

Captain Levy jumped a bunch of Cacos on the plains of Pignon on the night of the 10th. They are going toward Mohin Crochu. They killed one and burned two houses. There was a large band outside of Thomasique the night of the 10th, but they did no damage.

Lieutenant

(4)

NOVEMBER 12

DEPARTMENT COMMANDER, Cape:

Message regarding Maissade affair received; the following officers left Port au Prince by automobile for temporary duty at Hinche morning of the 12th: Wood, whose leave has been revoked; Second Lieutenants Kenney, Williams, temporary duty at Hinche; direct Andre temporary duty Hinche; Stallworth, temporary duty St. Michel. Direct 20 gendarmes from Gonaives from the Cape to proceed to Hinche for assignment. Direct Hinche to have less than 1 officer and 10 men at every station in the district. Men at Gonaives and Cap will be replaced from the south.

(5)

VOIE, *Hinche*:

ells says that he thinks that the officers should be placed according  
chedule, but for you to use your own judgment: At Hinche, Lavole,  
g, and Newland; at Cerca la Source, Kelly; at Thomasique, Wood;  
de, André; at Maissade, Kenney; at Cerca Carbajal, Daggett; at  
ochu, Williams. I will start the gendarmes from Gonaives and the  
lately. As soon as you have made disposition of same report to me  
e, so that I can report chief of gendarmerie. All of this is the re-  
telegram which Stallworth sent. I will be out to Hinche soon to

WELLS.

e was forwarded to Lieutenant Kelly at Cerca la Source by Captain  
10.30 a. m., November 12, 1918.

(6)

ells directs that Stallworth will not send any messages via radio un-  
first censors the message. That Lavole will censor all messages be-  
g. That radio will not be used for sending messages, except in case

WELLS.

e message was transmitted to Lieutenant Kelly at Cerca la Source via  
at 3:30 p. m., November 12, 1918, by Captain Verdier.

(7)

: KELLY, *Cercea la Source*:

Wells will be in Hinche to-morrow. If Stallworth has not complied  
order to go to St. Michel tell him to go to Hinche as I want to see

WELLS.

(8)

NOVEMBER 13, 1918.

AVOIE, *Hinche*:

e in Hinche tomorrow; like you to be there too, but use your own  
whether you can be there or not. I want to see you personally and  
s over. Lang and Doctor Helm are going with me.

WELLS.

(9)

AVOIE, *Hinche*:

a cleaning up wreck at Maissade and Thomonde. Have barracks re-  
d remove all evidence of attack. Acknowledge.

WELLS.

(10)

AVOIE, *Hinche*:

officers in proper district and have any bands been disposed yet?  
dge.

WELLS.

(11)

NOVEMBER 21, 1918.

ENT COMMANDER, *Cape*:

bands encountered by Wood, Daggett, and André. Main band south  
nde. Request Wood patrol at large. Williams at Carbajal. Marines  
for Mobin Crochu.

(12)

LAVOIE, *Hinche*:

Your 43120 approved.

(13)

NOVEMBER 21

DEPARTMENT COMMANDER, *Cape*:

Captain Kenney, with 25 gendarmes, arrived *Hinche* 1.30 p. m.

(14)

DEPARTMENT COMMANDER, *Cape*:

Colonel Ancrum, with 20 gendarmes, arrived *Thomonde* 4 p. m.; this evening.

(15)

NOVEMBER 22

DEPARTMENT COMMANDER, *Cape*:

Colonel Ancrum and Lieutenant Sieger, with patrol, left *Hinche* to operate in vicinity of *Lopalis*.

(16)

Captain LAVOIE, *Hinche*:

In what capacity is Colonel Ancrum acting? Have received no info from the chief of gendarmerie regarding same.

(17)

NOVEMBER 23

DEPARTMENT COMMANDER, *Cape*:

Following quoted from radio received here November 19: "Sq. Ancrum in command, leaves to-night. Will work around district: *Mirebalais*, probably resulting in appearance of scattered *Cacos* at *Maissade*." Williams and Colonel Ancrum have orders from chief?

(18)

DEPARTMENT COMMANDER, *Cape*:

Large bands encountered early this morning by Ancrum, Lieutenant André, and Lieutenant Daggett near *Lapalage*. First Squadron A returned to *Thomassique* shot through the arm and m. killed; all on the run. No further news.

(19.)

NOVEMBER 24

CAPTAIN LAVOIE, *Hinche*:

Following received from chief of gendarmerie to-day these h: "Department Commander, *Cape*: the following is a part of message *Hinche*, November 19, which through error was not transmitted. Gendarmerie *Hinche* Squadron A. Ancrum in command, leaves to work around district north of *Mirebalais* probably resulting in appearance of scattered band about *Maissade*. Williams. Transmitted to *Hinche* 4 p. m., November 24, 1919, by First Sergeant."

Request information if Colonel Ancrum has any other instructions above or if any while operating in this department. Notify me at once.

(20.)

LAVOIE, *Hinche*:

answer your 13424 as soon as arrangements are made here. WELLS.

(21.)

NOVEMBER 24, 1918.

ST COMMANDER, *Cape*.

Lieutenant Antoine Pierre shot through the elbow. Lieutenant Newland should have further treatment immediately. Request Doctor Helm Hinche, or automobile be sent to Hinche to take gendarme to Cape.

LAVOIE.

(22.)

NOVEMBER 24, 1918.

ST COMMANDER, *Cape*.

Ancrum has verbal orders from chief of gendarmerie to disregard line if necessary.

LAVOIE.

(23.)

NOVEMBER 25, 1918.

KEY, *Cape*.

ing but barracks materials.

ges leaves with horse Tuesday; arrives Bahon Wednesday.

ty-four hundred rounds caliber 30 ammunition, 500 rounds caliber  
dition is necessary. All officers in the district have automatics.

uesday morning.

iel Ancrum at Thomassique with Squadron A. It is reported from  
ue that band encountered yesterday is under way at the Dominican  
ter that it is all quiet at Hinche.

LAVOIE.

(24)

LAVOIE, *Hinche*:

ust received word that Lieutenant Colonel Hooker has returned to  
will take command of the second Regiment at Cape Haitien.

WELLS.

itted at 4:30 p. m. November 26, 1918 by Lieutenant Bolte.

(25)

ST COMMANDER, *Cape*:

Ancrum with Squadron A Lieutenant Sieger and Daggett left  
que for action Laplage. Report on conditions from November 15 to  
ig forwarded to Cape by special messenger. All quiet in Hinche.

LAVOIE.

(26)

ST COMMANDER, *Cape Haitien*:

or District Commander, Gonaives.)

sted that Mister M. G. Jean Gilles be arrested and sent to Malssade  
for desamation of character of Magistrate Communal Malssade.

(27)

DECEMBER 23, 1918

DEPARTMENT COMMANDER, *Cape*:

Request copy of cockpit affair of judge de paix of Cerca Carbajal forwarded as soon as practicable.

Transmitted to C. Shuck at Cape 6 p. m. December 25, 1918 by F. V.

(28)

DECEMBER 25, 1918

DEPARTMENT COMMANDER, *Cape*:

Six boxes ammunition and some rifles came across the border at P. Dominicana. Two of the boxes fell into the Artibonite river. Took them out of the river and were drying them; a native saw them and came to me. A band of about 100 is reported to be between H. Carbajal. Ammunition and rifles came from town Mocarís about 10 miles from the border in the interior of Dominicana. Ammunition came in soap boxes.

Transmitted to Colonel Wells at Cape 9.20 a. m. December 28, 1918

(29.)

DECEMBER 29, 1918

DEPARTMENT COMMANDER, *Cape*:

Sieger, with five mounted men, patrolling from Thomassique to Carbajal; Williams, with eight mounted men, patrolling from Hinche to Los Palmas; two marines stationed at Carbajal have order to patrol Los Palmas.

(30.)

DEPARTMENT COMMANDER, *Cape*:

Charlemagne, with several bands, made feeble attempt to attack Hinche last night; bandits still in the hills about Hinche. Request your presence. Request 10 more rifles be sent to Hinche, also one field glass.

(31.)

DEPARTMENT COMMANDER, *Port au Prince*:

Patrol arrived at Maissade 5 p. m., January 4, 1919, after patrolling Petite Riviere to Medor Yocko and Bois Rouge. I am leaving for Hinche, where several small bands are reported operating. Await further instruction at Hinche.

Transmitted at 2 p. m. to Major Doxey by first sergeant.

(32.)

DEPARTMENT COMMANDER, *Port au Prince*:

Passed through Marne Roi and Maissade; everything O. K. Arrived Hinche 3 p. m. this date. Will await here for further orders.

Transmitted to Colonel Wells 9.30 a. m., January 6, 1919. J. O. V.

(33.)

COMMANDER. *Hinche.*

Can marine machine-gun crew return to Cape. These men should be necessary. Advise me on this question.

WELLS.

(34.)

SENIOR COMMANDER, *Cape.*

should remain in district until conditions are more settled. Can be on your request.

LAVOIE.

(35.)

*Hinche.*

It and Newland are leaving Cape, Wednesday morning, for Hinche. I following telegram to chief of the gendarmerie: "I consider present of marines at Hinche necessary until construction work is finished. On duty there can not do large amount of patrol required and at the petite construction in progress."

WELLS.

(36)

SENIOR COMMANDER, *Hinche:*

You send a telegram to General Williams asking that the gendarmes from the south be detached; if you did what were your reasons for doing so? Department Commander.

WELLS.

(37)

SENIOR COMMANDER, *Hinche:*

Captain Hanneken with patrol of 12 men left Charbert this a. m. for vicinity of Pignon. Has orders to patrol all trail between Pignon, La Victoire, and Carabajal, returning to his station next Saturday. Lieutenant Button will be at Pignon permanently.

WELLS.

(38)

*Hinche:*

Agitators amongst gendarme detachment from the south to the Cape at time an officer comes up.

WELLS.

(39)

SENIOR HINCHE:

Lieutenant Rippin has orders to report to Captain Hanneken, who is on duty in vicinity of Pignon, La Victoire, and Cerca Carabajal. Direct him to proceed to Pignon and get in touch with Hanneken.

WELLS.

(40)

DEPARTMENT COMMANDER, *Cape*:

Hannekin encountered small band on mountain near Carbajal, killed - He is going into Carbajal and then to Charbert. Rippin left letter at F. for Hannekin; he thinks that this letter contains orders for Rippin to in Hinche. Levoie wants to know just what Rippin's orders are.

Er.

(41)

FEBRUARY 6, 1919

Captain LAVOIE, *Hinche*:

Direct Lieutenant Rippin to proceed Pignon, awaiting orders there.

W.L.

(42)

DEPARTMENT COMMANDER, *Cape*:

Colonel Hooker left Hinche 1 p. m. this date for St. Michel.

L.V.

Transmitted to Lieutenant McCann, Cape 4.05 p. m. February 11, 1919.

F. V.

(43)

FEBRUARY 15, 1919

DEPARTMENT COMMANDER,

*Depart. Cap.*:

Cacos attacked Thomassique 3 p. m. this date. Lieutenant Rich- charge of Thomassique with his gendarmes and a patrol of six men from la Source; 17 Cacos killed, 2 rifles and 1 revolver captured. No gendarmes or inhabitants killed or wounded. No communication with Hinche.

Er.

(44)

Colonel HOOKER, *Hinche*:

Our telegraph linemen have returned from work near Thomonde and handits are destroying lines as rapidly as they are built. But do you think it advisable for him to return to work immediately to complete line from Thomonde to Las Cahobas.

G.L.

Transmitted to Captain Kelly at Cerca la Source, 3.25 p. m., February 1919.

(45)

Major DOXEY, *Hinche*:

Following telegram received here at 3 p. m. February 26: "Notify V Doxey to meet me at Ennery with his automobile Thursday afternoon."

B.L.

(46)

Lieutenant BOLTE, *Cape*:

Will meet Colonel Wells as requested.

F.L.

(47)

Captain LAVOIE, *Hinche*:

Colonel Wells left Ennery at 4.15 p. m. this date for Hinche; will probably spend two or three days there. Has Major Bartol or Lieutenant Ryp- turned to Hinche yet? Major Doxey coming to Cape. Acknowledge.

B.L.

(48)

KEY, *Cape:*

Lieutenant Button to go back to Pignon after he finished his work Riviere about the 2d. Everything quiet.

WELLS.

(49)

KEY, *Cape:*

Captain Gibbons to meet Colonel Wells at Ennery this afternoon with The colonel has mail that he wants to get through to Port au Prince.

WELLS.

(50)

KEY, *Hinche:*

Following is quoted for your information: "Brigade commander, one will arrive Gonaives Friday, March 7, for lunch; meet us there with 1. Will spend night at St. Michel. Will arrive Hinche following day.

WILLIAMS.

(51)

KEY, *Hinche:*

Will you meet me in Gonaives with your car Friday morning early? Will other Ford and road truck for baggage if there is enough. All well?

WELLS.

(52)

WELLS, *Cape:*

Will meet you in Gonaives with my car early Friday morning.

DOXEY.

Arrived to Bolte Cape at 8.50 p. m. March 3, 1919.

(53)

DOXEY, *Hinche:*

Did like the road gang at Malssade kept up to about 50 men; there is enough on hand here. Acknowledge.

WELLS.

(54)

ENEMY COMMANDER, *Cape:*

9804 will be complied with.

DOXEY.

(55)

MARCH 5, 1919.

DOXEY, *Hinche:*

Mobile not running good. Probably will not be able to go to Hinche w, but will meet you at Ennery at 9 a. m., Friday. Please notify when we are at St. Michel.

WELLS.

(56)

LAVOIE, *Hinche:*

the work in Malssade. Everything is all right. You personally look gain, each one to be questioned. All expect to arrive 10 a. m. Saturday.

DOXEY.

(57)

LAVOIE, *Hinche*:

Will leave St. Michel about 9 a. m. and will stay in Matssade about 2 p. m.  
Will arrive Hinche about 2 p. m.

(58)

MARCH 15

DEPARTMENT COMMANDER, *Cape*:

Captain Kenney with 30 gendarmes passed through Thomonde at Thomassique now; he didn't see anything at all. Lieutenant Newt with 30 gendarmes came from Petit Fond and is at Thomonde to-night. Lieutenant Powell with 30 gendarmes, Lieutenant Wallace with 30 gendarmes, Lieutenant Kelly with 30 gendarmes not heard from yet. Major Bar Hinche to Thomonde with 12 gendarmes; he didn't see anything. Lavoie on his way to Cerca-la-Source and Thomassique with 12 gendarmes; this patrol to take in Los Palis. Hartmann on his way to Mobin Cruche; heard from him yet. Don't forget to send those automobile tires to Hinche.

(59)

DISTRICT COMMANDER, *Hinche*:

Orders received this date detaching Major Doxey from Third Company, Fourteenth Company, Hinche.

Transmitted to Major Doxey at Hinche, 1.30 p. m., March 15, 1919.

(60)

Major DOXEY, *Hinche*:

Make full report of patrolling details in your district on Tuesday, March 18. One copy to the chief of the Gendarmerie d'Haiti, one to the department commander, and one for file.

Transmitted to Major Doxey at Hinche, 1.30 p. m., March 15, 1919.

(61)

MARCH 15

DEPARTMENT COMMANDER, *Cape*:

Lavoie met patrol as ordered at Thomassique; have not heard from him yet. Have not heard from Major Bartol since he left Thomonde yesterday. Rumor that a band was going to fire some shots over Hinche this morning; nothing developed. There were other rumors, but nothing developed from them. Is rumored that Charlemagne is coming to Hinche April 19. I will report as requested. Have sent in no reports except the one to you in Fort-au-Prince. I know of nothing here that would interest Port au Prince in the least. Come into the Cape Tuesday.

(62)

MARCH 15

Colonel WELLS:

If you approve, send the following telegram to the Chief of Gendarmes: "All patrols have returned to their base. None of these reported more than four rifles. Each patrol reported small bands in this district the week. This report for the week will leave Hinche by automobile on March 18 at 10 a. m."

Transmitted to Bolte, Cape, March 18, 1919.

(63)

MARCH 20, 1919.

DOXEY, *Hinche*:

nneken can not come to Hinche, as I want to keep Chabert in good n; Kelly is on leave; no other officers there.

received your note from Bartol.

transfer animals to Chabert.

y I send your dope on Haitian propaganda in Maissade to Port au quoting source?

Major Martol reports sending report to Port au Prince O. K.

Lieutenant André will leave morning of the 21st for Hinche with allot-

ment man may stay in Hinche until the end of the month if you need him. Telegram chief of the Gendarmerie d'Haiti: "Department commander, for Hinche; Captain Lavoie and Lieutenant Williams are hereby de- from duty district of Hinche and department of Cape and will proceed au Prince; will report to department commander, Port au Prince, for Carserne. Dartiguenave, Tracy, acting."

out these instructions.

WELLS.

(64)

MARCH 20, 1919.

MENT COMMANDER, *Cape*:

11018 acknowledged. Will the 24th of March be soon enough for and Williams to start from Hinche?

DOXEY.

(65)

WELLS, *Cape*:

may send dope on Haitian propaganda, Maissade to Port au Prince, if ill state that I have not personally investigated it; also state that I do rsonally know the source, but do personally know the magistrate there and it.

DOXEY.

(66)

MARCH 21, 1919.

MENT COMMANDER, *Cape*:

bits in neighborhood of Las Cahobas showing increased strength and con- . Want posts to be vigilant.

WILLIAMS.

transmit to Major Doxey.

WELLS.

transmitted to Major Doxey, Hinche, 4.40 p. m., March 21, 1919.

(67)

MENT COMMANDER, *Cape*:

voie leaving Hinche for Port au Prince via Gonaives in road car; Williams ig overland via Las Cahobas at 9 a. m., this morning.

DOXEY.

(68)

WELLS, *Cape*:

gendarmerie in district of Hinche and Las Cahobas will do no patrolling at nt. They will act as guides and identify people when they go with the e patrols. The marines are going to patrol, but will not actually go after s until the expiration of the 10 days' notice given, which tells all bandits inhabitants to come in and register. Those who do not come in and ter will be taken care of later. Would like to keep Rypins in Hinche

with me, André at Thomonde, Lemon at Monbin Crochu. Unnecessary any more officers to this district at present; Richards can leave any orders of the chief of the gendarmerie.

Two

(69)

Major DOXEY, *Hinche*:

Reference your message 18024, send messenger to Hanneken, via Pignon, to quit patrolling district Hinche. When last heard from he was La Victoire on trail of Nordé. Have sent messenger to him from this end.

W

Transmitted to Major Doxey, Hinche, March 25, 1919, by F. V.

(70)

Colonel WELLS, *Cape*:

Norday and 50 men reported near Grand Booc last night. Attacks gendarmes; all arrived safely.

R

(71)

Major DOXEY:

The following telegram received by the department commander: "Reduce all gendarmerie posts district of Hinche and Gonaives to strength indicated in table of strength and as notified by letter of December 13: organizing border patrol, except Mobin Crochu, which will be garrisoned by gendarmes until arrival of marines at that place, when strength will be as indicated in table of strength. Abandon La Victoire as a gendarmerie. Officers and men relieved by this order will be returned to their original positions. Is this clear? Acknowledge receipt. Telegraph when changes ordered by this telegram have been effected. Williams."

W

(72)

UNITED STATES MARINE CORPS,  
HEADQUARTERS SECOND REGIMENT, FIRST PROVISIONAL BRIGADE,  
*Cape Haitien, March 25, 1919.*

Memorandum for department commander Gendarmerie d'Haiti.

From: Brigade commander.

To: Lieutenant Colonel Hooker.

Subject: Troops in field, command of.

1. You are hereby directed to assume command of all marines operating in districts affected by bandits in the Republic of Haiti.

2. In connection with operations in the field the disposition of the gendarmes is at your discretion. The districts formerly under your control as department commander which is considered affected by bandits is bounded by the following towns in which there are marines: Cerca la Source, Cerca la St. Michel, Nedor, and Jacoe. The gendarmes outside of this district are as heretofore.

3. On account of bandits using gendarmes' uniforms in attack on premises yesterday, orders have been issued by the brigade commander to fire on persons outside of towns in that uniform. Take the necessary precautions in the premises.

R. S. HOOKER,  
United States Marine Corps  
District Commander, Northern H

From: Department commander, Department of the Cape.

To: All district commanders.

Forwarded for your information and guidance immediately. Copies transmitted to Major Doxey, Hinche, 7 a. m., March 29, 1919.

(72)

DOXEY, *Hinche*:

is correct, as I understand it. You will keep the strength of your same as originally authorized in table of strength, gendarmerie regu- and transfer balance to the organization from which they came. Tele- he chief of gendarmerie direct when his orders have been complied

WELLS.

(74)

DOXEY, *Hinche*:

horse that I took from Maissade was left at Hinche. I intended to the same horse upon my return to Maissade, but left unexpectedly by route afoot. The animal can not be found; please pay for same, and remit by mail upon receipt of a telegram stating the price. The horse rth about 75 gourdes.

NEWHAUS.

mitted to Major Doxey, Hinche, April 4, 1919.

(75)

IGADE, *via Cape Haitien*:

lemagne's camp attacked to-day, 13 killed. Camp and large quantity of destroyed.

SECOND REGIMENT, *Hinche*.

(76)

ICHEL:

camp bandits reported about 12.20; plan to strike them to-night. Ban- ,323 said to have no rifles. Request 1,000 guaranty cards "rushed."

DETACHMENT COMMANDER, *San Michel*.

ismit to Major Doxey, Hinche, April 4, 1918.

(77)

DOXEY, *Hinche*:

following is quoted for your reply: "Department commander, Cape. nche: Notify this office what is the status of the magistrat communal at ade. Has any action been taken which may lead to his removal?" ms.

WELLS.

(78)

DOXEY, *Hinche*:

use get the circumstances concerning attending the report against Lieut Lemon and forward same to this office, so that I can furnish the of the gendarmerie with same.

WELLS.

FEBRUARY 28, 1920.

: Lieut. Col. R. S. Hooker, Marine Corps.

The brigade commander.

et: Investigation by adjutant and inspector's department.

I personally went over all the files at headquarters gendarmerie d'Haiti to reports, etc., on which to later base the investigation at Cape Hatien relative t or misplaced file at that place. These files are attached, marked "A."

On February 15, 1920, I went to Cape Haitien, where I questioned several ans and those officers of the gendarmerie who would probably know some- of this investigation. The only officers who were able to give any testi- were Captain Verdier and Lieutenant Van Horn (testimony attached ed "B" and "C"). Col. J. J. Meade, gendarmerie d'Haiti, the department ander of the cape, told me that the files in his office were not in good

shape and that he had had difficulty in looking up old matter. A thorough search of the department files at the cape were made and several reports and communications were found in Colonel Wells's and Major Doxey's personal files (marked "D") and some papers in the middle drawer, locked, of the department commander's desk (marked "E"). Captain Verdier searched, found, and delivered to me the copies of relayed messages and orders at Ouanaminthe (marked "F").

3. From questioning and talking with persons in the north I do not believe that any further information can be obtained from new witnesses. I do not believe that nothing further can be obtained from witnesses who have already testified.

4. This being simply a report on my separate actions, any expressed opinion will be withheld until Major Turner and myself submit our joint report as originally ordered.

R. S. HOOKER

A true copy.

R. S. HOOKER

*Lieutenant Colonel, United States Marine Corps*

GONAIVES, HAITI, February 19, 1920

JOSEPH O. VAN HORN, lieutenant, Gendarmerie d'Haiti, was called as a witness, was informed that he need not answer any incriminating questions, and testified as follows:

1. Question. What is your name?

Answer. Joseph O. Van Horn, lieutenant, Gendarmerie d'Haiti, stationed at St. Michel, Haiti.

2. Question. Where were you stationed in the latter part of 1918 and the early part of 1919?

Answer. At Ouanaminthe, Haiti.

3. Question. During the trouble in Hinche, from October, 1918, was the Hinche used as a relay station for telephone messages to and from Hinche?

Answer. Yes, sir.

4. Question. Do you remember the nature of these messages?

Answer. Some messages were written and placed on file at Ouanaminthe and some were verbal over the phone and relayed to their destination related to transportation activities, and some were reports from Captain Wells to Colonel Wells.

5. Question. Did these reports from Lavoie indicate that he was having trouble in his district or not?

Answer. Yes; some did and some were to the effect that all was quiet.

6. Question. What were the nature of these reports during January, February, and March, 1919?

Answer. I don't remember exactly what the reports were, but I know the things were not quiet. This was during December, when I was stationed at LaMelle, Haiti.

7. Question. Do you remember any instructions from Colonel Wells to you as to the treatment of Cacos or Caco prisoners?

Answer. No; I never heard him say anything about that, because when I came up here he always told me he had to tell the district commander.

8. Question. Have you spoken to other officers on the treatment of Caco prisoners, and if so, what was their ideas on the subject?

Answer. I remember speaking to several officers, but I can't remember what they were now or exactly what was said. But I was under the impression when I went after an armed band of bandits, I was supposed to go and get them and get rid of them. When prisoners were taken I always treated them the same as other prisoners. Like prisoners in the civil prison and I kept them in to stand trial.

JOSEPH O. VAN HORN

*Lieutenant, Gendarmerie d'Haiti*

Subscribed and sworn to before me this 19th day of February, 1920.

R. S. HOOKER

*Lieutenant Colonel, United States Marine Corps  
Sous-Chief, Gendarmerie d'Haiti*

A true copy.

R. S. HOOKER,

*Lieutenant Colonel, United States Marine Corps.*

STATEMENT OF SERGT. LAMARTINE TOUSSAINT, FIFTEENTH COMPANY,  
GENDARMERIE D'HAITI.

OUANAMINTHE, HAITI, *October 26, 1918.*

ant Van Horn, Gendarmerie d'Haiti, had turned over to me one pris-  
ed Saul Peralte to conduct to Mount Organise. On arriving at the River  
he asked me permission to drink some water. I refused him. On cross-  
iver he tried to escape. I cried out "Halt" on him three times; he did  
to stop. Seeing that he was gaining ground from me I fired four times,  
time in the air, and the last three times upon him. The bullets at-  
m in the back and went out through his stomach, under which he fell,  
e space of three he expired.  
d a true copy.

JOSEPH O. VAN HORN,  
*Lieutenant, Gendarmerie.*

CAPE HAITIEN, *February 17, 1920.*

VERDIER, captain, Gendarmerie d'Haiti, was called as a witness, was  
that he need not answer any incriminating questions, testified before  
llows:

stion. What is your name?

r. Frank Verdier, captain, Gendarmerie d'Haiti, stationed at Ouan-  
since September, 1918.

stion. Were you present at a conversation between Colonel Wells and  
Lavoie? If so, state the subject matter of this conversation as far as  
remember it.

r. Yes, sir; I was present at this conversation, and most of the conver-  
as on the Caco situation. I don't remember the exact conversation but  
Wells did say that such men as Saul Peralte should be gotten rid of.

stion. Was any mention made to the effect that either you or Captain  
should handle your district and that it would not be necessary to make  
on your activities?

r. It may have been mentioned, but I can't recollect.

stion. Were any instructions given to make it as hard as possible for  
os?

r. Yes, sir. Instructions were given to make it hard for the Cacos, but  
know exactly what they were.

stion. In your opinion what was meant by making it hard? What did  
ik was meant?

r. I think that Colonel Wells meant to convey the idea to get rid of  
o bump them off.

stion. Have you spoken to other officers on this subject; and if so, what  
did they have relating to those instructions?

r. I think I spoke to Bolte on this subject and he had the same opinion  
elf.

stion. During this trouble in Hinche, from October, 1918, on, was not  
ninthe a relay station for messages from the Cape to Hinche?

r. Yes.

stion. Do you remember any reports from Hinche to the department  
nder at the Cape relative to the situation in Hinche?

r. I remember receiving some telegrams regarding activities.

stion. Were these messages confidential?

r. Yes; some to and from Colonel Wells and Lavoie at Hinche and per-  
ome to Kelly at Cerca la Source. They referred to operations against  
and detailing of officers. I had verbal instructions not to let you see  
t you came through Ouanaminthe.

stion. Have you copies of these messages?

r. I'm pretty certain I have. I will try to find them and will give them  
if they are still there.

stion. Did these Caco telegrams state that the situation in Hinche  
rious or not?

r. I should consider so.

stion. Do you remember whether Lavoie was nervous over the situa-  
whether he thought he could handle it without outside aid?

Answer. At the time I was in Hinche in November, 1918, Lavole could handle it without aid, but later he requested that machine guns be sent him with marine crews.

13. Question. Did you transmit any messages from Major Dorey, department commander of the cape after he went to Hinche in January, 1919, to relieve Lavole?

Answer. Yes, sir.

14. Question. What were the nature of these?

Answer. Mostly regarding the shipment of supplies.

15. Question. Nothing regarding the Caco situation?

Answer. I think there was something regarding the Caco situation, but I can't think what it was.

16. Question. Do you remember if these messages said that all was quiet that he was having trouble with the Cacos?

Answer. He reported all was quiet.

Captain, Gendarmerie

Sworn to and subscribed to before me, this 17th day of February, 1919.

Lieutenant Colonel, United States Marine Corps  
Sous Chef de la Gendarmerie

A true copy,

R. S. HODGES  
Lieutenant Colonel, United States Marine Corps

EXTRACT FROM GENDARMERIE GENERAL ORDER NO. 21, DATED MAY 10, 1918 (SINCE REVOKED).

(8) For the present funds for road repairs allotted from these hereafter will be used as far as possible on the following roads: Department of Mapou-Gonaives, Gonaives-Ennery, Ennery-Saint Michel, Gonaives-Gros Morne-Port de Paix, Cape Haitien-Ouanaminthe, Ouanaminthe-Liberte, Port Chabert.

(9) Such other roads and trails as serve to define general economic zones will be repaired when there exists a condition which seriously impedes transportation of goods or passengers by horse, pack, or cart. When patriotic and public-spirited individuals are contributing to the repair or development of certain roads, such work will be continued and every encouragement be given to the end that such contribution increase.

FROM GENERAL ORDER NO. 22, DATED SEPTEMBER 2, 1918 (SINCE REVOKED).

1. Beginning October 1, 1918, the use of corvée on the national roads provided for in General Order 21, of May 10, 1918, will be discontinued and the maintenance and improvement of these roads will be carried on with paid labor only. Labor except when a real emergency calls for emergency repair beyond the available appropriation, in which case corvée will be used.

2. The paid labor will be organized into gangs and every effort will be made to keep together a permanent personnel. A maximum of 1.10 gourdes without food or one gourde per day plus a meal at cost 10 centimes will be exceeded, and wherever possible labor will be obtained at a lower rate. Shelter, to be constructed by the labor gangs themselves, will be provided and the better the shelter, keeping in view its temporary nature, the more contented and efficient will be the workers.

3. Holidays and fetes will be recognized and celebrated with moderation. It is the idea to take advantage of all possible means to build up an organization which will be attractive to the Haitian laborer.

4. The use of corvée for other roads than those listed will be restricted to the provisions of articles 52 and 65, Code Rural.

5. The use of corvée or free labor for other than road building will be restricted under the restrictions of law, and care will be exercised that no work be called by local officials for illegal work.

6. When prisoners are used, only prisoners physically capable of work will be employed and gangs of prisoners will be put on work separate from that performed by paid gangs. The cost of feeding and clothing prisoners will be paid for from prison funds.

7. Upon the receipt of this order the district and subdistrict commanders will inform the officials and notables that its issuance is made possible

triotic and earnest efforts of the inhabitants of the rural sections so fully given of their labor, and that to each and every one of these merie owes a debt.

ALEX. S. WILLIAMS,  
*Chief of the Gendarmerie.*

[Telegram.]

NT COMMANDER,  
*Gendarmerie, Cape Haitien:*

etter dated October 8 from magistrate Maissade, believe order stop-  
se after October 1 may not have been received at Hinche. If order  
ed, notify Hinche of same by telephone.

TRACY, *Acting.*

am from department commander of Cape to chief of Gendarmerie d'Haiti.]

labor has not been stopped on the Hinche-Maissade and St. Michel  
the reason that this road is not included in General Order No. 2.  
rvée is worked on this road little can be done toward opening up this  
the country. Request its continuance.

UNDERWOOD.

bottom of this telegram, in Colonel Williams's handwriting, written  
the following:

"OCTOBER 8.

s given by telephone to cease all corvée.

"A. S. W."

[Second Indorsement.]

HEADQUARTERS MARINE CORPS,  
*Washington, January 12, 1920.*

ajor General Commandant.

brigade commander, First Provisional Brigade, United States Ma-  
port au Prince, Republic of Haiti.

Report of investigation of certain irregularities alleged to have been  
ted by officers and enlisted men in the Republic of Haiti.

∴ (a) Confidential letter of Major General Commandant dated Sep-  
27, 1919.

urned. The testimony of the persons mentioned in the seventh para-  
the first indorsement hereon is attached, as requested.

directed that this investigation be completed as soon as practicable  
the full report of the investigation, together with your recommenda-  
he premises, be submitted to these headquarters.

GEORGE BARNETT, *H. C. H.*

JANUARY 12, 1920.

he Major General Commandant.

Secretary of the Navy.

Investigation of certain irregularities alleged to have been committed  
ers and enlisted men serving on shore in the Republic of Haiti.

he latter part of September, 1919, my attention was called to testimony  
eneral court-martial cases of Pvts. Walter E. Johnson and John J.  
n, Jr., United States Marine Corps, which apparently showed that  
acts were being committed by the gendarmerie and marines in the  
of Haiti.

s office immediately addressed a letter to the brigade commander in  
was directed to take immediate steps looking to the suppression of  
awful practices and to conduct an investigation of the acts alleged to  
n committed.

request, was recently received from the brigade commander that the  
y of certain officers and men who are now in the United States be pro-  
This testimony has been taken and will be forwarded to the brigade  
ler at Port au Prince, Haiti, with instructions to complete his investi-  
s soon as practicable and submit a report of the result of said investi-  
together with his recommendations in the premises, to these head-

GEORGE BARNETT.

JANUARY 12

The action taken is approved and the department desires this investigation to be expedited and proper steps be taken in accordance with the expressed above.

JOSEPHUS D.

JANUARY 12

From: Lieut. Col. H. R. Lay, Assistant Adjutant and Inspector, Marine  
To: The Major General Commandant  
(via the Adjutant and Inspector).  
Subject: Confidential investigation.

1. In obedience to verbal instructions from the major general commandant I submit the following sworn testimony of Lieut. Col. A. S. Williams, Clarke H. Wells, Capt. John L. Doxey, Sergt. Dorcas L. Williams.

2. There is also submitted the sworn statement of Lieut. Col. A. S. Williams, Marine Corps, regarding conditions existing in Haiti during his command as chief of the Haitian Gendarmerie.

STATEMENT OF BRIG. GEN. A. W. CATLIN, UNITED STATES MARINE CORPS  
RELATIVE TO CERTAIN IRREGULARITIES ALLEGED TO HAVE BEEN COMMITTED BY OFFICERS AND ENLISTED MEN OF THE REPUBLIC OF HAITI.

I relieved Col. John H. Russell, United States Marine Corps, in command of the First Brigade of Marines in Haiti, December 1, 1918. At this time the gendarmes were stationed only at Port au Prince, Cape Haitien, and Ouanaminthe. The gendarmerie of Haiti were scattered all over the island and were the policing of the island. Bandits had been causing trouble in the district and the gendarmes were operating against them. The chief of the gendarmerie, Col. A. S. Williams, United States Marine Corps, assured me the gendarmes could handle the situation. Toward the end of January rumors reached me that "corvée" was still being used in the Hinche district although it had been ordered stopped in October, 1918, and also the gendarmes were treating the country people in such a manner that many were joining the bandits. Colonel Williams denied this and assured me there was no "corvée" being used in the country. Rumors continued in and I sent Lieutenant Colonel Hooker, United States Marine Corps, to investigate and report to me the actual conditions here. He reported that he found "corvée" going on at both Malsade and at Hinche and the gendarmes used the natives so brutally that many had left their families either joined the bandits or had come into the towns for safety.

Col. A. S. Williams, chief of gendarmerie, and Maj. Clarke H. Wells, commander of northern Haiti, were shown the report and both denied the conditions were as reported. I questioned Major Wells as to the manner of obtaining labor and the methods of payment; and he did not seem to believe though he stated that he had inspected within a week. I then directed Wells to proceed to Hinche to investigate thoroughly the labor question, report to me the number of men being worked, the manner of obtaining what they were paid, and who actually paid them. About 10 days later Wells returned to Port au Prince and reported to me, verbally, that he made the investigation directed, and that he found only 45 men working on the road at Malsade; that these men were all voluntary laborers; that they were paid a half gourd a day, and that the gendarme officer at Malsade was personally; that at Hinche there were no laborers except prisoners. Col. Williams and Lieut. Col. R. S. Hooker were present when this report was made. Major Wells stated on being questioned that he felt sure that there was no "corvée" in force anywhere in his district.

This report was so contradictory to the one made by Colonel Hooker that I stated that he found at least 150 men working at Malsade and that when they were questioned by the interpreter stated that they were harassed and forced to work, that I decided to go to Hinche in person and find out the true conditions there. Accompanied by Col. A. S. Williams, Lieut. Col. Hooker, Maj. Clarke H. Wells, and Major Doxey, I visited San Michel and Hinche. I found conditions as Colonel Hooker had reported, except the force of workmen had apparently been cut down as I found only 45 men working on the road near Malsade, under guard of several armed gendarmes.

and questioned these men and they all stated that they were not voluntarily; some claimed to have been brought there by gendarmes. The gendarmes said that the chief of the section had brought them. The gendarmes lied this, but on being told that they were at liberty to go to their homes and work at a gourd a day, they all but three left. At Maissade I freed the local priest, as well as the magistrate communal, the judge de paix, a number of inhabitants; also a number of gendarmes. The priest was the gendarme officer, Lieut. D. B. Williams (sergeant, United States Corps) with having killed a number of prisoners and also with having been notary of Maissade to death in his office. The only substantiating testimony this latter charge was from three privates of gendarmes, who also could have been beaten by Lieutenant Williams. The charge was denied by Lieutenant Williams, as well as by the first sergeant, the magistrate, and the privates, all of whom stated that the said notary was shot the night before an attack by bandits on the town and had died from the effect of the attack. Lieutenant Williams admitted that he had killed several prisoners but not when they attempted to escape.

When I found a modified "corvée" had been in force both on the roads and in the gendarme barracks. All the inhabitants of a certain section of Guinea, had been rounded up and brought into Hinche as suspected and had been put to work without pay, but had been allowed 30 cents (6 cents gold) per day for food; they had been released a few days after my arrival. I also found that practically all the gardens and farms of the towns had been abandoned and the inhabitants had disappeared, probably having joined the bandits. The priest, Father Belliot, stated that this was partly on account of their fear of the gendarmes and of the appearance of a gendarme uniform was sufficient for the peasantry to take to the brush and hide.

The priest and the magistrate of Hinche stated that a number of prisoners had been shot. On being questioned, Capt. Ernst J. Lavole (private, United States Marine Corps) admitted that six prisoners had been shot. He said that he and the Cacos had attempted to escape several times; that they were taken and had caused trouble among other prisoners. They were taken to a cemetery outside of the town and shot by gendarmes. He stated that he had no orders to shoot prisoners and he had not reported the matter to Major Wells.

Major Wells stated that no report had been made to him, but admitted that he would not expect a report in case of shooting of prisoners. He also admitted the admission of Captain Lavole that prisoners had been shot. Colonel Williams immediately wrote an order, a copy of which he had sent to all gendarmes in Haiti, forbidding the killing of any prisoner, even if attempting to escape, and directing that in case a prisoner should be killed a full list of names of witnesses be submitted at once.

I considered that the action of the gendarmes in this section had a very bad effect on the inhabitants, and I directed Colonel Williams to transfer the officers of the section to Port au Prince and replace them with others from a quiet section of the island. I also directed that marines be stationed immediately in Maissade, San Michel, Cerca la Source, and Thomond, with an officer in each place, and directed Colonel Hooker to assume command of all troops in the section.

I directed that all officers and men be instructed to treat the natives kindly and make every effort to regain their confidence. I also directed that all gendarmes cease and that they be restricted to the towns in this section.

I found that the gendarme officers had made no attempt to propitiate the priests; in fact, they were in most cases antagonistic to them and treated them without any respect and had gained their ill will, when they have had their good offices in dealing with the natives.

I stationed Major Wells carefully, and while I was unable to get anyone to report that he had given any orders for "corvée" or the killing of prisoners, I was satisfied that the officers under him understood that they were to be kind to the natives, but were not expected to make any reports. I consider Major Wells principally responsible for the conditions as found. He stated that he had made frequent inspections of all posts, and it is inconceivable that he should have known something of the conditions. I directed that Major Wells be relieved of the command of the northern district. Major Meade arrived about the same time and was assigned to command at Cape Haitien. Major Wells was relieved from the command of the gendarmerie and was ordered to the States.

In my opinion, the young gendarme officers performed their duties best of their abilities according to the orders they received. They, the marines, and according to custom never questioned any orders given by regular officers. It is also my opinion that the actions of many of the gendarme officers in treatment of natives is due to the methods taught in handling the "corvée" workmen.

A. W. CATLIN  
Headquarters Marine Corps, Washington

Subscribed and sworn to before me, this 31st day of December, 1919

H. C. HAINES  
Colonel, Acting Adjutant and Inspector  
United States Marine Corps

WASHINGTON, D. C., January 1, 1920

JOHN L. DOXEY, captain, United States Marine Corps, having been called as a witness, and having been informed of his right to decline to answer a criminating question, was duly sworn, and testified before me, Lieut. Col. Lay, assistant adjutant and inspector, United States Marine Corps, as follows:

1. Question. Please state your name, rank, and present station.

Answer. John L. Doxey, captain, United States Marine Corps, stationed at marine barracks, navy yard, Philadelphia, Pa.

2. Question. Have you recently been on duty with the Haitian gendarmes, and, if so, what was your rank and title while on such duty; also, where you stationed and what duties were assigned to and performed by you between what dates?

Answer. From January 25, 1916, to about June, 1918, I held the rank of captain or inspector, but my principal duties have been as a captain. From June 25, 1916, to about February, 1917, I was stationed at Port au Prince; from about February, 1917, to February 13, 1918, I was stationed at Port au Prince; from February 13, 1918, to March 8, 1919, at Cape Haitien; from March 8, 1919, at Hinche; from June 28 to September 17, 1919, Cape Haitien; from September 17 to November 8, 1919, Port au Prince; from about November 18, 1918, to October 30 or 31, 1918, at Hinche; from about February 18, 1918, to March 8, 1918, I was in and out of Hinche, but not assigned as district commander at that place at that time.

3. Question. During your service with the Haitian gendarmerie in Haiti and Maissade, and elsewhere, were you aware of the existence of a compulsory corvée subsequent to the receipt of the order of October 1918 suspending the corvée law? If so, please state particulars.

Answer. To my knowledge there was none. I personally questioned Williams, the lieutenant at Maissade, the magistrate of Maissade, Preval, and a number of natives working on the road at this time, and found that no forced labor was going on. I questioned these people sometime between the 1st and 5th of March, 1919. In this connection I would like to state that the corvée is a creole expression for any work by either a large body of men, whether they are working for the gendarmerie, the Marine Corps, or for themselves or other natives, and in case you should ask the natives whether they were going on the natives would naturally answer "yes," whether voluntary labor or forced labor. My understanding of corvée when I was by an inspecting officer is that a body of men are working against the law and that they may be paid or not paid, while it may or may not be voluntary. The native, when questioned, thinks that any work, whether paid or not paid, whether voluntary or not voluntary, is corvée. To my knowledge the definition of the word "corvée," it was not going on in the district at that time. During my investigation, which was about March 3, 1919, I questioned natives working on the road at that time near Maissade. I asked 45 men out of 45, and each one told me in substance that he was glad to be on the road, because he could not work his garden on account of the fact that he would rather make a little money until the handitism was over. A few days later I was with General Catlin, and through his interpreter some of the same men personally told him that they were forced to work, although they were paid, and would rather be at home working on their gardens. At that particular time in that section there was no particular work for them, even in preparing their gardens to be planted, as it was very dry. In my duty with the natives I have found that practically all, educated and

ill work for you just because they like you, and at the same time it against their wishes and you would not know about it. Another cause through fear that they might displease the chief, and later the chief persecute them, would influence the native to work for you. However, case, if an opportunity occurred, another inspector might find out that yes had a dislike for this work. At this time, as far as I know, every being paid for the work performed. At this time I personally carried or 800 gourds to pay the native road workmen, and at this time and his time there were about 3,000 gourdes available for paying these road n, and after my trip, as I remember it, there were 1,200 gourdes left at

This money was kept at Hinche for safekeeping only. It belonged commune of Maissade.

Question. Did you at any time observe personally, or receive any report, cases of abuse or ill treatment of members of *corvée* by members of the *gendarmerie*?

Ver. No, sir.

Question. Did you ever see, or hear, that *Caco* prisoners had been taken out of prison without trial?

Ver. I never did see this, and I don't remember of ever hearing of it up to March 10, 1919, when General Catlin's investigation was made.

Question. In your position which you occupied did you ever hear of any here any persons were shot without trial, in or near Hinche or Maissade?

Ver. No, sir. However, when Major Turner made his investigation I learned from Major Turner that 19 prisoners had been killed in January in

I personally did not believe this, for in numerous conversations with natives they never mentioned that anything of this kind had occurred. I personally known the natives in the district of Hinche and the priest, and nothing of this kind had been on their minds, they perhaps would have brought it up in some of these conversations. From all my dealings with the natives it is absolutely impossible to tell whether an occurrence actually took place or not; they may tell you that an incident took place which is absolutely untrue; they may tell you that an incident happened and implicate other persons, and upon investigation you will find their statements untrue.

Question. Did you hear it spoken of among the *gendarmerie* that it was necessary to execute "bump off" *Caco* prisoners and to make no report of the same to higher authority?

Ver. No, sir.

Question. Have you any knowledge of the circumstances attending the death of Garnier, the notary, at the house occupied by Lieutenant Williams at Hinche?

Ver. Only from hearsay, after General Catlin's investigation. General Catlin investigated this case himself.

Question. What, in your opinion, were the principal causes for the spirit of discontent prevalent in the Republic of Haiti?

Ver. The natural dislike of the Haitians toward any white man (foreigner) in Haiti and the changing of article 6 of the constitution, which in 1918 allows a foreigner to own land in Haiti. This change was made in 1918. My personal feeling and the intimate knowledge I have of the country lead me to believe that the changing of article 6 of the constitution was the cause of this banditism in Haiti.

Question. Do you consider that the Haitians residing in the district of Hinche were subjected to ill treatment or were unduly oppressed by the *gendarmerie*?

Ver. No, sir.

Question. Did you ever see or hear of any confidential reports, confidential telegrams, or confidential messages being received in Major Wells's office relating to the alleged killings and the *corvée* after the order abolishing *corvée* had been given, in the vicinity of Hinche or Maissade?

Ver. No, sir; so far as I know no such messages ever came to his office.

Question. Would you have been in a position to have known had such confidential messages or telegrams been received?

Ver. Not necessarily, although Major Wells usually gave me all reports received.

Question. Did you ever hear of any confidential reports, confidential telegrams or confidential messages of any kind disappearing from Major Wells's

Answer. No, sir.

14. Question. Were you intimately associated with Maj. Clarke while he was department commander?

Answer. Yes, sir.

15. Question. During that time did you live with him?

Answer. No, sir; but I lived in the same town with him, and saw him practically every day.

16. Question. During this time did you ever see Major Wells under the influence of intoxicating liquor?

Answer. No, sir.

17. Question. Do you know Mr. Frederick Baker, formerly an officer in the Haitian gendarmerie?

Answer. Yes.

18. Question. Please state what you know in regard to his character and general reputation among his associates in Haiti.

Answer. By hearsay from American business men and gendarmes I know that he is an agitator and is not loyal to his superior officers, and I do not ascribe any incident that he may have personal knowledge of. I would not believe any statement he ever made to be a fact, and I have never seen statements made by him that were absolutely incorrect, according to the best sources of hearsay information.

HEADQUARTERS MARINE CORPS  
WASHINGTON

Subscribed and sworn to before me, this the 8th day of January, 1919.

H. LAY.

*Lieutenant Colonel, Assistant Adjutant and Inspector  
United States Marine Corps*

WASHINGTON, D. C., January 7, 1919.

Clarke H. Wells, major, United States Marine Corps, having been called as a witness, and having been informed of his right to decline to answer questions, was duly sworn, and testified before me, Lieut. Col. H. Lay, assistant adjutant and inspector, United States Marine Corps, as follows:

(NOTE.—Before commencing the testimony of Major Wells attention was called to the confidential report of the brigade commander, First Provisional Brigade, United States Marines, Port au Prince, Haiti, to the Major General Commanding, dated December 7, 1919. In paragraph 2 it is stated that from an investigation of the report it appears that in the north of Haiti, in violation of the law of October 1, 1918, suspending the application of the corvée law, this law was in effect in certain sections after that date by order of the gendarmerie commander, Maj. Clarke H. Wells, United States Marine Corps. The leading, as Major Wells at that time was department commander at Lavoie was the district commander where this corvée was alleged to have been put into effect. Major Wells was in command of the entire department comprising 7 districts, and was 90 miles away from this district at this time.)

1. Question. Please state your name, rank, and present station.

Answer. Clark H. Wells, major, United States Marine Corps, in charge of Marine Corps recruiting station, Washington, D. C.

2. Question. Have you recently been on duty with the Haitian gendarmerie, and, if so, what was your rank and title while on such duty? Also, where were you stationed and what duties were assigned to and performed by you between what dates?

Answer. I was detached from the Haitian gendarmerie on May 17, 1918, at that time I held the rank of colonel in command of the department of the north with headquarters at Cape Haitien, Haiti. To the best of my knowledge I joined the gendarmerie on May 6, 1918, and was on duty all the time between those dates. I joined the gendarmerie first as an inspector, had charge of the road system in north Haiti, and also in command of the civil prison system in Haiti, which was then in the process of construction. I was also assigned to regular inspection duty in that department. I was appointed colonel in the gendarmerie on the 16th of December, 1918.

3. Question. Can you give the names, and rank, of some of the principal officers under your command and subject to your orders?

r. In the north I had Captain Bartel as inspector; Captain Chaffee as master; Major Hayes as quartermaster; Captain Doxey in command of d Company at Cape Haitien, and Lieutenant Bowley, his assistant; at River, Captain Hamilton; at Ouanaminthe, Captain Verdier; at Hinche, Lavole; Lieutenant Williams at Maissade; Captain Howell at Port de Captain Hannigan at the remount station; Captain Hartman at Letrou; nt Cates at the civilian prison, Cape Haitien; and Captain Gibbons at

station. During your service with the Haitien gendarmerie in Hinche ssade and elsewhere, were you aware of the existence of any compul-ée, subsequent to the receipt of the order of October 1, 1918, suspending the law? If so, please state particulars.

r. After the receipt of the order of October 1, 1918, abolishing corvée, est of my knowledge as far as I could find out during my inspections, is no compulsory labor, meaning corvée.

question. Between what dates, approximately, was corvée lawfully oper-the department under your charge?

r. Corvée was first started when the road system of Haiti was in of construction, by order of the chief of the gendarmerie—that was the art of 1916.

question. Did you at any time observe personally, or receive any report, of s of abuse or ill treatment of members of corvée by members of the gen- p?

r. I visited Hinche as frequently as my other duties would let me, and lant ever reached me from any civilians, or anybody in authority there, l treatment of natives or members of the corvée, nor were any members orvée ill treated by members of the gendarmerie.

question. Did you at any time subsequent to October 1, 1919, issue any or give your tacit consent, for the convening of compulsory corvée for tion work in your district?

r. No; I had personal charge of 65 miles of road between Cape Haitien natives. After the corvée was abolished these laborers were paid by me ek. The road to Hinche was in charge of the district commander of Captain Lavole, who as a member of the communal council at Maissade taxes which the people were required to pay for bringing in their goods for the purpose of paying for this labor. This was with the consent of strate there, as the people were very desirous for this road.

question. Did you ever see, or hear, that Caco prisoners had been taken l executed without trial?

r. When General Catlin made his inspection in Hinche the latter part h, 1919, it was found that several prisoners had been shot. This was General Catlin by several natives who were interrogated by him at that This was the first intimation that I had had of anything of this nature. lants ever reached me from any source as to any shootings up to this

question. Following the attack by bandits upon Maissade, on or about No- 1, 1918, did you express the wish to any of your junior officers that isoners, if undesirable or worthless, be "bumped off"?

r. Never.

question. Did you hear it spoken of among the gendarmerie that it was ary to execute, or "bump off" Caco prisoners and to make no report of fairs to high authority?

r. Never.

question. Was any report made to you, or did you ever hear, that Capt. avole had executed some 19 Caco prisoners in or near Hinche in January, If so, was any investigation made by you at the time and what action

r. General Williams and myself visited Hinche in January, 1919, and things in good order, with the exception that roving bands of bandits district who robbed the market women, burned the houses, and in gen- rified the natives, was reported. The strength of the gendarmier's detach- n duty there in central Haiti was approximately 100 men and officers. was 90 miles from Cape Haitien; all supplies had to be sent through on rains. It was my opinion that the officers on duty there were very active. ad completed one of the finest barracks buildings in the gendarmerie. tric light plant was installed there, and the place was generally in excel-

lent condition. Numerous bands of bandits were reported from time to time; some of these reports were rumors and rumors travel very fast in that country while other reports were actual facts. I think the natives had the habit of knowing they had the habit, of exaggerating and lying to a great extent. The reason was reenforced by the cavalry from Port au Prince, and several adjutant officers would come up for two or three weeks for patrol duty, and then return. On my numerous visits to Hinche the officers seemed interested in their work, especially the construction work of building up the country. They seemed contented in the vicinity of Hinche, and there were no real evidences of any forced labor, except by prisoners. The jail contained approximately 60 men and women during my trips there. I never saw any cruel treatment of prisoners or the inhabitants.

12. Question. Were you well acquainted with Captain Doxey, and if so was your opinion of his ability as an officer and reputation for veracity? your personal relations friendly or otherwise?

Answer. Captain Doxey and myself were good friends; we were together in northern Haiti during all of our service down there, and I would doubt what he said for a minute. He was always truthful and honest in his work; he was very thorough, painstaking, and a good all around dependable man. My personal relations with Captain Doxey were always friendly. He is of a retiring nature, sensitive, and a man of few words. He was respected by the better element of natives. The bad element during service in Hinche tried to kill him because he was doing his duty. On account of his upholding the law and looking out for the interests of the better element of the people, he was attacked in his house one night at Hinche by bandits who were armed with rifles and knives. At this time he displayed great courage. He was by himself, and finally succeeded after the alarm had been given in quelling the disturbance and driving the bandits out into the country. He sent a report to Cape Haitien recounting the circumstances, saying that he was all right and did not need help. A number of bandits were killed during the attack. I consider Doxey one of the most dependable officers in the service. He was very patient with the Haitians, listened to all their troubles, and had many friends among the better element.

13. Question. Have you any knowledge of the circumstances attending the death of Garnier, the notary, at the house occupied by Lieutenant Williams in Malssade?

Answer. It was reported to me, verbally, that this man had been shot during a daylight attack on that town. The officer in charge, Lieutenant Williams, seemed to think that Garnier was implicated in the attack, as the bandits went into town through his house, and were firing from his house. Lieutenant Williams was alone in Malssade at this time. This affair took place about 4 o'clock in the afternoon. Lieutenant Williams was in his own house, in the square; he heard the shots and immediately went outside to find out what was going on. He stated to me that the bandits were firing all around him, and that in order to protect himself he got his men in the best shape he could. He gave notice and returned the fire, and finally succeeded in driving them off. A number had been killed. Just how many actually were killed I do not remember. It was during this attack, it was reported, that Garnier was killed. He was dead in his house.

14. Question. What was the attitude of Frederick Baker toward you when he was a gendarmerie officer?

Answer. He was my assistant in the road business; had command of the district of Gonaives, which is 65 miles from Cape Haitien, over the mountains. Our relations were always pleasant. When his enlistment expired in the Marine Corps he was released from the gendarmerie and joined the T. Products Co. which was then organizing in Haiti. I saw him very often after this as he was working in a different part of the country. I did not, however, and it was talked about among the other officers of the gendarmerie that he seemed to avoid further relationship with any of the officers attached to the gendarmerie.

15. Question. What, in your opinion, were the principal causes for the unrest prevalent in the Republic of Haiti?

Answer. The principal cause was, I think, when Charlemagne escaped from prison at Cape Haitien by bribing a gendarme. This man had great influence over a large number of people, he was educated, and circulated all the propaganda about the American occupation. There was no trouble except in the general police cases, throughout the north until his escape from jail. The people were all afraid of him and he got recruits every place he went by

at he was there to drive the whites out of Haiti. Before the corvee finished he spread great discontent by circulating the report that the whites were there to make slaves out of them. The Haitians are very superstitious, rumors and news travel very fast, and they have the habit of lying. Haiti, composed of six districts of the most mountainous part of the country, about 150 miles across and about 90 miles wide, the quota of gendarmes territory was about 960 men divided between the different districts. Question. Do you feel justified in stating that there were no illegal executions of native prisoners in the department under your charge? Answer. Yes; except in the instance of the investigation at Hinche, by Capt. Catlin, in March, 1919, of which I never knew the outcome, what the decision was, or the attendant circumstances. About this particular I knew nothing, it having never been reported to me—if it took place

Question. Admitting that natives were in some instances executed without trial, and without official report of same being made to higher authority, is it your opinion that such killings were justifiable under the circumstances? Answer. I do not think that any killings are justifiable without trial, except in the case of bandits in the hills, who are armed and trying to escape and have arms and ammunition in their possession, as happened in numerous cases. Question. Do you consider that the Haitians residing in your department were subjected to ill treatment or were unduly oppressed by the Haitian gendarmerie?

Answer. I do not; I think they were better treated than they had ever been before in their lives. During the time that I commanded in the north nobody was in jail without a trial, as had been done before the gendarmerie was organized; the communes had more money; the taxes were collected regularly, and roads were made passable both for automobile and carts; bandits were suppressed from pillaging the inhabitants; disputes among the natives were settled and everything was done to improve conditions. At this point the witness submitted to the examining officer certain letters which he requested be made a part of his testimony. The letters are as follows:

GENDARMERIE D'HAITI,  
QUARTIER GENERAL,  
*Port au Prince, February 14, 1917.*

Chief of the gendarmerie d'Haiti.  
Commandant Clarke H. Wells, inspector gendarmerie d'Haiti.  
Subject: Road work.

The following indorsement, signed by the commander Department of the Gendarmerie, appears on your road report for the month of January, 1917:

"Attention of the chief of the gendarmerie is invited to the fact that under the supervision of Major Wells the amount of work accomplished in road construction has greatly increased per month. This is undoubtedly due to the attention given the work by this officer and to the efficient manner in which he has expended the funds given him."

General Cole, to whose attention this indorsement was brought by the undersigned, stated to me that you are doing exceptionally fine work at the present time and it gives me great pleasure to add my approbation to that of all who have visited your department.

Good road work largely depends the future of this country and it is for this reason it is particularly gratifying to hear such praise as is given your

A copy of this letter will be appended to your official gendarmerie record.

S. D. BUTLER.

GENDARMERIE D'HAITI,  
QUARTIER GENERAL,  
*Port au Prince, March 3, 1917.*

Chief of the Gendarmerie d'Haiti.  
Commandant Clarke H. Wells, Inspector Gendarmerie d'Haiti.

Subject: Inspection of barracks, prisons, etc., at Cape Haitien.

The following extract appears in a report made by Col. H. L. Roosevelt, Inspector Gendarmerie d'Haiti, on a recent trip made through your dis-

trict around the prison in a most excellent condition; in fact it is easily the best institution of its kind in Haiti and would be a model anywhere. It was

absolutely spotless and the buildings are admirable for the purpose discipline was remarkable. The greatest credit is due to all who in any way connected with the maintenance and operation of this special credit is due to Commandant Clarke H. Wells, Gendarmerie who is in charge."

2. The excellent condition of the Cape Haitien prison is a enthusiastic comment by everyone who has seen it and I take pleasure in thanking you for your work in connection therewith.

3. A copy of this letter will be appended to your official gendarmerie report.  
S. D. E.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF THE CAPE  
GENDARMERIE D'HAITI  
Cape Haitien, March 1900

To: Major Clarke H. Wells, Gendarmerie d'Haiti.

1. The undersigned is much pleased to note the contents of this letter reflects great credit upon you.

J. K. T.

GENDARMERIE D'HAITI  
QUARTIER GENERAL  
Port au Prince, Haiti, December 21

From: Commanding officer Constabulary Detachment, United States Marine Corps.

To: Capt. Clarke H. Wells, United States Marine Corps.

Subject: Commendatory letter.

1. Attached hereto is a radio from the Major General Commandant, United States Marine Corps, transmitted to these headquarters by the brigadier commander.

2. A copy of this will be appended to your Marine Corps record.

S. D. E.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF THE CAPE  
GENDARMERIE D'HAITI  
Cape Haitien, December 21

From: Department Commander, Department of the Cape.

To: Capt. Clarke H. Wells, United States Marine Corps.

1. Forwarded.

J. K. T.

HEADQUARTERS FIRST PROVISIONAL BRIGADE  
UNITED STATES MARINE CORPS  
Port au Prince, Haiti, December 21

From: Brigade Commander.

To: Chief of Gendarmerie.

Subject: Road repair.

1. The following radiogram has been received in reply to one sent to office reporting the successful run of an automobile from Port au Prince to Cape Haitien on the 17th instant:

BRIGADE PORT AU PRINCE:

Information contained radiogram 09518 most gratifying. My congratulations to all who have been instrumental in doing this great work.  
13319 M.

2. It is with great pleasure that I am able to forward this dispatch to the organization which is solely responsible for the accomplishment of the work in question.

JOHN H. B.

GENDARMERIE D'HAITI,  
QUARTIER GENERAL,

*Port au Prince, Haiti, December 20, 1918.*

Chief of the Gendarmerie d'Haiti.

Clarke H. Wells, gendarmerie d'Haiti.

Letter of commendation.

s: 1.

office takes pleasure in forwarding to you the attached copy of a  
dated November 16, 1918, from the American minister, Port au Prince,

copy of this letter and inclosure will be appended to your record.

ALEX S. WILLIAMS.

LEGATION OF THE UNITED STATES OF AMERICA,

*November 16, 1918.*

ALEXANDER S. WILLIAMS,

*Chief of the Gendarmerie d'Haiti, Port au Prince.*

In reply to this legation's dispatch transmitting your report for the  
month of August 5, 1918, addressed to the Secretary of State, in which you  
stated "the road work is progressing satisfactorily, and that Maj. C. H.  
Capt. C. F. Baker, and Capt. Ernest Lavoie, of the gendarmerie, can not  
be too highly for their energy and resourcefulness," the Department  
directs me to inform you that because of its desire for the improve-  
ment of conditions in Haiti, it is particularly pleased to learn of the progress  
being made in road construction and to request you to express to the  
forementioned the real appreciation of the department for their work  
in connection with the road between Cape Haitien and Hinche.

Sir,

Your obedient servant,

A. BAILEY-BLANCHARD,

*American Minister.*

GENDARMERIE D'HAITI,  
QUARTIER GENERAL,

*Port au Prince, Haiti, January 31, 1919.*

Chief of the Gendarmerie d'Haiti.

Clarke H. Wells, Gendarmerie d'Haiti.

Inspection of the Department of the Cape.

The completion of my recent inspection of the Department of the Cape,  
under your command, I have to inform you that I found little to criticize and  
much to commend. The great improvement made in barracks and quarters,  
in personnel, in roads, in prisons, in hospitals, and in the communes  
served by your officers reflect great credit on your conduct of affairs.  
As much of the improvement, even allowing for the work of your  
subordinates, is evidently due to your ability, energy, and initiative.  
A copy of this letter will be attached to your record.

ALEX. S. WILLIAMS.

Question. Did you ever receive any confidential messages as to conditions  
in your department; and if so, were those confidential reports ever  
from your files or lost?

Mr. I never received any confidential reports.

Question. Did you ever receive any confidential telegrams or messages  
regarding the actual state of affairs at Hinche and Maissade in regard to corvee  
imposed after the order was issued abolishing it, or about any unlawful  
deportation of natives in or near those towns?

Mr. No. No telegrams of this nature were ever received by me.

HEADQUARTERS MARINE CORPS,

*Washington, D. C., January 12, 1920.*

CLARKE H. WELLS, United States Marine Corps, was recalled as a wit-  
ness having been informed that his previous oath was binding and of his  
decline to answer any incriminating question, further testified as follows:

Question. Did you ever intimate to any member of the gendarmerie that  
he did not care to receive reports about prisoners?

Answer. I never intimated that I did not care to receive such reports from the gendarmerie regulations called for regular inspections and reports from the prisoners by the inspecting officers attached to the department, and these reports of inspection were always written up and remain in the department commander's files at Cape Haitien. The district commanders made written reports of the conditions existing in their districts at the end of each month and sent them to the chief of the gendarmerie. These reports are on file by me with the records of the gendarmerie.

2. Question. Did you ever receive any messages?

Answer. Lots of messages were received each day over the telegraph from outlying stations and districts.

3. Question. It has been stated by witnesses that the telegrams sent from the Department of the North have disappeared. Do you know where they are?

Answer. At the time I was detached from Cape Haitien, May 17, 1918, orders and telegrams were there as I had received them. I know nothing of the loss of any of them.

4. Question. Why were the papers referred to kept under lock and key?

Answer. The drawer of the department commander's desk was kept locked and papers relative to watching the activities of certain natives were kept there; also personal letters from the chief of the gendarmerie, all of which remain there.

5. Question. You stated in answer to question 20 that no confidential reports were received by you. How do you account for the discrepancy between the answers to questions 9 and 10 in the testimony of Capt. Laurence B. Williams?

Answer. Upon visiting the Third Company's office one time, which was then as a police station also, in which there were always a number of natives, I instructed Lieutenant Bolte to keep the telegraph file out of sight, as it was often related to watching the movements of certain natives who were under suspicion, and I thought that it might be read by those about.

6. Question. After General Catlin's visit to your department, in which he found that it was alleged that *corvée* was practiced after the issuance of the order of October 1, 1918, and also that some prisoners had been killed, what steps did you take to correct this?

Answer. In order that there would be no further doubt about how the situation was carried on, all work was suspended. General Williams, who was then present, issued written orders on the spot that no prisoners under any circumstances would be unlawfully shot, and these orders were dispatched by special messenger, throughout the department.

7. Question. Lieutenant Williams has testified that certain prisoners had been killed and that he had made written reports of these killings to the district commander. Were any of these prisoners ever reported to you by the district commander under whom Lieutenant Williams was serving; and, if so, did you make any report to Colonel Williams?

Answer. I remember certain reports of operations made by Lieutenant Williams. I can not say whether they mentioned any killings of prisoners. I forwarded these papers to Colonel Williams. These reports were of the general bandit situation as far as I remember. I also made reports to Port au Prince during this time and talked over the situation with Colonel Williams.

8. Question. Did you ever tell Captain Hamilton that General Williams' orders, prohibiting shooting of prisoners, did not apply unless the prisoners were actually in prison?

Answer. No. I gave no instructions whatsoever to Captain Hamilton concerning this, as he already had the gendarmerie orders.

9. Question. Did you tell Captain Hamilton that he should go on with his killing prisoners and say nothing about it?

Answer. No. I never mentioned to any officer or man, during my service in Haiti, anything about executing anybody. The question never entered my head.

In this connection, I would like to supplement my answer to question 10 in my former testimony, by saying that I did receive confidential reports in telegrams in code, all of which remain on file.

Subscribed and sworn to before me this 12th day of January, 1930

*Lieutenant-Colonel, Assistant Adjutant and Inspector  
United States Marine Corps*

WASHINGTON, D. C., *January 6.*

DER S. WILLIAMS, lieutenant colonel, United States Marine Corps, then called as a witness, and having been informed of his right to answer any incriminating questions, was duly sworn, and testified. Lieut. Col. H. R. Lay, assistant adjutant and inspector, United States Marine Corps, as follows:

Question. Please state your name, rank, and present station.

Answer. Alexander S. Williams, lieutenant colonel, United States Marine Corps, stationed at Marine Barracks, Navy Yard, Philadelphia, Pa.

Question. What duty were you performing from May, 1915, to July, 1919?

Answer. I was chief of the Haitian Gendarmerie from May, 1918, until July,

1919. I was assistant chief from the organization of the gendarmerie in May, 1918.

Question. Did you ever hear that Caco prisoners had been taken to a place near Hinche and shot? If so, please state what steps were taken by you to verify this statement.

Answer. Yes; during a visit of inspection made by Brigadier General Catlin to Hinche, in January, 1919. General Catlin interrogated gendarmes, local officials, the local priest, enlisted gendarmes, and in relation to certain reports which he told me had been received by these reports alleged that certain prisoners involved in banditism taken from a prison in Hinche, led to a point outside of Hinche, executed by a detachment of enlisted gendarmes. This execution was supported by the statements of one or more gendarmes told by General Catlin. To the best of my recollection, Capt. Ernest who was at the time district commander at Hinche, acknowledged that an execution had taken place. He offered in explanation of this the fact that it was impossible to obtain conviction in the local civil court and that after their trial by a provost court in Cape Haitien, and the execution of the sentences adjudged by such court, that they would return to the neighborhood of Hinche, rejoin the bandits with whom they had been identified, and make the pacification of the region more difficult. The investigation was conducted by General Catlin, and the allegations supported, except as to the exact number executed. No steps were taken by me to verify this statement or to investigate the allegations, for at that time Hinche was under the direct military control of the commander of the 1st Division of the north Haiti, who received his orders from the brigade commander, Provisional Brigade, United States Marines, Port au Prince. I was not present at this investigation, but was present during part of it.

Question. What duty was Maj. Clarke H. Wells, United States Marine Corps, performing during the latter part of 1918 and the beginning of 1919?

Answer. Maj. Clarke H. Wells at that time was department commander, Department of the Cape, which department included the district of Hinche.

Question. Did you consult with Major Wells from time to time as to how the investigation was going on in his department, and was the killing of prisoners ever mentioned?

Answer. Yes; the killing of prisoners in custody was never discussed, but reports were given that every effort should be made to distinguish between those who were actually involved in operations against bandits and those who were in the vicinity of the operations or who might have become associated with them against their will.

Question. Would it have been possible for 6 or 19 prisoners to have been taken at any one time in the Hinche district without your knowing about it?

Answer. Yes.

Question. In conversation with Captain Lavole and Lieutenant Williams, was the question of execution of prisoners ever mentioned?

Answer. No; except along the broad lines of general treatment of natives and suppression of banditism.

Question. During your service with the Haitian gendarmerie, did you ever hear of Wells under the influence of intoxicating liquor?

Answer. No.

Question. What is your opinion as to the character and veracity of Major Wells?

Answer. I consider Captain Doxey (then major in the gendarmerie) to be an excellent man of very fine feeling. He was noted among gendarmerie officers for his

understanding of and sympathy with the natives. He was successful in the administration of gendarmerie affairs and had the confidence and respect of the natives to a marked degree. This was not due to his temperament alone, but to his thorough understanding of the native dialect (Creole), which he spoke and understood better than any commissioned officer of the Marine Corps serving in the gendarmerie. I have found in every official and personal dealing with Captain Doxey, this officer, to be very careful in his statements, and I have had any reason to suppose or believe that he was not absolutely truthful in any of his statements.

10. Question. Did you ever see or hear of any order being issued by Captain Clarke H. Wells putting into effect the corvée law, after October, 1918, in the northern department where he was commanding?

Answer. No.

11. Question. It has been stated that corvée was seen in operation in January, 1919, near Maissade, where two groups of between 50 and 75 men were working on the road and a third group of about 45 men in the place near Maissade. Please state what you know about this.

Answer. General Catlin informed me that Colonel Hooker had reported the existence of corvée in the neighborhood of Maissade and directed that an investigation be made. I assured him at the time that no corvée was in operation and that my orders relative thereto were being carried out throughout Haiti. I had passed through Maissade two or three times and had seen no road gangs the composition of which, or the attitude of which, led me to believe that corvée was being carried on. I had seen men working under the charge of a single gendarme, who was in charge of the road construction. The belief inspired by my observations was based on reports to the effect that the road work in this neighborhood was being conducted by volunteer labor and that the cost of this labor, which was paid for from Federal funds, was being paid from communal funds. On the occasion of General Catlin's visit in January, when I was present, a road gang of perhaps 50 men were working to the westward of Maissade. A number of this gang were interrogated by General Catlin through the interpreter, Holly, a Haitian, and practically all stated that they were forced to work. General Catlin asked those who had been forced to work and wanted to return to their farms to step to the front. Practically the entire gang stepped to the front.

While the party was still present Captain Doxey, if I remember correctly, without the aid of an interpreter, reinterrogated them; and Captain Doxey told me at that place and time that with the exception of a very few, all had stated that they were not forced to do this work; that they were to leave when they wished, and that from time to time they took advantage of this freedom and returned to their farms in the vicinity. The answer to the number stated in this question, I believe, was made by Lieutenant Hooker. As a result of the contradictory statements made by the members of the road gang I could form no definite conclusion at that time as to whether or not these men had been, as alleged, forcibly collected, forcibly drafted, and forcibly worked; and, as stated in an earlier question, the military administration of this district having devolved upon the district commander of the north of Haiti, I made no further investigation. I did, however, direct that all road work in that neighborhood cease. I further directed Lieutenant Williams, an enlisted man of the Marine Corps serving as an officer in the gendarmerie, to let me know how many men of this gang returned to their farms or wanted to work at the beginning of the following week. My recollection is that he reported that a fair percentage had shown up the following week for road work.

12. Question. Do you know if Major Wells knew that corvée was still in operation after October, 1918?

Answer. Assuming that corvée was in operation after the date stated, with the exception of corvée which, due to a misinterpretation of my orders, was carried on for about a week subsequent to that time, I can not state.

13. Question. Would it have been possible for corvée to have been in operation after October, 1918, without the knowledge of Major Wells in his department?

Answer. To a very limited extent, yes.

14. Question. Do you know of any confidential telegrams or messages sent to the gendarmerie department commander of the north of Haiti, or of the actual state of affairs at Hinche and Maissade? If so, please state the substance of such confidential telegrams or messages.

That question can only be answered in a general way. Much of the telegraphic work, especially that involving troop movements and of patrols, was transmitted in code. Every department commander had a copy of this code, and I presume that were received by Major Wells that were confidential to an extent at arranting coding. I have no knowledge of messages sent by district commanders, except where the message was sent in duplicate a report based upon the message referred to the message or incor-e message in a communication. I have no knowledge of confidential tions to which I might not properly have had access. tion. Please state what you know of Major Wells's duty in connec'tion gendarmerie.

Major Wells served under me from early in the organization of the ie until early in 1919. For the first part of this period he was in charge of road construction in north Haiti; this was during the opera-vée. He relieved Maj. R. O. Underwood, United States Marine Corps, ment commander at a date subsequent to the abolition of corvée. Dur-Wells's incumbency he devoted himself to road construction, barracks a construction, and the general well-being of the gendarmerie and the habitants in the north. He brought about marked improvements in the sons, and barracks, and the welfare of the prisoners. The improve-conditions in the gendarmerie of north Haiti and in the administration nmunals was marked. To accomplish these results he worked harder ed his officers under him harder than any senior officer in the gen-

tion. Do you consider that he efficiently occupied his position as de-commander of the north?

Major Wells I consider the most efficient and successful department er who has ever served in the gendarmerie.

tion. Did you know Mr. Frederick Baker, formerly in the gendar-And if so, please state his attitude toward Major Wells?

Mr. Baker, who had a commission finally as captain in the gen-and who was, I believe, a sergeant in the Marine Corps, was asso-ith the gendarmerie almost from the beginning. As a junior officer strict commander of Gonaives he had a model command and post. He ned to road work, I think, by Gen. S. D. Butler, but this assignment e been made subsequent to my assuming command. He was in charge ad work from Gonaives over the mountains toward Cape Haitien, and is work operated what was probably the largest corvée ever used. He ly successful in his conduct of road work, and except for such abuses as idental to the operation of corvée I never heard any complaint of his. Latterly he was associated with Major Wells as his assistant in road d to the best of my knowledge his relations with Major Wells were , as they were with all officers of the gendarmerie—myself notably. considered at that time one of the most efficient officers in the gendar-much so that I endeavored to obtain for him a temporary commission in ne Corps. Some time in 1918 Captain Baker, who extended his enlist-one year on the strength of my promise that he would be put in f growing castor beans, which the gendarmerie was to undertake at the of the War Department, was offered a position in civil life in Haiti as very attractive. He was discharged from the Marine Corps upon nmenation and took up his new work. From his entry into civil life er stopped practically all relations with the officers under whom and om he had served. This attitude was so marked as to cause comment. eason was ever advanced for it.

WASHINGTON, D. C., January 5, 1920.

NT OF LIEUT. COL. A. S. WILLIAMS, UNITED STATES MARINE CORPS, RELATIVE TAIN IRREGULARITIES ALLEGED TO HAVE BEEN COMMITTED BY OFFICERS AND ED MEN IN THE REPUBLIC OF HAITI.

placed on duty in connection with the organization of the gendarmerie st or September, 1915; I was commissioned by the President of Haiti as chief of the gendarmerie about the middle of 1917. In that capacity until May, 1918, when I was commissioned chief of gendarmerie, re-

leaving Gen. S. D. Butler at that date. General Butler had been on leave about two months prior to this, so that my actual conduct of general affairs began about March, 1918. I served as chief of the gendarmes July 19, 1919, when I was relieved and ordered to the United States.

2. In order to build certain public roads which were considered necessary for the commercial development of Haiti, and also for the military of the Republic, free labor known as "corvée" was used. This free labor was available by virtue of certain provisions of the Haitian laws contained in the code rural. The necessities of the public works demanded a greater amount of labor than was available, in any one locality, and it was therefore necessary in obtaining the supply of labor, to ignore, to a certain extent, the provisions of the law bearing on this matter. This consisted principally in ignoring the provision of the law which provided that country people were to work near the locality in which they lived, in holding them for longer periods than the law permitted, and on work not contemplated by law. The results of the exploitation of labor were two, first, it created in the minds of the people a dislike for the American occupation and its two instruments—the marine and the gendarmerie; and, second, imbued the native enlisted man with a false conception of his relations with the civil population. As the corvée came more and more unpopular, more and more difficulty was experienced in obtaining men, and this difficulty caused the gendarmes to resort to methods which were often brutal, but quite consistent with their training under the officials. I soon realized that one of the great causes of American unpopularity among the Haitians was the corvée, and determined to put a stop to the practice. For various reasons it was not considered a good policy to stop the road work had been completed. After consultation with the military commander, the American minister, American treaty officer, and the President of Haiti, and his cabinet, I announced that corvée would stop entirely. This announcement, if my memory serves me, was followed by a formal announcement that corvée would cease; and in October, 1918, I issued an order definitely stopping all corvée of any sort throughout the island. This order was not issued by the President of Haiti, but was issued by me on my own responsibility. The order was enthusiastically received by the Haitians, but by the gendarmerie officials in general, practically all of whom realized the evils which corvée had brought about and welcomed the opportunity to reestablish themselves in the good graces of the inhabitants as well as to take up their more legitimate work of organizing and training the military police. On the date set, so far as my personal investigation reports, and information from other sources could inform me, all corvée stopped with one exception. The original order stopping corvée was drawn up to indicate certain road work, and the road work listed in the order was to be covered, although it was intended to cover, road work being carried on with Federal funds. It must be understood that the road work in general was being carried on with what might be called Federal funds. I found that my order stopping the general knowledge that it was intended to stop corvée throughout the island, had been misinterpreted by the department commander of the department of the cape. I think at that date that this officer was Maj. R. O. L. of the United States Marine Corps. As soon as this was brought to my attention, perhaps a week after corvée had stopped throughout the island, I directed the department commander of the cape, by telephone, to cease all corvée of whatever nature, paid for from whatever funds. This order was carried out to the best of my knowledge. The work which was being carried on was paid for out of communal funds, and which was in violation of my order stopping corvée on the road Malsade-Hinche. From that date on I heard no report of the knowledge of corvée being used in Haiti.

3. Some time subsequent to this General Catlin told me that he had observed the corvée being used in the neighborhood of Malsade. This I investigated during November, 1918. He directed that I make an investigation of the corvée; I directed the department commander, Major V. B. Catlin, to investigate. Between the date when corvée was stopped by order and November, 1918, work had been continued on the Malsade-Hinche road, using paid labor and prisoners. During this period I had been over this road three or four times and saw no evidence of corvée being used. I saw no natives, aggregating, perhaps, 50 or 60 men, working on the road with more guard than the single gendarme in charge of the work. These gangs resembled the corvée gangs working in this region or in any other part of Haiti; and their manner of working, their remoteness from the

ce of guards, found so necessary in corvée work, led me to believe e were volunteer paid laborers. If coercion was used at all it is that the coercion consisted simply in the issuance of an "invitation," the only word that could have been used in French, or Creole, for come to work. How this notice was conveyed to the country people know positively, but I presume it was made known to them by enlisted s and local representatives of the Haitian Government. This would ly regular, and, provided they were adequately paid and free to leave when they chose, would not be open to criticism. It is alleged that s used in bringing these men to work; that they were restrained by kept at work long after their little farms called for their presence. om the difficulty of defining just what is forced labor under these nces, I am not convinced that corvée was actually used on that road. ells reported that no corvée was used, but in view of reports sub- General Catlin, General Catlin decided to investigate himself, and me that he wished to visit northern Haiti, and, further, that he de- to go with him. I do not remember whether or not any notice of the visit was given; I think it must have been, however, for Major et us at Gonaïves. Together with General Catlin the party visited el, Maïssade, and Hinche. At all three places General Catlin interro- ndarmerie officers, local officials, priests, and gendarmes, prisoners, in inhabitants. I was not present at all of the investigations, but vas brought out, even allowing for the unreliability of native testi- indicate that very severe measures had to be taken to put down ; and even allowing for the inexperience and youth of the officers they did not always exercise good judgment. Without entering efense of such errors of judgment it must be borne in mind that white officer placed in military and police control of a district g four or five hundred square miles, swarming with bandits, and egroes, and having at his disposal a very insufficient number ained native police, was apt to take the most direct course under any ance. The case of Lieutenant Williams at Maïssade is a case in eneral Catlin asked if there were any gendarmes who wished to com- the treatment they had received, and one at least testified that he kicked or struck by Lieutenant Williams. This would seem an inex- hibition of brutality, but when it is considered that Williams was a town situated in a country full of bandits, which had been jumped bandits (on one of which occasions the gendarmerie garrison had ven out), his action in striking this man, who was the only sentinel over the gendarmerie barracks, and who was found by him to be n post, the action finds an explanation. I can not remember that I ed up to this time any formal or informal order bearing on the kill- isoners. The gendarmerie regulations provided for this, and gendarmes e guilty of ill treatment of prisoners or killing of prisoners, were ried by either the gendarmerie court-martial or by the civil courts of The sentences adjudged were always very severe, as I controlled the f the gendarmerie courts, and to a certain extent could influence the rts. Several sentences of death were adjudged, and these sentences, r personal presentation of the case to the President of Haiti, were approved by him and the sentences carried out by firing squads. The f these courts is referred to because the President invariably commuted h sentence of civilians to life imprisonment, and in this matter, realiz- racial defects of his own people, aided me in enforcing discipline in armerie in the one matter which gave us the greatest trouble; that is, e of authority by Haitian officials when free from superior control. ile every order issued from gendarmerie headquarters and bearing e relations of the gendarmerie with the civil population was designed e good feeling between the gendarmerie and the civil population, and tempt was made by myself and many others to cultivate such good the allegations made to General Catlin on this inspection trip were to cause the issuance of an order bearing directly upon the treatment ners. Whether or not the suggestion of such an order be issued came neral Catlin or myself I can not say, but an order was issued which hraseology was considered foolproof. The expression "in custody" d in the order, if I remember correctly, and this expression was used to cover the cases of prisoners actually confined, prisoners being taken trail, and prisoners captured during a fight. To the best of my knowl-

edge no report or rumor worthy of credence had ever been received which would warrant the issuance of such an order; and as, by example, by advice, and by order, the policy of the government, the good will of the people had been secured. It is practically prior to this time gendarmerie patrols operating against bandits by an American had killed prisoners, and such patrols were then out unless absolutely necessary. Whenever possible an American went with all patrols. During the visit of inspection of Maissade the inhabitants complained of brutal treatment, some of them could state their statements, which is not remarkable considering the attitude of the Haitian countryman; others, I believed at the time, and were inspired in making these reports by the local priest. The priest, as stated, was not on good terms with the gendarmerie officer, of the gendarmerie officer having cut off certain allowances which were received from the commune. It may be stated at this time that relations between the priests generally and the officers of the gendarmerie, personally pleasant, were officially very unsatisfactory. This lack of feeling was due to the fact that with the coming of the Americans the priest lost the prestige which had been his before. In the north this feeling, I believe, was largely due to the influence of north Haiti, Monseigneur Kersusan. I am more convinced of the relationship and the causes which led to it for the reason I showed in establishing pleasant personal and official relations with the Haitians, the bishop of Port au Prince, and the papal legate. As a result of these relations, I was able to bring about a certain amount of respect for the priests and the gendarmerie officers in central and southern Haiti. I often discussed with the papal legate the attitude of the northern, particularly that of the bishop of the north. From what they said I came to believe that the bishop of the north was considered to be by the Americans an "infant terrible." It was specifically charged at this time that Williams had executed a number of prisoners in his own back yard, testimony as I heard bearing on this was indefinite and contradictory. Williams did acknowledge having killed one escaping prisoner under the pretext, which, in the absence of evidence to the contrary, would seem to justify the act. It was also alleged, and not contradicted, that one man had been killed incidental to making an arrest in the country. In this case it is difficult to decide whether or not the arrest could have been made without shooting. Allegations were made that Williams had ordered the execution of people who participated in the first attack on Hinche, which he impounded and either held for exorbitant fees or else released. I do not know whether or not the communal laws bearing on the sale of stolen animals were properly enforced, but it may be stated that they were not enforced with any uniformity in Haiti, and that this was due to neglect of the law to using it as a means of graft. This is a fault which lies largely with the local civil officials, though subject to the control of the American.

3. The mayor of Maissade, Martial Preval, was complained of by the inhabitants. He was accused of extortion, of grafting, of misappropriation of communal funds, and—what was more important from a general point of view—of using *corvée* on his private properties. It was alleged, though perhaps this allegation was made at a later date, that he had used labor for the construction of a house for one of his various wives. He is a very high type of Haitian and remarkably well educated for a Haitian; he belongs to the ruling class, and his family has always been prominent in that region. His father is or was mayor of a commune in northern Haiti. This man, from the very beginning of American occupation, showed himself more than friendly to the Americans and was the first to draw favorable notice by his action in organizing a posse and capturing bandits. He was given a commendatory letter from the President of the United States. Having thus definitely identified himself with the Americans in the eyes of his countrymen, and as time went on and the communal laws were collected with greater regularity, the local laws which they had been enforced before, Preval's attitude gained force. It is more than probable that Preval was guilty of extortion, but he did use forced labor on his outlying properties. These faults, however, were prevalent among Haitian communal officials. Just what efforts were

his actions I can not say, but until this visit I had no reason to suppose anything was radically wrong with the conduct of communal affairs in le. I did know, however, from a personal inspection that the entire of the small town was changed. The streets were clean, a proper established, and the communal revenues increased. If, however, was guilty of all with which he was charged, his actions must have heavily on the inhabitants, and as he was apparently doing these things ie knowledge, consent, and active aid of the gendarmerie officers any of hostility held by the natives against the gendarmerie must have been led.

While visiting Hinche, General Catlin interrogated people of every class, ing the officers and men of the gendarmerie. It was alleged that a of natives had been executed in an open space in front of the gendarmerie quarters by machine-gun fire. This allegation was denied by the commander, Captain Lavole, and all knowledge of such an occurrence denied by enlisted men of the gendarmerie, who should have been cognizant of such an affair. At the time the alleged execution took place two men of the Marine Corps were stationed at Hinche with a Lewis machine gun. I can not state positively whether or not these two men were there at the time of General Catlin's visit. I do not remember at the time who made these allegations, but I believe they were made by a local inhabitant.

It was further alleged and substantiated, as I remember, that a number of prisoners were taken from the jail where they had been confined and executed about a half a mile outside of town. I believe the gendarmes took part in this execution were examined by General Catlin and acknowledged the charge in part, differing from the allegation in respect to the number of prisoners.

While the use of corvée on road work had been alleged, its use in the neighborhood of Hinche was alleged mostly in connection with the construction of gendarmerie barracks. Specifically it was stated that all the male inhabitants of a certain rural section called "Zeb Guinea" had been collected, taken to Hinche, placed at work on the construction of a barracks wall, and kept on this work for a considerable time. There was some question as to the amount of money paid these men, but they were paid something. This had been taken by Captain Lavole as a military measure and designed to clear out a section touching on the no man's land between Haiti and Santo Domingo, which was an asylum for bandits for both Haiti and Santo Domingo. Captain Lavole stated that working these men on barracks construction was incidental.

Banditism was alleged generally by the civil officials, and, I believe, by the priests, and banditism in central Haiti was the result of illegal acts committed by the gendarmerie in this region, and that between the bandits and the gendarmes the inhabitants did not know which way to turn. This to a certain extent is true. The bandits were only partly armed, wore no uniform, and would scatter at the approach of a gendarmerie patrol. When such a patrol established contact with a group of bandits a few shots would be fired by these, and the bandits would scatter in all directions, and with them would go the inhabitants of that particular locality, especially those who had willingly or otherwise furnished food to the bandits, and who felt that they were guilty with them.

In the pursuit it is more than probable that innocent inhabitants were killed. So far as my own orders were concerned, and so far as concerns those issued by officers under me, every attempt was made to distinguish between bandits and those who were involved in banditism against their will. I have no knowledge that Major Wells, the department commander, ever issued any order contravening mine, or, of his own initiative, issued any order contrary to my expressed and generally known wishes regarding the treatment of bandits, whether under arms or not.

On the return of General Catlin and myself to Port au Prince in January, General Catlin desired that Captain Lavole and Lieutenant Williams be sent from Hinche and Malssade. I ordered to Hinche Captain Doney. His disposition and reputation was that of kindness, sympathy for the natives, and more perfect knowledge of native dialects than any other senior officer of the gendarmerie.

Detachment of marines had been ordered to Hinche and outlying posts, the marines restricted to ordinary police work within the town, and Lieut. Col. Hooker placed in military command of the affected central region. What dispositions were made subsequent to that by General Catlin, by Colonel Wells, or other marine officers I do not know.

11. Knowing Haiti as I do, it is difficult for me to believe that the which had its origin in or about Hinche and spread rapidly to the south, and west from there, attaining its maximum in Mirabais, hobs, was due to specific misconduct or misadministration on the part of an officer. Hinche, even during Spanish colonial times, has been a center of revolution and banditism.

Long before corvée was used in this region Hinche was attacked by the hands, the first attack taking place while Captain Doxey, who was then in command, enjoyed the confidence and liking of the natives to a marked degree. It is impossible for me to believe that the application of corvée within a limited area would have such an effect. I am, therefore, confident and my belief is founded on most careful thought, that the banditism of Haiti, which grew almost to the proportions of a revolution, was due to causes.

12. The first of these causes was the illegal general application of corvée; second, the racial antagonism between the negro and the white; third, the virtual loss of national independence; fourth, the economic conditions created about by the war.

In assigning these reasons I wish to make it clear that had these causes not been stressed and played upon by Haitian leaders, the outbreak would never have occurred and the natives would have remained quiescent under almost any system of abuse, as they rested quietly for a hundred years under graver abuses inflicted by their own people.

3. Assuming that the corvée was illegally applied in the neighborhood of Hinche and Maissade and in defiance of my clear orders on the subject, further, assuming that the allegations of indiscriminate and unjust application are true, it is not difficult to understand how these things could have happened without the knowledge of responsible seniors. With the best of the world the amount of administrative work thrust upon all gendarmes made it impossible to properly supervise the details of local administration. Reports and rumors seem to justify an investigation into any case of investigation itself was attended with every difficulty. Generally in the native has no knowledge of the time, dates, or distance (his own witness caused me to approve gendarmierie courts-martial with reluctance), and the amount of work involved in any investigation is often out of all proportion to the results obtained. It was therefore in making an inspection trip to judge conditions by what one saw and was told. Another index, and one upon which I myself depended, was showing the mental attitude of the natives, which attitude was of the reflex of the attitude of the gendarmierie toward them, was whether the natives when met on the road showed no desire to avoid meeting them. This was not true where the corvée had been worked. At the very least the corvée was alleged to have been terrorizing the natives in Hinche and the weekly markets in Maissade were crowded by country people as they had been before. Than this attendance on market days there is no barometer of the state of feeling among the natives with regard to the gendarmes and security. If there were any underlying signs of dissatisfaction among the well-disposed country people, I failed to see them; and while the inquiries of my subordinates could and should have gone more into detail than was possible that they, too, failed to note any reasons for suspecting that the natives were not well.

14. In conclusion it may be stated that the efforts of practically all gendarmierie officers were devoted to improving the condition of the natives and gain their good will. This they did because of a liking for and sympathy with the natives and to make the conditions of their own service more comfortable. Officers who failed to conduct themselves in this fashion, whether they were enlisted in the Marine Corps, were detached from the gendarmierie, had no knowledge of corvée carried on contrary to orders or of the killing of natives, except as stated, nor have I knowledge of any orders which would authorize or justify any such action.

HEADQUARTERS MARINE CORPS  
Washington

Subscribed and sworn to before me this 7th day of January, 1920.

*Lieutenant Colonel, Assistant Adjutant and Inspector  
United States Marine Corps*

WASHINGTON, D. C., January 9, 1920.

MAS L. WILLIAMS, sergeant, United States Marine Corps, having been as a witness and having been informed of his right to decline to answer incriminating question, was duly sworn and testified before me, Lieut. Col. Lay, assistant adjutant and inspector, United States Marine Corps, as follows:

Question. What is your name, rank, and present station?

Answer. Dorcas Lee Williams, sergeant, United States Marine Corps, stationed at marine barracks, navy yard, Brooklyn, N. Y.

Question. Have you recently been on duty with the Haitian Gendarmerie; so, what was your rank and title while employed on such duty; also where you stationed and what duties were assigned to and performed by you?

Answer. Yes, sir; as a second lieutenant of the Haitian Gendarmerie. I was assigned in the district of Hinche from November 12, 1918, to March 18 or 19, 1919, was performing patrol duty. I was in Maissade from December 28, 1918, to the time in March, 1919; the rest of the time I was in Cerce Corjal, which is the district of Hinche, guarding the town and performing patrol duty.

I was in Maissade I was in charge of road work; I was subdistrict commander and looked out for the duties of the district in general.

Question. Who was your immediate commanding officer while serving with the Gendarmerie? If more than one, state names and dates between which you served under each. Did you at any time have independent command of any company or any commune or district?

Answer. Capt. Ernest Lavole; he was the only one who was really my immediate commanding officer. I never had any command that could be called independent.

Question. While serving with the gendarmerie did you ever see or hear or know of any Caco prisoners? If so, state particulars.

Answer. No, sir; except prisoners trying to escape.

Question. While serving with the gendarmerie were you aware of the coming of any corvée, compulsory or voluntary, subsequent to the receipt of the decree of October 1, 1918, suspending the corvée law? If so, state your knowledge of facts in the premises.

Answer. There was no corvée, as I would call it, as the people who worked the land all paid for the work they did. My understanding of corvée is compulsory labor, feed, and imprisonment. The men who were working on the roads for the commune were paid by the magistrate from communal funds, and I received all payments. From the time I came into the Maissade district all the work which was being performed by native labor was paid for and was not free.

Question. Did you personally, subsequent to October 1, 1919, issue any orders, directly or indirectly, for the convening of any compulsory corvée for construction work in your district?

Answer. No, sir; I never did.

Question. It has been alleged that you had personal knowledge of the existence of a number of Caco prisoners near Maissade. Is this allegation founded on fact; and if so, what were the attendant circumstances?

Answer. There were no prisoners killed except escaping prisoners; that is, prisoners who were attempting to escape. Several prisoners were killed in attempting to escape. Between December, 1918, and March, 1919, there were several attempts by prisoners to escape, and quite a number escaped—I think about 20. During that time we probably killed between 10 and 15 men who were trying to escape.

Question. Do you know of any other prisoners being killed in or near Maissade during your duty there?

Answer. No, sir.

Question. Have you any knowledge of the circumstances attending the death of one Garnier, a notary, who, it is alleged, was found dead in your office under peculiar circumstances?

Answer. Yes, sir; I have some knowledge of this man. He was found dead in his house, concealing his wound with a towel wrapped around his head. He was brought to the barracks, and I questioned him, asking him why he had not reported for treatment; why he had not made some report as being wounded so that we could have treated his wound, and all he said was that "I don't know." He wanted to go back to his house, and I did not talk of his wound, so I left him sitting in front of the barracks in

a chair. The sergeant gave him first-aid treatment. He would not say anything being done for him. At first he denied being wounded.

During the attack that came through Garnier's house, or about 3.30 in the afternoon—there was an attack by the bandits on the town, the barracks were attacked. The bandits came through Garnier's house and cover behind his house. We were firing from the barracks and they were firing from Garnier's house. After the skirmish was over I chased them out of the town, and it was dark when I returned to the town, so I went to my house, and shortly after I went into my house the sergeant came and told me that he believed Garnier had been wounded. I sent the sergeant to see if he could find Garnier. When the sergeant returned he brought him with him. I asked Garnier if he was wounded, and he said that he was. The sergeant unbuttoned his vest and I saw blood on the towel. I asked the sergeant who had wounded him, and he replied that he did not know. I asked why he didn't report so that we could give him treatment, and all he said was that he didn't know. I asked him if he knew anything about the attack, and he said he didn't know. I asked him if he wanted to lie down and he said he would rather sit up. I left him sitting in front of the barracks. I went to bed and left the sergeant to look out for him and do what he pleased for him. Some time in the night they awoke me and said that Garnier was dead. The sergeant awoke me again the next morning and asked me to look for Garnier's body; I told him to inform the Judge and the Mayor, which was done. Everything was done to save Garnier's life that was in my power. I gave him the best I had in medical treatment to save his life.

Garnier was a very good inhabitant of the town and friendly toward the people. He must have gotten in the way of a stray bullet during the fight. After the fight, I would like to state, all the civilians left the town.

10. Question. Was any order, written or verbal, ever received by you, did you ever hear of such an order, to summarily execute (bump) prisoners and to make no report of such executions to higher authorities? If so, from whom did you receive such orders; or, if no order was received, what led you to assume that such actions would meet with the approval of the superior officers?

Answer. No, sir; I never heard of anything like that; the orders were to scatter, disband, or capture organized bandits. The bandits were thieves, traveling from place to place in bands of from 30 to 150 men. When I went into the district we were instructed to scatter these parties and capture as many as we could, and any stolen property that was recovered was instructed to return it to the owners if the owners could be found. The bandits were all armed with machetes and rifles, and when attacked, if you came up to them, they would always fire on you.

11. Question. Did you ever hear that Capt. Ernest Lavole had executed 19 Caco prisoners in or near Hinche in January, 1919; and if so, from what source was your information gained?

Answer. While I was in the district I did not hear that any prisoners were killed by Captain Lavole, but after I left the district and returned to Port au Prince I did hear rumors—sometimes that 40 prisoners had been killed and sometimes that 8 or 10 prisoners had been killed in the district of Hinche. There were always rumors floating around that bandits had been killed in this town and that town, and more false rumors than anything else; every rumor that came in had a different tale to tell.

12. Question. Did your duties place you in direct contact with Major H. Wells?

Answer. Only during inspections and his passing through the place.

13. Question. Then you saw him quite a number of times during your duty?

Answer. Yes, sir.

14. Question. During these times did you ever see Major Wells drinking under the influence of liquor?

Answer. No, sir; I never did.

15. Question. During your talk with Major Catlin, at the time of his inspection at Hinche and Maissade, you acknowledged that some prisoners in the district had been killed?

Answer. The only prisoners that were killed were those prisoners who were killed in escaping.

16. Question. General Catlin has made the statement that on his inspection at Maissade he found about 45 men working on the road near Maissade.

several gendarmes. He further stated that he stopped and questioned them, and that some of them stated that they had been brought there by others, and others said that the chief of section had brought them. Can you explain this?

Ver. The chief is known as a justice of the peace or some official as to the justice of the peace. This chief of section would send to me from time to time as many men as were needed to work on the road. He would tell the people that I had work, and that if they would report to him he would send them into town. Some would work and some wouldn't. Every Monday or Sunday the sergeant would notify the magistrate as to how many men he had, and the magistrate would come to me to get the money, and I would go with the magistrate to pay the men. They were all paid in my presence. The sergeant was the timekeeper and figured out how much each man was due him, and after payment everybody went home or stayed over for the next week's work, whichever they preferred. The 45 men that General Baker questioned were all paid, to my personal knowledge, from my house on Monday.

Some of these 45 men had not been paid up to the time when General Baker was talking to them, because they had not been working long enough—two or three days—in other words, they were paid once a week and pay didn't come around.

Question. Did you ever know an officer in the gendarmerie by the name of Lerick Baker; and if so, please state your opinion as to his general opinion?

Ver. He was known as an agitator; he was not sincere; he would give the impression that he thought people wanted to have to them. In other words, he was liked by all the people who knew him as a man not to be depended upon for truthfulness. He was known as a squealer, and after he got out of the gendarmerie he turned against the gendarmerie and has been a great agitator—that is the general talk of every one in Haiti that knows him.

Question. During your service in the gendarmerie you had frequent communications with the natives?

Ver. Yes, sir; I was associated with them continually.

Question. Did you ever hear the natives refer to Captain Doxey, of the Marine Corps?

Ver. Yes, sir; I have had all kinds of natives tell me that they liked Captain Doxey; in fact, he was referred to by them as "the old man," as he was always ready to accommodate them and assist them in any way he could.

HEADQUARTERS MARINE CORPS,  
Washington, D. C.

Subscribed and sworn to before me, this the 9th day of January, 1920.

*Lieutenant Colonel, Assistant Adjutant, and Inspector,  
United States Marine Corps.*

T. DOBCAS L. WILLIAMS was recalled as a witness, and having been informed that his previous oath was still binding, and having been informed of his right to decline to answer any criminating question, further testified as follows:

Question. Referring to your answer to question 5 of your previous testimony wherein you stated that the natives working in your district were paid, how much were they paid?

Ver. They were paid 40 cents a day, Haitian money, and their meals.

Question. Could labor not be paid and still be compulsory?

Ver. It could be if it was that way, but I obtained the labor the same as before corvée ever existed by notifying some good inhabitant that I had work or the chief of section.

Question. Were any of the prisoners referred to in your previous testimony after recapture?

Ver. No, sir; not after recapture; none.

Question. Referring to question 7 of your previous testimony, was any of the killing of these prisoners made to higher authority?

Ver. All prisoners killed were reported to my district commander, and all killings were reported in the same way.

Answer. Yes.

7. Question. When was it issued?

Answer. September or October, 1918.

8. Question. Did you know of any corvée after that time?

Answer. I understand they were running corvée in Maissade.

6. Question. Who was in command at Hinche when the last rebellion

Answer. Captain Kelly had it in October.

7. Question. Who relieved him?

Answer. Captain Lavigne.

8. Question. Who relieved him?

Answer. Major Doxey.

9. Question. Were you ever instructed to make private reports to with reference to operations in the Hinche district?

Answer. Not private reports, but telegrams received through that by telephone were to be kept on file at the Third Company office and key.

10. Question. Who gave this order?

Answer. Colonel Wells.

11. Question. Why was this order issued?

Answer. I do not know if it was caused by this investigation place at Hinche.

12. Question. Did Colonel Wells ever instruct you to disregard cert received from the chief of the Gendarmerie d'Haiti?

Answer. No, sir.

13. Question. Do you know whether these or any orders were disre-

Answer. No, sir.

14. Question. Do you remember when the first order against corvée

Answer. The first order came out in the latter part of August.

15. Question. Was this order ever disregarded?

Answer. I do not know that this was done. I heard it from the Hinche (Belliot) and a chief of section named Joseph Marvella, named Albert.

16. Question. Did the priest at Hinche ever inform you that before there Cacos had been killed after they had surrendered?

Answer. Yes.

17. Question. Did anybody at Hinche tell you that?

Answer. No one at Hinche but a marine named Sasse told me that had been taken out of the prison at Hinche and shot, and the priest told me the same thing.

9. Question. Who told you of this?

Answer. Only Haitians.

10. Question. Who was in command of Maissade at this time?

Answer. Lieutenant Williams.

11. Question. What were your reports to Major Wells as to the of the natives during your time in command at Thomassique?

Answer. I only made reports to Captain Lavole. I reported condition bad.

12. Question. Did you ever hear that Major Wells had ordered anyone else at Hinche to disregard Major Wells's orders at Hinche.

Answer. No.

13. Question. Do you know that they had corvée at Maissade after abolishing it had come out?

Answer. Just from what Haitians told me.

14. Question. Do you approve of killing wounded prisoners?

Answer. No, sir.

15. Question. Do you really think that conditions were good in d'armerie in the early part of 1919?

Answer. No.

16. Question. Why not?

Answer. Messages came in that telephone lines were being cut and burned.

17. Question. Do you consider the Gendarmerie d'Haiti responsible condition?

Answer. Not absolutely responsible.

18. Question. But in a way?

Answer. Well, I don't know.

in FRANK VERDIER, Gendarmerie d'Haiti (sergeant, United States Corps), was called as a witness, was duly sworn, and testified as follows:

Question. State your name and rank.

Answer. Frank Verdier, captain, Gendarmerie d'Haiti (sergeant, United States Marine Corps).

Question. Did you ever hear of any prisoners—that is, Cacos—being shot in a proper trial?

Answer. No, sir.

Question. Where were you stationed in 1919, up to date?

Answer. I have been in Ouanaminthe since September, 1918.

Question. Did you ever hear that Caco prisoners were being treated

inhumanly? I never heard any remarks about it.

Question. When did the order against corvée come out?

Answer. October 1, 1918.

Question. Did you ever hear that this order has been disobeyed?

Answer. I heard that it had been disobeyed at Maissade by the magistrate.

Question. During early part of 1919 did you have any trouble with Cacos in Ouanaminthe district?

Answer. Yes; in July, 1919.

Question. Did you ever hear that Caco prisoners had been shot in the street at Hinche?

Answer. I heard that some people had been shot in the cemetery at Hinche, but I don't know whether they were prisoners or Cacos.

Question. Who told you?

Answer. Some Haitian; I don't know his name.

Question. Did you speak to anyone about it?

Answer. I spoke to Captain Kelly about it, but he said that it was not so. Question. This was the only conversation you had on this subject?

Answer. Yes.

Question. Who told you of the corvée at Maissade?

Answer. I don't remember.

Question. Was he white or Haitian?

Answer. I think he was white.

Question. Did you ever have any conversation with Captain Bolte about prisoners or mistreating them?

Answer. I think that I told Captain Bolte that I had heard a rumor that some prisoners had been shot at Hinche.

nd Lieut. P. JULES ANDRE, Gendarmerie d'Haiti, was called as a witness. Fred J. Holly was called as interpreter and was duly sworn.

Lieutenant Andre was duly sworn and testified as follows:

Question. What is your name and rank?

Answer. P. Jules Andre, second lieutenant, Gendarmerie d'Haiti.

Question. It has been reported that there has been a lot of killing of prisoners. Do you know anything about this?

Answer. I never witnessed any shooting, as I was at Thomonde; but I heard of some executions at Hinche and at a suburb of Hinche called Latte.

Question. Who was in command at these places?

Answer. Captain Lavole.

Question. Did you ever hear of any other murders of any prisoners in the north?

Answer. Yes; At Maissade; one named Garliner.

Question. By whose orders was the murdering done at Maissade?

Answer. I don't know.

Question. Wasn't it generally known throughout the gendarmerie that these were the result of orders from Major Wells?

Answer. No.

Question. Can you give any reasons for these killings?

Answer. The officers acted pretty much as they liked, as they were not controlled by their superior officers.

Question. Do you know whether they had corvée at Maissade during the months of January, February, and March of this year?

Answer. They had it in December last year and in January and February of this year.

Question. By whose orders was this corvée ordered?

Answer. I don't know; but I presume it was by the order of Major Wells.

10. Question. Is it not generally known that this *corvée* was ordered by Wells?

Answer. I presume it was, as he was in command of that district. All orders came from him.

11. Question. What effect did this *corvée* have on the feelings of the people in the north?

Answer. A very bad effect, and I think that it was the cause for the rebellion in the north.

12. Question. Did you see much of Major Wells?

Answer. I know him very well, because he was my captain. He was a colonel.

13. Question. Was he in the habit of using intoxicating liquor very often?

Answer. I never saw him intoxicated, but I know he drank.

14. Question. Do you know Major Doxey?

Answer. Yes, sir; very well.

15. Question. Was Major Doxey responsible in any way for the *corvée*?

Answer. I think not, because he never had anything to do with *corvées*.

16. Question. Did Major Doxey know anything about the killing of prisoners at Hinche?

Answer. I don't know, because I was at the Cape and so was Major Wells.

17. Question. Is there any bad treatment of prisoners in the north at the present time; and, if not, what is the last case of that kind that you know of?

Answer. No; not at the present time. The last case was in March.

18. Question. Did the maltreating of prisoners stop when General Wells issued that order?

Answer. Yes.

FREDERICK C. BAKER was called as a witness and was duly sworn and testified as follows:

1. Question. What is your name?

Answer. Frederick C. Baker.

2. Question. Have you ever been connected with the Gendarmerie in Haiti, and, if so, for how long?

Answer. I have. I was attached to and serving with the Gendarmerie d'Haiti for a period of three years, my service terminating April 1, 1919.

3. Question. It has been reported that marines and gendarmes were killing *Caco* prisoners. Do you know anything about this?

Answer. Only from hearsay.

4. Question. During your time in the gendarmerie, were you ever ordered to "bump off" or not to take any prisoners?

Answer. I was on one occasion. About November 1, 1918, while I was district commander, district of Gonaïves, Haiti, Malsade was attacked and certain destructions committed there. On the date following the attack, my then department commander, Maj. C. H. Wells, called me by private message to Cape Haitien to Gonaïves, and related the details of the attack and that I proceed with a patrol from Gonaïves to Malsade. He further stated that prisoners, if any were undesirable, useless, and he desired them removed, by this expression, of course, meant to kill them. I followed out the patrol so far as going to Malsade and making a general patrol, no prisoners were captured, therefore none killed.

5. Question. Do you know of anyone else who received like orders?

Answer. From Capt. Ernest Lavole, Gendarmerie d'Haiti, Lieutenant Williams, Gendarmerie d'Haiti, and Lieutenant Williams, Gendarmerie d'Haiti; that they had received the same and similar orders.

6. Question. Did you ever hear that any of the above-named officers issued these orders?

Answer. I have been informed and believe that Captain Lavole issued these orders and was acting under the orders of Major Wells when he killed 19 prisoners at Hinche in January, 1919.

7. Question. Was it generally talked about among the marine and gendarmerie officers, that prisoners were being bumped off?

Answer. In close circles among the gendarmerie officers whom I knew and with whom I most associated it was understood I believe, to be nothing to bump off as nearly as possible all prisoners taken. It was not discussed by them all and it was generally understood among them.

8. Question. Was this understanding caused entirely by orders received from Major Wells?

To the best of my belief the whole incentive behind the executions reverse the orders and sanction given the act by Major Wells.

on. Were you very well acquainted with Major Wells?

I was. I was closely associated with Major Wells from November, January, 1919, serving as his assistant on road construction in the the north and by virtue of nature of this that I became close to him as it were weeks at a time continually in his company and with him entry.

stion. What was the attitude of Major Wells with reference to rebellion trouble in the north?

Major Wells often instructed men, along with others, to use the on all reports and except in cases of necessity or to comply with lar order to make no reports at all. He often explained this by at Port au Prince was too busy and had no time to receive or read details. He stated that he would be satisfied as long as the country state of good police, and he neither cared nor wanted to hear of the executions to accomplish this end.

stion. Did Major Wells ever express any desire not to hear of these

He often stated that he did not want to hear of these things.

stion. Have you ever seen Major Wells under the influence of liquor? I have; numerous times.

stion. Is it possible that some of these bumping-off orders were due to that he had been drinking?

I would think it possible that some were, although at the time he order to bump off prisoners taken in or around Maissade I do not at he was in the slightest affected by the influence of liquor.

stion. Was Major Doxey entirely familiar with everything that was in the north?

It is my opinion that he was. He was closer to Major Wells than officer in the department of the north and appeared always to counsel se with Major Wells in all matters of importance pertaining to He was in and out of Hinche frequently and it would seem incon- that he was entirely unconscious of the things that were going on.

stion. Did he ever express any orders as to bumping off prisoners?

Not to my knowledge.

stion. Was it generally known or talked about that all the conditions referred to had been explained and gone over by General Catlin on to St. Michel in March, 1919?

It was. From others and all practically who had been interro- General Catlin I learned that practically every phase of the conditions have related were brought to the attention of General Catlin at some ing his investigations at St. Michel and Hinche

stion. At any time after General Catlin's conference was an order either General Catlin or Lieut. Col. A. S. Williams or Major Wells e conditions must change?

r. There was. I received an order from the chief of the gendarmerie ng in detail the execution of Caco or other prisoners.

stion. What date was the order against corvée issued?

r. October 1, 1918.

stion. Was this order ever disobeyed?

r. It was. This order was disobeyed in the districts of Maissade he from October 1, 1918, until some time in March, 1919.

stion. Was this order disobeyed by instructions from anybody?

r. Captain Lavole and Lieutenant Williams, when I inquired of them pacity as inspector of roads in the north as to by whose authority and ence funds were coming to carry on their work, informed me that Vells had ordered them to construct roads between St. Michel and e and between Maissade and Hinche with corvée labor, and that he had the magistrates of Maissade and Hinche to make a certain contribution ich the corvée would be fed.

stion. What effect did the breaking of this order against corvée labor the people in the north?

r. It is my opinion that the corvée illegally formed after October 1, d after the Haitian public generally knew and well understood that all and forced labor had been ordered suspended constituted the chiefest the dissatisfaction which led to revolution, and it is well known that

the first Caco forces were largely recruited from this last formed opinion is based on my experience of handling corvée labor during 1917 and the spring of 1918, when I had under me and personally directed the largest corvée ever formed in Haiti, numbering 3,000 men. Under existing conditions the members of my corvée, knowing that they were legally to be called up to do road work, offered no resistance and contented during the entire operation; that is, the construction of the road from Gonaïves to the Limbe River, and the first discontent over this subject was in the district of Maïssade and Hinche when these prisoners that they were being forcibly detained, worked under guard, and the President of Haiti as well as the chief of the Gendarmerie ordered the suspension of corvée labor throughout the Republic.

22. Question. From your conversation with marine and gendarmes can you give an estimation of illegal executions in the district of Hinche?

Answer. Aggregating all reports and rumors I would judge they exceed over 400 at least, and in this number there are included a percentage of persons suspicioned or whose identity was never known.

23. Question. Was this estimate a low or high estimate?

Answer. This is a low estimate.

7. First Lieut. HAROLD H. WOOD, Gendarmerie d'Haiti. (corps United States Marine Corps), was called as a witness and was duly sworn and testified as follows:

1. Question. What is your name and rank?

Answer. Harold R. Wood, first lieutenant, Gendarmerie d'Haiti (United States Marine Corps).

2. Question. Do you know anything of the unlawful killing of Cacos?

Answer. No, sir.

3. Question. Have you heard in any way of the unlawful killing of prisoners?

Answer. I had heard of some of them being killed.

4. Question. Where?

Answer. In Hinche and Maïssade.

5. Question. Did you ever hear by whose instructions this was done?

Answer. I know nothing of instructions about actual killings of prisoners but instructions were said to have been issued not to take any prisoners.

6. Question. By whom were these orders issued?

Answer. They were said to have been issued by the department Colonel Wells.

7. Question. Was Major Doxey cognizant of these instructions when he had been issued?

Answer. As to that I don't know, because at that time I saw Major Doxey once, having passed him on a road.

8. Question. Do you know whether Major Doxey was in or around Hinche about this time?

Answer. No, sir; Major Doxey was not there.

9. Question. Do you know Lieutenant Spear?

Answer. No, sir.

8. Captain JOHN L. DOXEY, United States Marine Corps, was called as a witness and was duly sworn and testified as follows:

1. Question. State your name and rank.

Answer. John L. Doxey, captain, United States Marine Corps.

2. Question. What duty were you performing between the months of December, 1918, and March, 1919?

Answer. I was district commander of the district of Cape Haitien.

3. Question. Did this work take you into the Hinche district or the towns of Maïssade and Hinche?

Answer. I was directed to go into the Hinche district on about November 1918, and remained there until October 30 or 31. Again I was ordered about February 17 and remained there until March 31, 1919.

4. Question. While in the Hinche district, did you at any time witness or hear of unlawful killing of Caco prisoners?

Answer. Some time in March I heard rumors of this.

5. Question. What were these rumors?

Answer. All that I remember was killing of prisoners and that I was ordered to make an investigation.

6. Question. Where did rumors say these prisoners had been killed?

Just in the Hinche district.

Question. Not in Hinche?

Answer. No; not necessarily; in the district of Hinche.

Question. Can you give the approximate date?

Answer. No, sir.

Question. What attempt, if any, did you make to investigate these rumors?

Answer. None.

Question. Can you give any reasons for not investigating these rumors?

Answer. None; except that I was not directed to investigate these rumors, and good there would be an investigation.

Question. Your theory is, then, that if you heard of something wrong in the district that you would not investigate it unless ordered? Is that correct?

Answer. No, sir; that was not in my district at that time.

Question. Did you not say that some time in March you were ordered out of the Hinche district again?

Answer. About the 17th of February until the 7th of March.

Question. Then you did not hear these rumors in the Hinche district, but in the other?

Answer. Yes, sir.

Question. Did you ever mention these rumors to Major Wells?

Answer. Not that I remember.

Question. Did you ever hear that certain gendarmerie officers had orders to bump off prisoners?

Answer. No, sir.

Question. Was the killing of prisoners you referred to the killing of 19 who were shot in the cemetery at Hinche?

Answer. No, sir; I do not recall any particular incident in regard to these, but understood that there was to be an investigation of conditions in the district of Hinche.

Question. There was an investigation, was there not?

Answer. Yes, sir.

Question. You had nothing whatever to do with the district of Hinche when you heard these rumors?

Answer. No; I can not recall just when I heard these rumors. I don't know if it was before or after.

Question. Well, had it been while you were in charge of that district when you have investigated it?

Answer. Yes; I would have if I were in charge of the district.

Question. Do you know Captain Lavoie, Gendarmerie d'Haiti?

Answer. Yes.

Question. Do you know Captain Bolte, Gendarmerie d'Haiti?

Answer. Yes.

Question. Do you know Lieutenant Williams, Gendarmerie d'Haiti?

Answer. Yes.

Question. Do you know Mr. Baker, formerly of the gendarmerie?

Answer. Yes.

Question. Have you ever had any conversation with the above-named persons in reference to the killing of Caco prisoners or the unlawful killing of civilians?

Answer. On about March 10 I received written orders in regard to what action would be made of prisoners, and I personally instructed Lavoie, and others, in the district, as I recall now in this order, and explained the same to each officer and each gendarme before they left on patrol. There has been a conversation that I can not recall at this time.

Question. You state positively then that you do not remember of any action held with the gendarme officers aforementioned with regard to the killing of prisoners or Cacos in the Hinche district.

Answer. I don't recall any as I stated that I did not have anything to do with the same.

Question. If you have had any conversation with any one of the aforementioned gendarmerie officers before March it would surely have arrested your mind, would it not?

Answer. Not necessarily, because during this time there was a great deal of gossip going on and I did not go in for either.

Question. Did you not consider it necessary then to consider the rumors in the district you command?

Answer. I did not command the district of Hinche until about March 8 and did not interest myself in any thing that happened prior to that date, but did after this date, and every rumor or report of killing had made investigation or report of it.

28. Question. Did you ever find that on an investigation that any of the rumors were true?

Answer. I remember of one prisoner who was killed. I believe Major Wells while on a detail getting sugar cane. I investigated this and made a report of it as required then by regulations, and later was directed to make a more detailed report, which I submitted and was accepted.

29. Question. Who did the killing?

Answer. A private in the gendarmerie.

30. Question. What duty were you performing at Hinche between November and October 31.

Answer. To operate patrols and to try to capture Charlamagne.

31. Question. Were you in command of the Hinche district at that time?

Answer. No, sir.

32. Question. Were you the senior officer present?

Answer. After the 22d I was.

33. Question. The second time you went to the Hinche district on February 17, was it not? What was your duty then?

Answer. To see that there was no friction between the gendarmes and the marines.

34. Question. Were you the senior officer present then?

Answer. No, sir; not at all times. Colonel Hooker would come.

35. Question. If you heard any rumors of killings of prisoners on February 17 and March 7, would you have investigated them?

Answer. Not necessarily. I would have reported it to Major Wells.

36. Question. Did you ever make any report to Major Wells with reference to the killing of Cacos or prisoners before the investigation of General Catlin?

Answer. I would have perhaps told him that I heard rumors of killings in the district.

37. Question. Do you know of any investigation he ever made on this subject?

Answer. I don't recall if he did or not make an investigation.

38. Question. Would you know if he made an investigation?

Answer. No, not necessarily.

39. Question. Will you state, positively, that you knew absolutely of the killing of certain prisoners in Hinche in January, 1919, by Captain Lavoie.

(Captain Doxey was informed of his rights in this question, and had a perfect right to refuse to answer it if it in any way incriminated him.)

Answer. I heard rumors, but of no specific case. It was reported that Captain Lavoie had something to do with the killing of prisoners in January. If I remember, it was in conversation with General Catlin.

40. Question. Will you make the positive assertion that you did not know of this occurrence before your conversation with General Catlin?

Answer. No, sir; but I believe it to be correct.

Mr. ERNEST J. LAVOIE was called as a witness, was duly sworn, and testified as follows:

1. Question. What is your name?

Answer. Mr. Ernest J. Lavoie.

2. Question. Have you ever been connected with the Haitian army?

Answer. Yes.

3. Question. During your connection with the gendarmerie were you cognizant of the fact that there was any unlawful killing of Cacos?

Answer. Yes.

4. Can you state whom these instructions with reference to the killing of Cacos were given by?

Answer. That is a very difficult question to answer.

5. Question. Were you ever given instructions to hump off prisoners?

Answer. Yes.

6. Question. Who gave you these instructions?

Answer. Colonel Wells.

7. Question. Please state the circumstances.

Answer. It was in conversation at Hinche the first night I was there, in the presence of Captain Verdier. "The only way to stop

ake it as hard as we could for them, as the gendarmerie had to handle them. Such men as Saul Peralte should be bumped off. On your return in the morning you can tend to that, Verdier." And he said, "Never mind sending prisoners into Cape Haitien; you can handle them yourself at Hinche." Question. Will you state positively that you never received any instructions from Colonel Wells to bump off prisoners?

A. In substance he told me that I shouldn't send any prisoners on into Hinche; that I could handle them right in Hinche, and not take them to the Cape; that I could be bumped off.

Question. Col. RICHARD S. HOOKER, United States Marine Corps, was called in, was duly sworn, and testified as follows:

Question. State your name, rank, and present station.

A. Richard S. Hooker; lieutenant colonel, United States Marine Corps; acting as assistant chief of the Gendarmerie d'Haiti, Port au Prince, Haiti. Question. What duty have you been performing since your arrival in Haiti in the month of this year?

A. From January, 1919, to July 20, 1919, I resumed my duties at Cape Haitien as regimental commander of the Second Regiment and district commander of northern Haiti, when I was appointed assistant chief of the Gendarmerie d'Haiti. I continued the same duties until October 9, 1919, when I resumed my duties in the gendarmerie in Port au Prince.

Question. State fully all you know of the disturbances in northern Haiti since your coming to your knowledge as district commander, stating particularly of the treatment of prisoners, corvée, or other treatment of which would be likely to cause discontent and tend to continue the trouble.

A. When I arrived in Port au Prince from the United States, January 1, 1919, General Catlin told me that he was not satisfied with conditions in the north and stated that his information was not direct. He directed me to go to the north and let him know. I arrived in the Cape January 1, 1919. On rumors and general gossip I gathered that in the district of central Haiti there was rough treatment was going on and from several Haitians that corvée was still in force. Major Wells, then colonel in the gendarmerie, practically told me in the presence of Major Doxey that they, meaning the bandits, were being hanged and were being bumped off and that no official reports were being made. I did not take this seriously at the time. I went to Port au Prince after the latter part of January or early part of February and in conversation with General Catlin told him that I knew there was too much rough work and that corvée was still in existence. General Catlin then gave me verbal instructions to go into the Hinche district and submit a report to him as to what was found there. This report I forwarded about the middle or latter part of February, in writing, and in which I stated that I had seen 150 men actually doing forced labor and had seen gendarmes maltreating inhabitants. In Hinche I saw a gendarme from whipping a woman in the open market because her dress was more than he thought it should have cost. I reported this to Captain Lavoie in Major Doxey's presence. I saw a prisoner being taken by three gendarmes with the butts of their rifles. I heard from Pere Lerue of Hinche, and from Pere Lerue, of San Michel and Maissade, that the people were in a state of terror and being killed at will. The bishop of Cape Haitien told me the same thing. This I did not see nor could find at that time to prove, but I could see that a reign of terror existed. When my report was received by General Catlin I was sent for and had a discussion with General Williams and Major Wells were present. My report was denied and the existence of corvée was denied by Major Wells. From his March 6 or 7 verbal reports and conferences were held, when General Catlin, on account of conflicting testimonies, decided to make a personal investigation himself. On March 7 he arrived in San Michel, accompanied by General Williams and Mr. Holly, where I met him. Major Wells and Major Doxey were also there. We all started the next morning; we went to Hinche. On coming into the town there were some workmen on the road. General Catlin stopped and after being told by several that they had been working nothing, that some had been working since February, and that in the part of their work they spent the night in prison. They stated that they had received 30 cents Haitian a day for about a week, but that General Williams had promised them a gourde a day on the coming Monday. General Catlin told them that those who were not there voluntarily to stop to

the other side of the road. All but three did so. Two of these three that they were chiefs of the work and well paid and the other stated he had not stepped over because he lived in Maïssade proper. The General's verbal testimony for about three or four hours, and the gist of the testimony was that corvée had been going on and that several persons had been killed through the false testimony of the Magistrate Martial Prevail to Lieutenant Williams. There was no direct proof to many of the stories, but Lieutenant Williams admitted to having executed three or four and later five or six. Several witnesses testified to the death of Garnier, the notary, and Lieutenant Williams admitted that the man had died. A report made against them by five citizens of Maïssade. They were confined in Hinche and tried in Maïssade without being present. Garnier stated in the court that this was not the words to that effect. That night about 7 or 8 o'clock Garnier was found at Lieutenant Williams's house with the magistrate and at 2 o'clock the next morning found dead in a chair in the barracks yard, beaten with a club. In his same day testimony was received from the priest, Pere Belliot, the notary, Savique Perlate, and Juge de Paix Moncey Malary that many persons had been executed with a machine gun and that the corvée had been continuing in Maïssade. The first statement was corroborated by Mr. Lang in a statement. General Catlin and myself at the San Michel plantation. Captain Lavole admitted to having taken six prisoners and executed them for disobeying orders. Both Lieutenant Williams and Captain Lavole were silent as to where instructions came from allowing maltreatment, during General Catlin's statement. Marines were placed in all the towns as garrisons and to act as men for patrols to the gendarmes in March, and I issued instructions dated March 12, concerning their treatment of inhabitants. (Copy of instructions attached. A. Copy of commanding officer Fifty-third, Company B.) The instructions were repeated on many occasions and all officers and men there understood them. Such maltreatment of inhabitants as came to notice was subject to proof and not idle rumors were punished by general court-martial. On June 7 I investigated a report made against Captain Hamilton as giving orders to shoot prisoners if sure they were Cacos. On questioning he stated to me before Colonel Wise that he had an order in his files from General Williams dated, March 10, forbidding the shooting of prisoners. Major Wells had verbally told him that that order did not apply to prisoners who were actually in prison and that he should go ahead executing prisoners and say nothing about it. I recommended, and Captain Hamilton brought to trial before a general court-martial for murder. This is the direct case where I personally was told by one who had himself received Major Wells's order to execute prisoners. There were many rumors and the impression throughout the north was that such orders existed. I have heard many of prisoners being wantonly killed, but upon investigation I have found that were untrue and usually circulated by men who were trying to make the out to be bad men. I heard that Lieutenant Ryan had killed two natives without cause and recommended and brought him to trial before a general court-martial for murder.

4. Question. Do you know anything of Lieutenant Spear's actions?

Answer. No. I was at Hinche and in the north. He was in the north. I know nothing about him except that there was such an officer.

5. Question. Do you know of any order forbidding corvée?

Answer. Yes. On October 1, 1918, the chief of the gendarmerie issued an order, and later on, October 18, he issued an order stopping it. This was because the corvée was going on in the Hinche-Maïssade-Saint district, because these places were not mentioned in his first order. This was a proclamation or notice from the brigade commander to the same effect.

6. Question. Do you know positively that the corvée continued after that order?

Answer. Yes; in February, 1919, I myself saw the corvée in operation in Maïssade. Two groups of between 50 and 75 men each were working on the roads, and a third group of about 45 in the market place of Maïssade.

7. Question. Do you know if Major Wells gave orders or knew that the corvée was still in operation there?

Answer. I don't know, but Major Wells was in command of that district and the roads were being built, which Major Wells knew; therefore he must have known that there was corvée.

ALFRED HOLLY was called as a witness, and testified as follows, after  
uly sworn:

estion. What is your name and occupation.

er. John Alfred Holly, translator at brigade headquarters, United  
Marine Corps, Port au Prince, Republic of Haiti.

estion. In March, 1919, did you act as interpreter for General Catlin  
investigation at Maissade?

er. Yes.

estion. Repeat as nearly as possible the conversation you translated for  
Catlin.

er. At Maissade the greater part of the investigation was devoted to  
ring of evidence as to the continuance of and manner of conducting com-  
corvée, as to the treatment of the men, and the manner in which they  
-cruited, and as to the wages paid them. Briefly stated, the evidence  
to show that the peasants were "invited"—convened—to assemble at a  
place to attend an "audience" to be given by Lieutenant Williams,  
command at Maissade. When the country folk arrived at the place of  
ous the lieutenant was not there, and they were told to go on to Maï-  
When they arrived at this place they were locked up in prison for the  
nd the next morning they were put to work on the roads. At the time  
eral was speaking to them the majority of the men had been kept at  
or two months or more. Every night they were locked up in prison to  
em from running away. Some of the men declared that, as a matter

they had been invited—asked—to come and work on the roads; that  
nsidered the invitation as an order, because such was the custom in  
nd because they knew of instances where those who refused to respond  
invitation were beaten and compelled to go, and that some who tried to  
ay were fired at. All of the men of the gang, with one exception, on  
sked the question by the general replied that they would much prefer  
rn home and work in their gardens, which, they said, were going to  
All of them owned lands in their own rights. The exception was the  
ader, who explained that he was to a certain extent responsible for bring-  
men there; he could not consistently say that he preferred to be at

In this case his presence with the gang was entirely voluntary. It  
nd that up to the time that the general was speaking to the men none  
n, with the possible exception of the gang leader, had been receiving the  
to which he was entitled. On being given permission to do so, the whole  
roke up and went home. There were complaints of ill treatment of the

and of persons being beaten to death. One instance is that of the  
notary of the place, an old man by the name of Garnier. This man  
rested at the investigation of the justice of the peace and of the mayor  
ommune (magistrate communal), taken to the bureau of the gendarme-  
about 7 o'clock in the evening, and was beaten by the lieutenant himself  
fter 9 o'clock, when he was put in a rocking chair, in which he died  
ne during the night. The notary's offense was that of having remon-  
with the judge as to the severity of a sentence rendered by him in a

which the magistrate communal was the plaintiff. I can not recall  
ticulars of the case, but I do remember that the sentence was heavy,  
prisonment, and the notary thought that in view of the fact that there  
erious doubts as to the justice of the cause, the fine should have been  
red to be a sufficient penalty. Lieutenant Williams's action in this mat-  
ned to have been due to his friendship or sympathy for both the mayor  
judge. There were complaints of unlawful capture of cattle and other  
s that were sent to the pound, and which under various pretexts the  
ant refused to return to the owners. Many, and among them all the  
nes stationed at Maissade at the time, testified that Lieutenant Will-  
ad summarily executed some 12 or 16 persons, some with his own hands,  
ried their bodies in the yard back of his office. The spot where the  
were buried was pointed out, but the grass had been leveled down  
t was learned that General Catlin was coming to hold an investigation.  
de was the only place among those that were visited where the gen-  
bitterly complained of being ill treated by their chief. All the evidence  
at this place showed that the lieutenant, the mayor, and the judge all  
together and that the one was the accomplice of the others. The above  
he best of my recollection, a true and faithful relation of the conversa-  
at took place at Maissade in the month of March, this year, between

General Catlin, then chief of the occupation, and the inhabitants of that district, that nothing has been added or withheld that in one way or the other would alter the value of the facts as they were given to the general.

11. The undersigned questioned many others, both civilian and commissioned officers, but while they all admitted of hearing many rumors of murdering Caco prisoners, none of them were able to testify under oath that such was so and what they had heard it. Almost everyone stationed in Haiti during the early part of this year seemed to have some knowledge of the fact that both marine and gendarmes were killing prisoners. It was very difficult to get any witnesses to testify directly, as, in the opinion of the undersigned, they were all equally culpable. As far as Lieutenant Spear is concerned, no one seemed to know anything about him, and I am inclined to believe that his statement before the court that he had killed prisoners was deliberately untrue.

12. That there were killings, and many of them, is undoubtedly true, but I believe that all of these can be directly traced to Maj. Clarke H. Wells, who was in command of the district.

13. The gendarme officers in the district were all noncommissioned officers of the old Marine Corps, men who believed in their officers and to whom it was to be obeyed to the letter. These officers received instructions from Major Wells to "bump off" Caco prisoners, and they carried their orders out to the best of their ability. I do not feel that under the circumstances they should be held responsible and that the responsibility should be put where it belongs, on the shoulders of Major Wells.

14. Captain Doxey's testimony was undoubtedly colored by the fact that he was attempting to shield himself; and even if his testimony was true he showed the greatest disregard for his duty when he neglected to report all rumors to Major Wells. His work in Hinche seemed to be to get by and do nothing.

15. I am convinced that Corpl. Edward J. Sieger, United States Marine Corps, deliberately lied in his testimony. Sufficient evidence was brought out to show that he was included in the ones who received the "bump off" order.

16. Sergt. Doras R. Williams, United States Marine Corps, who was in command of Maissade as a lieutenant of the gendarmerie, could give quite a lot of information if he desired, but he is now in the United States, probably discharged.

17. Further, the fact that General Catlin made an investigation at San Juan would tend to prove that something wrong had happened. I have searched the files for any correspondence on this subject, but found none.

18. Attached, marked "A," "B," and "C," is the only data on this subject found in the files of the brigade.

T. C. FAY.

Certified to be a true copy.

H. C. HAINES,  
Brigadier General, Adjutant and Inspector,  
United States Marine Corps.







